

## CHAPTER 11

### *EVERETT M. DIRKSEN; THE GREAT AMENDER*

There is much evidence to suggest that, from the very beginning of the Senate debate on the bipartisan civil rights bill, President Lyndon Johnson and Senate Democratic Whip Hubert Humphrey realized that Senate Republican Leader Everett Dirksen of Illinois would hold the key to a successful cloture vote on the bill. Thus, as the drone and drawl of the filibuster dragged on throughout the months of April and May 1964, the most important events taking place were Johnson's and Humphrey's attempts to find some way of winning Dirksen's support and getting Dirksen to get his Republican allies in the Senate to vote cloture on civil rights.

A member of the White House staff, Mike Manatos, argued that it was necessary to have Dirksen's support to get cloture, but that it was important to keep in mind that Dirksen was a person who would change his mind about an important national issue. Manatos explained:

I think that Dirksen is the kind of individual who wants to see progress. And I think that once you persuade Dirksen that he's wrong in a particular area, that he ought to be going in another direction, he can be turned around. There are some things you learn up there [on Capitol Hill]. One of them is that you can't get cloture without Ev Dirksen. So the question is, whether it's on civil rights or anything else, to find out

TO END ALL SEGREGATION

whether you can work out an agreement with Senator Dirksen, maybe take 1/2 loaf or 3/4 of a particular loaf. . . . Senator Dirksen was the kind of individual who could be persuaded on the basis of logic and justice that his course was wrong. He'd do an about-turn.<sup>1</sup>

President Johnson was aware from the moment he became president that the real problem with the civil rights bill would be in the Senate and not the House of Representatives. On 3 December 1963 he told his first congressional leadership breakfast:

Civil rights has been [in the House of Representatives] since May. . . . We all know the real problem will be in the Senate.<sup>2</sup>

President Johnson noted in his memoirs that, shortly after President Kennedy's assassination, he telephoned Dirksen and asked him to convey to his Republican colleagues in the Senate that the time had come to forget partisan politics and get the legislative machinery of the United States moving forward. As Johnson recalled the phone conversation:

There was a long pause on the other end of the line and I could hear him [Dirksen] breathing heavily. When he finally spoke, he expressed obvious disappointment that I would even raise the question of marshaling his party behind the president. "Mr. President," he said, "you know I will."<sup>3</sup>

Turning Senator Dirksen's general statement of support for the president into support for a cloture vote on the civil rights bill would be no small task. The strategy designed by Johnson was to give Dirksen the opportunity to be a "hero in history!" Johnson noted:

*THE GREAT AMENDER*

I gave to this fight everything I had in prestige, power, and commitment. At the same time, I deliberately tried to tone down my personal involvement in the daily struggle so that my colleagues on the Hill could take tactical responsibility -- and credit so that a hero's niche could be carved out for Senator Dirksen, not me.<sup>4</sup>

Louis Martin, deputy chairman of the Democratic National Committee under President Johnson, argued that Johnson did not "tone down" his personal approach when it came to working personally on Everett Dirksen. He said:

People talk about Johnson's style, but I don't think there's a warmer individual in America on a person-to-person relationship. He needed Dirksen, and he worked on Dirksen, flattered Dirksen, and he gave Dirksen certain privileges.<sup>5</sup>

The major share of the task of winning Everett Dirksen over to the civil rights bill fell to Hubert Humphrey, the Democratic whip in the Senate. Humphrey recalled a telephone call from Johnson just as the civil rights bill was arriving in the Senate. The president told Humphrey:

Now you know that this bill can't pass unless you get Ev Dirksen. You and I are going to get him. You make up your mind now that you've got to spend time with Ev Dirksen. You've got to let him have a piece of the action. He's got to look good all the time.<sup>6</sup>

On 28 February 1964 Humphrey remarked at a meeting of pro-civil rights senators that he had already talked to Dirksen about how the bill could not pass without Dirksen's support. Humphrey

TO END ALL SEGREGATION

said:

I told Dirksen that it is not Hubert H. Humphrey that can pass this bill. . . . [Ultimately, Ev,] it boils down to what you do.<sup>7</sup>

By mid March 1964 Humphrey was accelerating his efforts at nudging Dirksen into that civil rights "hero's niche." Humphrey recalled that on his first television appearance in connection with the civil rights bill, a Sunday morning guest spot on "Meet the Press," he spent most of his time talking about Senator Dirksen:

I praised Dirksen, telling the nation he would help, that he would support a good civil rights bill, that he would put his country above party, that he would look upon this issue as a moral issue and not a partisan issue.<sup>8</sup>

Humphrey concluded his television appearance with soaring personal praise for Dirksen:

Senator Dirksen is not only a great Senator, he is a great American, and he is going to see the necessity of this legislation. I predict that before this bill is through Senator Dirksen will be its champion.<sup>9</sup>

Apparently Lyndon Johnson watched Humphrey's performance on "Meet the Press" and believed that Humphrey had done exactly the right thing. In a subsequent telephone call, Johnson continued to urge Humphrey on:

Boy, that was right. You're doing just right now. You just keep at that. Don't you let those bomb throwers [extremely committed supporters of civil rights] talk

*THE GREAT AMENDER*

you out of seeing Dirksen. You get in there to see Dirksen! You drink with Dirksen! You talk to Dirksen! You listen to Dirksen!<sup>10</sup>

Humphrey was careful to point out that his lavish praise for Dirksen was based both on honesty (Humphrey really did admire Dirksen's legislative skills) and on necessity:

