

SUBJECT: "Civil Rights Up to Now"

PARTICIPANTS: President Lyndon B. Johnson (Excerpt from Speech at UAW Convention)
Senator Hubert Humphrey (D.-Minn.)
Senator Thomas H. Kuchel (R.-Calif.)

MODERATOR: Harry W. Flannery

Time: 13:20

FLANNERY: WASHINGTON REPORTS TO THE PEOPLE!

President Johnson to the UAW Convention in Atlantic City:

JOHNSON: We are going to pass a civil rights bill if it takes all summer. We are going to pass it, because no nation can long endure or prosper if millions of our citizens are barred from their purposes and are denied the use of their talents. We are going to free the log-jam of pent-up skills and unused opportunities because until education is blind to color, until employment is unaware of race, emancipation may be a proclamation but it will not be a fact.

FLANNERY: On the civil rights bill in the Senate, the majority floor leader, Senator Hubert Humphrey, Democrat of Minnesota, and the minority floor leader for the measure, Senator Thomas H. Kuchel, Republican of California.

Your reporter, Harry W. Flannery, interviewed both senators for this radio station and the American Federation of Labor and Congress of Industrial Organizations in their offices in the Capitol.

First, Senator Humphrey.

Senator Humphrey, is this an extreme bill -- the civil rights measure -- that you are now considering here in the Senate?

HUMPHREY: This bill is a responsible and moderate piece of legislation. It is based on the known problems in our communities in the United States in the field of race relations. It is responsive to those problems and also it is based upon the experience that we have had in civil rights legislation in the municipalities of our country and in the states.

Let me be very specific with you. For example, one of the problems we have is school desegregation. So this bill has a title -- Title IV -- that is related to accelerating school desegregation. It isn't a bill of punishment. It is a bill of assistance; it provides technical assistance, it provides financial assistance for those school districts that are attempting to desegregate. We recognize that desegregation poses problems. Not only is it the law of the land that schools shall be desegregated but it is also a fact that this is a difficult assignment. So the bill seeks to help in desegregation and yet, at the same time, to accelerate it.

I think another point that is quite obvious is that a number of our fellow citizens have, at times, been embarrassed and they have suffered indignities because they have been denied public accommodations -- so we have Title II in this bill that relates to public accommodations. A family leaves New Jersey, it travels to South Carolina, when it arrives in South Carolina it finds that it can't stop at a motel because it may be a colored family.

Now, these are facts and we seek to deal with those facts. Then, too, we base this bill on the legislative experience and the administrative experience of many states. For example, in public accommodations, there is a heavy attack on this title by the opponents, yet 32 states already have state laws that are much more broad in coverage, much more severe in penalty for the failure to abide by the law than anything that is in this federal civil rights bill. In other words, Title II -- the public accommodations feature of the civil rights bill before the Senate -- is based upon the experience of 32 states and yet it is modified, it is, in a sense, restrained, less in terms of its coverage and punitive effects than the states.

Then we have Title VII, which is the fair employment practices title. This title is designed to outlaw discrimination in employment. You cannot discriminate on the basis of race. You shall deny no man a job because of race, religion, color or national origin. Twenty-five states already have this kind of legislation and it works. Not perfectly but it is helpful, let's put it that way. And we find that in those 25 states that presently have fair employment practices legislation, you have the highest standard of living, the highest per capita income, the fastest rate of economic growth of industry, the greatest degree of prosperity and the highest family income and the highest employment. So, if you find all of those circumstances existing in states that have fair employment practices laws, it seems to me that you can honestly say that FEPC provisions do not injure private enterprise.

Then, on the opposite side of the coin, sir, is that the states that do not have FEPC laws, have more strikes, more difficulties, more labor-management difficulties, less income. So, I think there is a pretty good case built upon experience here.

FLANNERY: Isn't there a responsibility among the people back in the communities, not only in regard to the passage of this bill but in the implementation of it afterwards, Senator Humphrey?

HUMPHREY: Yes, very, very much so. In fact, I have said repeatedly that we in the Senate will go through the processes of ratifying this bill but the passage of this bill must come from back home with the people. Fortunately, the great religious leaders, and the great religious faiths of our country have taken a strong stand on this matter and many of our top business and professional and all of our labor forces have spoken up for this legislation. Leaders in our communities today have a responsibility to work with the minority groups, to listen to their pleas and their grievances, to listen to their petitions, to try to adjust these things voluntarily right at home before you have to go to the legislative process.

But, all too often, there are extremists in the white community that just refuse to even be willing to talk to a Negro leader or to a group of Negro fellow citizens of Negro background. This is wrong. And just as some of us have deplored the violence and the demonstrations on the part of Negro leaders and groups that have become unruly and disorderly, I want to deplore the fact that there are a number of citizens of the white race who just refuse to take on their responsibilities as civic leaders and try to work these problems out. Instead of that, they agitate, they irritate, they refuse to sit down and meditate and negotiate and those kinds of people are not helping at all.