I did so [praised Dirksen] not only because I believed what I said but because we also needed him. I knew that . . . we could not possibly get cloture without Dirksen and his help. Therefore every effort was made to involve him. With few exceptions, I visited with Senator Dirksen every day, encouraging him to take a more prominent role, asking him what changes he wanted to propose [to the bill], urging him to call meetings and discuss his changes.<sup>11</sup>

In looking back on his avid courtship of Everett Dirksen, Humphrey eventually came to use the word "shameless" to describe his behavior and, by implication, Dirksen's:

I never failed to stroke Ev Dirksen's ego. I don't know whether he realized what I was doing or not, but he liked it. I don't think a day went by when I didn't say, "Everett, we can't pass this bill without you. We need your leadership in this fight, Everett." And I'd say, "This will go down in history, Everett," and that meant, of course, that he would go down in history, which interested him a great deal. Oh, I was shameless. But as I say he liked hearing it all, and I didn't mind saying it.<sup>12</sup>

Humphrey's legislative assistant described the technique which Humphrey was using on Dirksen as "the great man hook." The

## TO END ALL SEGREGATION

legislative assistant, who periodically dictated his thoughts on the progress of the civil rights bill through the Senate, outlined the strategy in considerable detail:

Humphrey has been playing up very strongly the line that this is an opportunity for Dirksen to be the great man of the United States, the man of the hour, the man who saves the civil rights bill. This line has been played up by Humphrey on "Meet the Press," in numerous conversations with journalists. Humphrey instigated Roscoe Drummond's recent article in the Herald Tribune Syndicate pointing up that Dirksen has an opportunity for greatness in the pending civil rights debate. In short, it appears that Dirksen is beginning to swallow the great man hook and, when it is fully digested, we will have ourselves a civil rights bill.<sup>13</sup>

## TWO-FACED?

It is important to note that, at the same time President Johnson and Hubert Humphrey were acknowledging privately that they would have to compromise the civil rights bill in order to get Dirksen's support, they were telling the press and the public that they would accept "no compromises" in the House passed bill. There were two reasons for this two-faced procedure in which one view was presented to insiders (we want to compromise with Dirksen) and a completely opposite view was presented to the world (no compromises on the House passed bill). In the first place, once the compromise negotiations with Dirksen finally began, Johnson and Humphrey wanted to sacrifice as little of the House passed bill as possible. The best way to achieve this was to start from a position of "no compromises" and thereby be able to pretend that they were making a big sacrifice to Dirksen just by negotiating compromises with him

at all.

The second reason that Johnson and Humphrey took a "no compromises" position was that they were under heavy pressure from the Leadership Conference on Civil Rights. Exactly as they had done in the House of Representatives, Clarence Mitchell, Jr., and Joseph Rauh, Jr., were continuing the strategy that "the best defense is a good offense." By taking the position that no compromises to the House passed bill were acceptable, Mitchell and Rauh hoped to reduce the extent of those compromises once they eventually were negotiated.

Mitchell and Rauh also took a very strong stand against allowing any cloture votes until Humphrey and Kuchel were absolutely certain that they had the necessary 2/3 vote for cloture. The Leadership Conference lobbyists had a good historical reason for taking this position. The 1957 and 1960 civil rights bills had both been compromised to suit the Southerners immediately following unsuccessful cloture votes. Mitchell and Rauh feared that a failed cloture vote in 1964 would have the same devastating effect, i.e., once it had been shown there were not enough votes for cloture, uncommitted senators would demand an immediate agreement with the Southerners that would end the filibuster but leave the civil rights bill, from Mitchell's and Rauh's point of view, emasculated and worthless.

#### EXTREME MEASURES

In addition to opposing any cloture vote until a successful outcome was guaranteed, Mitchell and Rauh argued that extreme measures should be used to break the filibuster. Mitchell shocked Humphrey and Kuchel by frequently arguing that the Senate's sergeant at arms should arrest the Southern senators and forcefully bring them to the Senate floor when they were needed to help make a quorum call.<sup>14</sup> Rauh repeatedly suggested that a little known Senate rule be used, a rule providing that no senator could make more than two speeches on any given subject.<sup>15</sup> Humphrey and Kuchel

#### TO END ALL SEGREGATION

repeatedly explained to Mitchell that they thought arresting U.S. senators and dragging them down to the Senate floor for quorum calls was a bad idea. They pointed out that the national and international news coverage that would result from such "arrests" would be very negative and would make the civil rights forces look inept and silly.

Humphrey and Kuchel also carefully pointed out to Rauh that, once a Southern senator had used up his two speeches under the two speech rule, all he would have to do was introduce a minor amendment to the bill and then he could give two more speeches on the amendment. Then when those two speeches were done, he could introduce another minor amendment, give two more speeches, and thereby go on talking forever. In short, the bipartisan floor managers argued, trying to implement and enforce the two speech rule simply would not work.

Despite Humphrey's and Kuchel's unanimous opposition, Clarence Mitchell, Jr., continued to talk about arresting absent Southern senators and Joseph Rauh kept advocating the two speech rule. Perhaps Mitchell and Rauh intentionally advocated these extreme measures as part of their "strong offense" strategy. Taking such belligerent stands in favor of extreme measures put Humphrey and Kuchel on the defensive and thereby made them less likely to suggest either compromising the bill or moving for cloture before the votes for cloture were definitely in hand.<sup>16</sup>

#### WARRING WITH THE LEADERSHIP CONFERENCE

By mid April 1964 Hubert Humphrey began hinting at his morning civil rights strategy meetings that, sooner or later, he was going to have to begin negotiating a compromise version of the civil rights bill with Senator Dirksen. These gentle hints on Humphrey's part produced extremely critical reactions from Clarence Mitchell, Jr., and Joseph Rauh, Jr. At a meeting of the pro-civil rights forces on 16 April 1964, Mitchell and Rauh complained bitterly about the fact that



*THE GREAT AMENDER*

there had been a number of newspaper columns speculating that the civil rights bill would be enacted once it had been altered to suit Senator Dirksen. The following discussion, excerpted from notes, illustrated the increasing tension between Hubert Humphrey on the one hand and Clarence Mitchell, Jr., and Joseph Rauh, Jr., on the other:<sup>17</sup>

MITCHELL: There has been an incredible reversal of our agreements. . . . [Is] our side caving in? We are not going to . . . [put the Leadership Conference] in a box and . . . [nail] down the cover. It is unfair to cave in . . . .

RAUH: The Leadership Conference is united in thinking that a cloture discussion is unwise. Cloture means compromise. There should be no cloture until the votes are counted. We had that pledge from Hubert [Humphrey] in this room. We need to hold Dirksen off . . . [with] his amendments. . . .

HUMPHREY: We are going to talk about cloture. We have to think ahead. We have to plan to pass the bill . . . , [if not as it is then as it] might be. We will plan. . . .

MITCHELL: You are shooting your friends if you trade with Dirksen.

HUMPHREY: We don't have . . . [67] votes for cloture. . . .

RAUH: Public discussion of cloture leads to talk of compromise with the Dirksen amendments. Some of the those [the Dirksen amendments] are just as bad as [those proposed by] the Southerners.

HUMPHREY: We have made no deal [with Dirksen]. [But] we have to talk out loud. . . . [Besides that,] we cannot get a quorum this Saturday. All those brave fighters for civil rights are

TO END ALL SEGREGATION

elsewhere. . . . Democratic senators have told me that "if the life of the nation depends on my [being here], . . . then I say to hell with it. . . ."

[MITCHELL and RAUH now press the idea that the civil rights forces should try to exhaust the Southerners with round-the-clock sessions before negotiating a compromise with Senator Dirksen.]

HUMPHREY: Unless we are ready to move in our clothes and our shavers and turn the Senate into a dormitory -- which Mansfield won't have [--] we have to do something else. The president [Lyndon Johnson] grabbed me by my shoulder and damn near broke my arm. He said: "I'd run the show around-the-clock." That was three weeks ago. I told the president he [was] grabbing the wrong arm. [Humphrey was implying the president should have been grabbing Mansfield's arm.] I have the Senate wives calling me right now asking, "Why can't the senator be home now?" They add, "The place [the Senate] isn't being run intelligently." Sometimes I'm working for longer hours. [Then] the president [calls and] says, "What about the pay bill? What about poverty? What about food stamps?" Clarence, we aren't going to sell out. If we do, it will be for a hell of a price. [Bells ring signaling a quorum call on the Senate floor.] I'd better answer the quorum. It would be a hell of a thing if I missed it.

Literally saved by the bell, Humphrey left the meeting and rushed to the Senate floor for the quorum call. He thereby was spared from listening to Mitchell's and Rauh's reactions to his statement that he might "sell out" but for "a hell of a price." As April turned into May, Humphrey and Kuchel talked more and more openly about the fact that they would probably negotiate a compromise bill with

*THE GREAT AMENDER*

Senator Dirksen. At a civil rights strategy meeting in early May, a pro-civil rights senator hinted that some "concessions" on the bill might be required. Joseph Rauh, Jr., described the reaction of Clarence Mitchell, Jr., to this suggestion:

Clarence Mitchell, eyes flashing, exploded that the Negroes of America would never understand weakening the civil rights bill; he eloquently portrayed the depth of feeling and the violence that would inevitably flow from any weakening of the bill.

Rauh noted that Hubert Humphrey sought to ease the tension created by Mitchell's vehement statement by looking at Mitchell and saying with a smile, "Clarence, you are three feet off your chair."<sup>18</sup>

Not content with pressuring Humphrey and Kuchel in the civil rights strategy meetings, the Leadership Conference began to put public pressure on the bipartisan floor leaders to not negotiate with Dirksen. On 6 May 1964 Walter Reuther, president of the United Automobile Workers union and a key member of the Leadership Conference, made public a telegram to Humphrey and Kuchel. The telegram said:

The United Automobile Workers reject as both unwise and unnecessary current suggestions that concessions must be made to Senator Dirksen in order to purchase his vote for cloture. We firmly believe that the compelling urgency of this great moral issue of civil rights will persuade Senator Dirksen to vote for cloture in June whether his proposed amendments are adopted or not.<sup>19</sup>

ABANDONMENT OF THE LEADERSHIP CONFERENCE

What was happening was that Humphrey and Kuchel, in order

TO END ALL SEGREGATION

to get the civil rights bill passed, were about to abandon their previous all-out support of the Leadership Conference and negotiate a final bill that would fall somewhat short of the Leadership Conference's strong demands. Hubert Humphrey's legislative assistant described this process of legislators and lobbyists temporarily parting company:

In other conversations with Humphrey, it has become increasingly clear that the civil rights [lobby] groups must be handled with great care and maturity. In short, it is simply impossible to permit the civil rights groups to call all the shots on this legislation. It is also clear that there will come a time when decisions will probably have to be made which the civil rights groups will disagree with. But, as in the House [of Representatives], they will in the end come around and support the bill as it is finally passed and, in fact, claim all the credit for themselves.