FLANNERY: Are you confident that you will be able to get this bill out of the Senate and in law before the conventions?

HUMPHREY: I think it is essential that we do so. I believe it would be very harmful to American politics and to the American political party system if this issue were to be kicked around in political party conventions as a partisan issue because it is not partisan -- it is a moral issue, it is a national issue. It is national in scope and it ought not to be Republican or Democrat.

FLANNERY: Thank you, Senator Humphrey. In his office in the Capitol, Senator Kuchel.

Senator, there has been a lot of misinformation published on the civil rights bill. Isn't that true?

KUCHEL: It certainly is. All across the country, the misrepresentation has come, in the main, out of money appropriated by the Mississippi legislature to a so-called quasi-public corporation which, in turn, has printed page advertisements in large newspapers from California to New York which are based on fraud and misrepresentation about what this bill does.

FLANNERY: Could we take an example on this? Let's take, first of all, Title I.

KUCHEL: The advertisements which have appeared misrepresent Title I and say that this civil rights bill will authorize the federal government to take over the entire area of voting in all the country.

Now, that is a complete falsehood. A number of years ago, President Eisenhower appointed a civil rights commission to study problems in the field of equal treatment under law. That commission made investigations and found, for example, that in one southern state an American citizen, who happened to hold a Ph.D. degree, was denied the right to register to vote because it was alleged, that citizen was illiterate. That citizen happened to be a Negro.

This bill, which is now in the United States Senate after having passed the House of Representatives by a 2-to-1 vote simply provides that the same standards shall apply in registration to vote and in voting to all citizens who desire to register and to vote. That is all this bill does. Both the Republican and Democratic national platforms of 1960 promised this kind of legislation. This is in the public interest.

It makes a mockery out of the theory of self-government if you deny large segments of the population the right to vote because of their color or their religion. The federal government

in this bill does not seek to determine what standards shall be applied in registration and voting by each state. All it says -- and this is so important -- it says that the standards shall operate the same for all citizens within a given state.

FLANNERY: Does this apply to the state and local elections as well as the national?

KUCHEL: No, it does not with respect to state elections for governor, members of the legislature, or in local elections, city councils, boards of supervisors, law enforcement officers, this bill does not attempt to provide for any set of standards. I think it should. I think that standards ought to be equal all across the board.

FLANNERY: Suppose we take Title II and some of the misrepresentations on it -- public accommodations.

KUCHEL: This, too, has been grossly misrepresented and falsified so far as these advertisements are concerned. What are we talking about in public accommodations? In this country there are certain types of businesses that are open to the public, to all the public, to serve people -- hotels, motels, restaurants and theaters are an example.

In many states, take California for an example, in many states we have had a law for years -- in California for about 75 years -- providing that all American citizens shall have the right to use public accommodations. As a matter of fact, in California, if a person running a restaurant denies you or me or any other citizen the right to come in and patronize his restaurant, in California the individual aggrieved is given the specific right to go to court and sue and collect damages.

This bill simply provides that where any public accommodation is open to the public in any state of the union that public accommodation must open up its doors to all citizens, as the law requires, in my state and many others today. It has nothing to do with requiring the owner of a public accommodation willy nilly to accept anyone; for example, if a person is disorderly, if a person is intoxicated, whether he be black, white, or of oriental extraction, obviously the owner of that public accommodation has a perfect right to refuse to serve him. The thrust of Title II is simply to say that on the basis of race there cannot be any discrimination with respect to public accommodations in this land.

FLANNERY: And this same type of misrepresentation continues throughout the various titles?

KUCHEL: This is true. I think this piece of legislation has been more misrepresented and more falsified by the people who are opposed to it than any other piece of legislation I know of in my years here in the United States Senate.

FLANNERY: Thank you, Senator Thomas H. Kuchel, Republican of California, and Senator Hubert Humphrey, Democrat of Minnesota, bipartisan floor leaders for the civil rights bill in the Senate.

This is your reporter, Harry W. Flannery, who invites you to keep informed on major issues before Congress by being with us each week at this same time for this public service program, brought to you by this radio station and the AFL-CIO, WASHINGTON REPORTS . . . TO THE PEOPLE!

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815 SIXTEENTH STREET, N.W.
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April 30, 1964

The Honorable Hubert Humphrey
The Senate Office Building
Washington 25, D. C.

Dear Senator:

Many thanks for your cooperation in connection with the recent program in the WASHINGTON REPORTS TO THE PEOPLE series.

Enclosed is a transcript of the program. Also please note page 4 of the AFL-CIO News Service which is sent to 450 AFL-CIO newspapers.

If you would like to have additional copies of either, please let us know.

Sincerely yours,

Harry W. Flannery
Radio Coordinator

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