In that regard, it is a good object lesson that you must even be willing to go against your strongest supporters when dealing with legislation of such tremendous scope and comprehension as the pending civil rights bill. There [are] enough groups and interests in this nation so that certain accommodations simply have to be made if there is to be a bill. This is a fact which the civil rights groups, looking at the bill from their very narrow perspective, simply cannot comprehend. And, what is even more distressing, is that they immediately interpret any particular change in the legislation as some manner of dastardly sellout. Clarence Mitchell's biweekly eruptions in the leadership meetings only testifies to this fact. . . .

It is easy enough [to] offend your enemies and to attack them openly at the slightest provocation. It

*THE GREAT AMENDER*

is far more difficult and takes far more courage to disagree with your friends, such as the civil rights Leadership Conference, and to have to do things which they oppose. But sometimes these are precisely the actions which will give you the ultimate victory.<sup>20</sup>

THE MAN FROM PEKIN

Who was this man, Senator Everett M. Dirksen of Illinois, that both President Lyndon Johnson and Democratic Whip Hubert Humphrey would court his favor so directly and so patronizingly? What great power did he hold over the United States Senate that civil rights supporters and Southern Democrats alike saw him as the key to whether or not the bipartisan civil rights bill was passed into law. Was his power really so great that Hubert Humphrey would have to abandon his career long political allies in the Leadership Conference on Civil Rights in order to appease him and thereby get the bill through?

Everett Dirksen grew up in Pekin, Illinois, a small town located on the Illinois River a few miles south of Peoria. As a bustling river town, Pekin had a more diverse economic and social life than that ordinarily associated with the rural Midwestern heartland. As a result, Dirksen was considerably more sophisticated than one might have expected of a small-town Illinois youth.

Pekin had been part of Abraham Lincoln's congressional district when he served in the House of Representatives in the late 1840s. Dirksen often mentioned that he was from Abraham Lincoln's home district, and he constantly quoted Lincoln. Being from Lincoln country and admiring Lincoln as he did must have had some influence on Dirksen -- an influence urging him to work for civil rights in memory of the Great Emancipator from his home state of Illinois.

By the time Dirksen was attending high school in Pekin, he already excelled as an orator and a politician. Upon his return to the

## TO END ALL SEGREGATION

United States after serving as a soldier in France during World War I, Dirksen entered politics and, after holding a number of local political offices, was elected to the House of Representatives in 1932. Although a Republican, he strongly supported Democratic President Franklin D. Roosevelt and his New Deal program for ending the Great Depression of the 1930s.

Thus, from the very beginning of his long career on Capitol Hill, Dirksen had a record of working with the Democrats in Congress in order to help turn out what he believed to be vital legislation in the national interest.

In 1950 Dirksen ran for and was elected to the United States Senate. Two years later he was named to the Senate Judiciary Committee, the committee designated to handle civil rights legislation in the Senate. Service on the Judiciary Committee gave Dirksen an intimate knowledge of the nature of civil rights problems in the United States and, more importantly, gave him officiality and stature when speaking out on civil rights issues.

In 1956 Dirksen began his career as a civil rights legislator by introducing an Eisenhower administration civil rights bill in the Senate. The bill went nowhere, but that summer, at the Republican National Convention in San Francisco, Dirksen chaired the party platform subcommittee on civil rights and was the chief exponent of a "forthright" civil rights plank designed to point up the "serpentine weaseling" of the Democratic Party on the civil rights issue.<sup>21</sup>

Following the 1956 elections, Dirksen was named the Republican whip in the Senate. Two years later, when Republican Leader William F. Knowland retired from the Senate to go home to California and run unsuccessfully for governor, Dirksen was elected Republican leader to succeed Knowland. Throughout the 1959-1960 session of Congress, Senate Republican Leader Dirksen worked with Senate Democratic Leader Lyndon Johnson, and one important bill they worked on together was the Civil Rights Act of 1960.

By 1964 Everett Dirksen had established himself as one of the most colorful characters in the United States Senate. His seedy

## THE GREAT AMENDER

clothes and rumpled hair had become recognizable trademarks. Newspaper reporters wrote physical descriptions of him for their readers. One writer saw Dirksen as possessing a "wavy pompadour, heavy lidded eyes, loose full orator's lips, and (an) imperturbable manner."<sup>22</sup> A second writer described Dirksen's hair as "the kelp of the Sargasso Sea," and a third portrayed him as having "the melancholy mien of a homeless basset hound."<sup>23</sup>

Most of all, however, it was Dirksen's voice while debating on the Senate floor that was distinctive. The Wall Street Journal praised Dirksen for his "mellifluous voice, the archaic hand gestures, the delight in the meandering anecdote."<sup>24</sup> One newspaperman described Dirksen as "the last of the Fourth of July picnic orators."<sup>25</sup>

Because of his speaking ability, Dirksen was known by a series of nicknames referring to the sound of his voice. "Old Silver Throat," "Old Honey Tonsils," "The Wizard of Ooze," and "The Rumpled Magician of Metaphor" were a few of them. A national magazine concluded: "When [Dirksen] rises to speak, senators gather from aisles around to hear." Time Magazine said: "In funereal tones, Dirksen paraphrases the Bible ('Lord, they would stone me. . .') and church bells peal. 'Motherhood,' he whispers, and grown men weep. 'The Flag,' he bugles, and everybody salutes."<sup>26</sup>

Dirksen also was famous for his quick wit when debating on the Senate floor. An example occurred during Dwight D. Eisenhower's presidency when Hubert Humphrey, upset because the Republican budget makers had cut back one of his favorite programs, rose at his Senate desk and accused the Eisenhower administration of suffering from "budgetitis." With barely a half second to think up a reply, Dirksen immediately retorted that Humphrey was suffering from "spenderitis" and "squandermania."<sup>27</sup>

## AMENDMENTS AND THE MINORITY PARTY

For most of his long years as a Republican on Capitol Hill, Everett Dirksen found himself functioning as a member of the

## TO END ALL SEGREGATION

minority party. Since the committees of Congress are totally dominated by the majority party, Dirksen quickly learned that carefully drawn amendments are the only way a minority party congressman can have an impact on national legislation. Dirksen therefore became an expert at learning the legislative details of major bills going through Congress and then drawing up amendments to them that would have a good chance of receiving a majority vote when the bills came up for final consideration on the Senate floor. Dirksen thus became skilled at using the amendment process to change a bill, sometimes quite considerably, so that it was more to his liking.

## THE GREAT AMENDER

By the early 1960s Dirksen had this "Dirksen Amendment" process down to a well established pattern. Whenever a Democratic president and administration would present a major legislative program to the Congress, Dirksen would promptly announce his opposition, taking the Senate floor to express his "grave doubts" and "considerable concerns." His next step would be to introduce damaging and weakening amendments to the bill in question, but always with an expressed willingness to "negotiate" and "compromise" these amendments with the bill's supporters. The last step was the actual negotiation of the compromise amendment, a process that usually resulted in Dirksen getting much of what he wanted and, simultaneously, considerable credit for getting the particular bill enacted by Congress.

Dirksen had an advantage over other senators when it came down to negotiating the final legal language of Dirksen's amendments. Dirksen was a skilled lawyer who, unlike most senators, loved the details of writing legislation. He prided himself on being a legal draftsman, a professional legislator in the business of writing laws. Furthermore, Dirksen was willing to "do his homework" where learning the legal details of bills was concerned, and many other senators were not willing to work so hard. This often gave Dirksen



*THE GREAT AMENDER*

the ability to argue from a position of great knowledge about the bill under discussion while his opponents had only the barest knowledge of what was going on. In such a situation, Dirksen's fellow senators were often willing, sometimes even glad, to let Dirksen cross the final "t's" and dot the final "i's" of the legislation in question.

The general content of Dirksen's legislative files at the Everett McKinley Dirksen Congressional Leadership Research Center in Pekin, Illinois, bear out this image of Dirksen as a senator mainly concerned with the details of legislation. The files contain an unusually large number of legislative bills, proposed amendments to these bills, and notes and memoranda describing and defending bills and amendments. The general content of the Dirksen files contrasts with the Hubert H. Humphrey Papers at the Minnesota Historical Society in St. Paul, Minnesota. The Humphrey files are more oriented toward memoranda concerning legislative and political strategy rather than the legislative details of the various bills and amendments.

BRINGING THE PARTY ALONG

In addition to being a skilled legal negotiator, Dirksen also had worked very hard, in his role as Senate Republican leader, at getting the Senate Republicans to like him and follow him. When he became Senate Republican leader in 1959, Dirksen carefully saw to it that each Republican senator received at least one choice committee assignment. Twice Dirksen gave up his own seat on a key committee in order to make certain that there would be room to move up a younger Republican colleague. Thus in 1959 he gave up his seat on the Senate Appropriations Committee so that Gordon Allott of Colorado could have it, and in 1961 he moved off the Senate Labor Committee to make way for freshman Republican Senator John Tower of Texas. When asked about this magnanimity toward his fellow party members, Dirksen simply replied: "The leader takes what's left."<sup>28</sup>

## TO END ALL SEGREGATION

Dirksen also instituted the technique of having all the Senate Republicans, conservatives and liberals alike, attend a lunch briefing with him every Monday to go over legislation currently pending in the Senate. These luncheons provided the opportunity for a great deal of give-and-take between the Republican leader and his fellow party members in the Senate. Dirksen used these luncheons to tell his fellow Republicans what his thoughts were about various bills before the Senate and to hear back their ideas on what ought to happen. At these luncheons Dirksen worked to find a common ground which the vast majority of Republican members of the Senate could willingly support.

Dirksen also had a good relationship with the national press. Following his Monday lunches with the Senate Republicans, Dirksen would go up to the Senate press room and, often sitting on the table and bumming cigarettes off the various reporters, brief the press on the latest Republican view of national politics. These briefings soon became institutionalized. Dirksen was joined by House Republican Leader Charles Halleck, and the two of them became well-known on evening television newscasts as "The Ev and Charley Show."

By 1964 Everett Dirksen had demonstrated that he had considerable power over the enactment of legislation in the Senate, even over ordinary bills that required only a majority vote. When the legislation required a 2/3 vote of the Senate, however, such as the approval of a foreign treaty or the voting of cloture, Dirksen's power and control were even more enhanced.

## THE NUCLEAR TEST-BAN AGREEMENT

Dirksen's handling of the Kennedy administration's Nuclear Test-Ban Treaty with the Soviet Union was a case study of the typical Dirksen style of operation. In June 1963, immediately after President Kennedy had announced that he was resuming negotiations with the Soviets for a ban on atmospheric testing of nuclear weapons, Dirksen rose in the Senate to question whether this was not "another case of

*THE GREAT AMENDER*

concession and more concession" to the Russians. Carefully reminding everyone that he was a "hard liner" against communism, Dirksen joined with House Republican Leader Charles Halleck to issue a joint statement charging that the proposed treaty might mean the "virtual surrender" of the United States to Soviet duplicity and chicanery.<sup>29</sup>

By August of 1963, American, Russian, and British negotiators had initialed a tentative draft of the treaty. Dirksen's next move was to pass the word that he would not accept an invitation from President Kennedy to fly to Moscow and, as Republican Leader of the Senate, be part of the United States delegation signing the treaty. Dirksen made it clear that he was not participating in the treaty signing because he wished to retain the freedom to criticize the treaty when it came up for the required 2/3 vote of approval in the Senate and, if his judgment were such, vote against the treaty.

Then, right on schedule, the typical Dirksen offer to change and compromise. The Senate Republican leader passed the word to Mike Mansfield, the Democratic leader in the Senate, that he wanted to go down to the White House with Mansfield and discuss his "fears" and "anxieties" with President Kennedy. Dirksen made it clear that what he feared most of all was that the United States might let down its military guard as a result of a false feeling of security that might emerge after the treaty was endorsed by the Senate.

Knowing that his test-ban treaty was in trouble, mainly as a result of opposition from conservative Southern Democrats in the Senate, President Kennedy acquiesced in Dirksen's request for a meeting at the White House. As Dirksen talked at length in the Oval Office, President Kennedy realized that what Dirksen wanted was a letter from the president to Mansfield and Dirksen giving them assurances that the government would not relax its nuclear weapons program if the treaty were approved.

President Kennedy asked Dirksen if he had any notes on which such a letter might be based, and Dirksen replied that he did. Kennedy then asked for the notes, and Dirksen reached into his

## TO END ALL SEGREGATION

pocket and pulled out a draft letter for Kennedy to sign. After reading the letter, Kennedy told Dirksen he would sign it.<sup>30</sup>

With the letter as proof that he had exacted important concessions from Kennedy, Dirksen announced his support for the test-ban agreement and turned his oratorical skills to supporting the treaty rather than opposing it. As the Senate approved the treaty by a vote of 81 to 19, Senate Republican Leader Everett M. Dirksen was given the major share of the credit for getting it through.

Dirksen's performance of exacting concessions and then approving the nuclear test-ban treaty occurred in the summer and fall of 1963, exactly at the time when the Kennedy administration's civil rights bill was beginning its long trek through the House of Representatives. The example of the test-ban agreement could not be ignored by those planning strategy for the civil rights bill. Dirksen would be the key to getting the civil rights bill through the Senate by a 2/3 cloture vote just the way he had been the key to getting the nuclear test ban agreement approved by a 2/3 treaty approval vote.

### "DIRKSEN'S BOMBERS"

In line with his reputation as a legislative craftsman, Dirksen began working on the technical language of the bipartisan civil rights bill even while it was still undergoing final passage in the House of Representatives. He carried a copy of the bill with him and devoted many spare moments to studying it and penciling ideas for possible amendments in the margin. He worked on the bill in his Capitol office, at home, and even when he traveled. As he worked, Dirksen made notes in the margin of the bill, and he began to make a list of prospective amendments.<sup>31</sup>

As the ranking Republican on the Senate Judiciary Committee, Dirksen had three lawyers working for him on the staffs of three different subcommittees. Dirksen "borrowed" these three lawyers from their subcommittee posts and put them to work studying the bipartisan civil rights bill and writing the exact legal language of

*THE GREAT AMENDER*

possible amendments. Soon referred to in the press as "Dirksen's Bombers," the three men came to play a crucial role in the drafting of the final bill. Dirksen pointed out that he had to rely on his staff, and that without their help he would flounder.<sup>32</sup>

As early as 17 March 1964 Dirksen's three subcommittee lawyers began making periodic appearances at civil rights strategy meetings. "Where the hell did those three guys come from," privately grumbled Senator Kuchel's legislative assistant following one such appearance.<sup>33</sup>

One of the "Bombers" recalled the event from the Dirksen camp point of view:

Dirksen called the three of us in and said a civil rights bill had been prepared downtown [at the Justice Department]. He wanted us to work with Mansfield's staff to get it in good shape for adoption. Dirksen then said there was a meeting of Democratic staff and would we please attend it. I recall that the three of us walked into a room that was a hubbub of conversation, but the minute the three of us entered, it immediately quieted down. The conversations just stopped. Everyone looked like they were waiting to see what would happen next.<sup>34</sup>

"Dirksen's Bombers" were not trusted by the "insider" pro-civil rights legislative assistants who were completely committed to a strong civil rights bill, and their occasional presence had an inhibiting effect on the customary level of frank and open pro-civil rights discussion. As March turned into April, however, the pro-civil rights legislative aides came to realize more and more with each passing day that it was "Dirksen's Bombers" who were going to have the most to say of any Capitol Hill assistants about the final language of the bill.<sup>35</sup>

## TO END ALL SEGREGATION

### THE REPUBLICAN POLICY COMMITTEE LUNCHEONS

On 31 March 1964 Dirksen began presenting the essential details of his proposed amendments to the weekly luncheon meetings of the Republican Policy Committee in the Senate. These lunch meetings were informal and were recognized as the principal power base of the more conservative members of the Republican party in the Senate.<sup>36</sup> As such, they provided an ideal environment in which Dirksen could float out his proposed amendments to his fellow Republicans and, in an atmosphere of brotherly give-and-take, receive their support, opposition, or critical suggestions for his ideas.

Expecting relatively mild amendments from Dirksen, Senators Humphrey and Kuchel were shocked and confused when some of Dirksen's amendment proposals appeared sweeping enough to, in effect, cripple the bill. Humphrey remained silent, however, and left the job of moderating the unacceptable aspects of Dirksen's proposed amendments to liberal Republican senators such as Kuchel, Jacob Javits of New York, and Clifford Case of New Jersey. Dirksen promptly stated that he was still flexible on the final details of his amendments, and he promised to continue his efforts to find legal language that would please liberal and conservative Republicans alike.<sup>37</sup>

### THE LONG DELAY

During this period Hubert Humphrey began asking Dirksen if he was ready to begin negotiating the details of his amendments with the Democrats as well as the Republicans. As Humphrey told it:

I can recall time after time asking him, "Well, Dirk, when do you think we ought to meet and talk over some of your amendments." And he'd say, "Well, give us a couple more days. It isn't time yet." And this went on week after week.<sup>38</sup>

*THE GREAT AMENDER*

There was much speculation as to exactly why Dirksen delayed the entire month of April without beginning to negotiate a compromise version of the civil rights bill with Hubert Humphrey and the Johnson administration. Some argued it was an attempt to delay what little remained of President Johnson's legislative program for Congress.<sup>39</sup> Others theorized it was to delay a cloture vote until after the Republican presidential primary elections were completed in early June 1964. "Dirksen's Bombers" argued, however, that the fundamental reason for the long delay in beginning final negotiations on the bill was the time it took to produce a draft that would be widely accepted.<sup>40</sup>

One of the Dirksen aides gave this explanation of how the process worked:

It took so much time because we were working on the details of the bill as they affected various interest groups. There was a consistent effort to involve all the various groups concerned in the process. We tried to create a spirit of cooperation. We wanted to "take care" of all the various problems with the bill and see that everything was "worked out." We tried to work it so that no big thing was either granted or denied to any particular party. We collected a great deal of input into the final version of the bill, but no one voice prevailed.<sup>41</sup>

The Dirksen aide concluded that Dirksen himself supported the bipartisan civil rights bill from the very beginning and that the Republican leader's changes were only designed to secure the support of other less committed senators.<sup>42</sup>

According to another Dirksen aide, extra time was required to produce an enforceable bill. He explained:

The original Justice Department package would have

## TO END ALL SEGREGATION

been difficult to enforce. It relied heavily on subjective intent type language that would have been very hard to interpret and enforce in court. Dirksen wanted the bill to be as self-enforcing as possible, and the Dirksen staff worked to reduce enforcement of the bill to a relatively simple administrative test -- if you were serving one group of people, you had to serve all groups of people.<sup>43</sup>

## THE JURY TRIAL AMENDMENTS

With the Senate Republicans discussing how they wanted to amend the civil rights bill to make it more acceptable and, therefore, passable, Senator Richard Russell and the Southern Democrats decided to act. Late on the evening of 21 April 1964, Russell had Senator Herman Talmadge of Georgia introduce and call up an amendment to the civil rights bill to extend the right of trial by jury to persons accused of violating court orders in civil rights cases. By picking the jury trial issue for the first substantive vote on the civil rights bill in the Senate, Russell was strategically playing one of his strongest cards.

The question of jury trials for Southern officials who violated United States court orders was a thorny one. Efforts to desegregate public facilities in the South were usually implemented by court order, but if public officials who failed to obey court orders to desegregate could get a jury trial, a "free, white jury" of their friends and neighbors would find them "not guilty" and the laws requiring desegregation of public facilities would go unenforced. It was the modern version of that traditional Southern institution, "the free, white jury that will never convict."

Civil rights advocates had long supported eliminating the jury trial requirement where criminal contempt for violating court orders in civil rights cases was concerned. They tempered this position somewhat by calling for jury trials in those criminal contempt cases



*THE GREAT AMENDER*

where the fine exceeded \$300 or the prison sentence was more than 45 days in jail. Such a jury trial limitation had been written into the public accommodations section of the House passed civil rights bill. The Talmadge amendment would have eliminated this provision and guaranteed a jury trial in all civil rights contempt of court proceedings, no matter how small the fine or how short the jail sentence.

The Talmadge amendment was viewed as a major threat by the civil rights forces in the Senate. The right to "trial by jury" is one of the oldest and best publicized principles of the United States judicial system. The idea had particularly strong appeal to conservative members of the Republican party in the Senate, men who were particularly interested in preserving the traditional values of the American polity. Senators Humphrey and Kuchel "frankly doubted their ability to defeat the Talmadge amendment on a straight up or down vote."<sup>44</sup>

Humphrey and Kuchel were not as worried over the damage the Talmadge amendment would do to the civil rights bill as they were over the psychological lift which adoption of the amendment would give to the filibustering Southerners. Approval of such a weakening amendment would sap the confidence of the civil rights senators, many of whom were beginning to really feel the strain of the long hours and the excessive boredom of the filibuster. If the Talmadge amendment were adopted, the Southerners would propose additional weakening amendments and, if the bandwagon started rolling in their direction, these amendments might also be successful. The introduction of the Talmadge amendment thus required an immediate countermove, and a successful one, on the part of the civil rights forces.

The countermove developed by the civil rights forces was to approach Senator Dirksen and see if he would join them in offering an amendment to the Talmadge amendment that would reduce the number of days a public official could be imprisoned without a jury trial following a contempt of court conviction. The civil rights forces

## TO END ALL SEGREGATION

were surprised by Dirksen's readiness to join in cosponsoring such an amendment. Apparently Dirksen, too, "was becoming restless with the lack of action on the Senate floor."<sup>45</sup>

On Thursday, 23 April 1964, a Mansfield-Dirksen substitute jury trial amendment was hammered out by Mansfield, Dirksen, Humphrey, and representatives of the Justice Department. The negotiations and the final compromise were a typical example of this sort of working out of a common position. Dirksen wanted the maximum "no jury trial" penalty to be 10 days in jail. Humphrey argued strenuously in behalf of the 45 day penalty currently in the bill. The final compromise provided that the maximum jail term that could be imposed without a jury trial in criminal contempt of court cases would be 30 days.

In line with the policy of building up Dirksen and letting him take a leadership role in the passage of the civil rights bill, Dirksen was asked to introduce the Mansfield-Dirksen substitute jury trial amendment in the Senate. Dirksen accepted this offer and presented the amendment to the Senate the following day. Dirksen's obvious cooperation gave a real feeling of optimism to the civil right forces, who had been feeling demoralized when the Talmadge amendment was first introduced. "Things are looking great," Hubert Humphrey smiled to the press as he left a key negotiating session with Senator Dirksen. "All last week's stomach aches are gone."<sup>46</sup>

## A CLOTURE CONTROVERSY -- AGAIN

Humphrey had spoken too soon. Richard Russell and the Southern Democrats decided against permitting a vote on the Mansfield-Dirksen substitute jury trial amendment and quickly resumed the filibuster. Upset by this action, Senator Dirksen told the news media that he would seek a cloture vote, not on the entire bill, but only on the substitute jury trial amendment. This unilateral decision by Dirksen caused perhaps the worst case of panic to hit the civil rights forces during the entire Senate consideration of the bill. Humphrey

and Kuchel fretted, as they had all along, that such an early cloture vote would fail and lead to a crippling of the bill to meet the demands of the Southern Democrats. Senator Mansfield, on the other hand, kept pointing out that Dirksen's support was absolutely essential to final passage of the bill and that he could not antagonize Dirksen by refusing to cosponsor his cloture proposal for the substitute jury trial amendment.

The proposed cloture vote on the jury trial amendment particularly disturbed Senator Humphrey's and Senator Kuchel's legislative staff. When it appeared that legislative staff were going to be excluded from a key strategy meeting between Senator Humphrey and Attorney General Robert Kennedy on the early cloture vote issue, Senator Humphrey's legislative assistant literally "dragged" a pro-civil rights Senate staffer down to the door outside the meeting room and all but shoved him into the meeting as Senator Humphrey entered. "Through this rather preposterous ruse, we managed to get at least one [pro-civil rights] staff person into the meeting."<sup>47</sup>

The argument over whether or not to have a cloture vote on the Mansfield-Dirksen substitute jury trial amendment highlighted one last time the subtle differences between Senator Mansfield on the one hand and Senators Humphrey and Kuchel on the other. Humphrey and Kuchel wanted as strong a bill as possible, but Mansfield was mainly interested in getting some form of the bill passed, and a weak bill would be just as good as a strong one. As Humphrey's legislative assistant noted at this point in the proceedings:

Mansfield and Dirksen move along in one direction and often do not inform the actual floor managers [Humphrey and Kuchel] of their thinking until the ball has already picked up considerable speed. It is also true that Mansfield seems to follow Dirksen's lead without exception. In other words, Senator Dirksen appears to be acting as the [Senate] majority leader

#### TO END ALL SEGREGATION

without assuming any of the responsibilities involved. That is not a bad position to be in.<sup>48</sup>

Apparently Hubert Humphrey was so concerned over the possibility that Dirksen would attempt a cloture vote on the substitute jury trial amendment that he endeavored to involve President Johnson in the effort to turn Dirksen off. Humphrey's legislative assistant gave the following account of what happened, based largely on hearsay and rumor:

Finally, one must not leave out President Johnson. The matter [the civil rights bill] was discussed at some length at the Tuesday morning leadership breakfast [with President Johnson at the White House]. At that point, Mansfield raised the possibility of using cloture on the [substitute jury trial] amendment and the matter was debated at the breakfast but not decided. Subsequently, Humphrey took himself down to the White House to see the president unannounced. He kept [Defense] Secretary [Robert] McNamara and others waiting while he barged into the president's office to lay it on the line. In effect, he told the president that the matter was at the point where victory was in sight but that the law had to be laid down here and now. He set forth the reasons why he opposed cloture on the amendment itself. I do not know what Johnson responded. But it has been said that when Dirksen went to the White House at noon today he found Johnson in a tough and noncompromising mood.<sup>49</sup>

#### THE MORTON AMENDMENT

For whatever reason, the cloture crisis disappeared. Mansfield

*THE GREAT AMENDER*

and Dirksen stopped talking about a cloture vote on the Mansfield-Dirksen substitute jury trial amendment. At the same time, Republican Senator Thruston Morton of Kentucky met with Senator Richard Russell of Georgia and Sam Ervin of North Carolina and wrote a perfecting amendment to the Talmadge amendment which had the support of all the Southern Democrats and a number of Republicans. Since Russell was willing to allow a vote on this new Morton amendment, Mansfield and Dirksen agreed to let that be the first Senate test of strength on the civil rights bill. The civil rights forces immediately went to work organizing to vote the Morton amendment down and thereby demonstrate that they were in solid control of what was happening on the Senate floor.

What the vote on the Morton amendment demonstrated, however, was that the civil rights forces were barely in control of the Senate floor. Four different votes were required to defeat the Morton amendment, and the civil rights forces won the final vote by only one vote. The narrowness of this victory was made even more disturbing to civil rights supporters by the fact that Senator Dirksen was working with Mansfield and Humphrey and Kuchel to defeat the Morton amendment. At times during the four vote sequence, both Mansfield and Dirksen came close to losing control of their various party forces on the Senate floor. Senator Humphrey's legislative assistant gave the following description of the proceedings:

Commotion on the floor reached such a pitch that all staff members were ordered into the cloakrooms to reduce the noise level. Accurate surveys of the vote had not been taken in advance and the leadership's apparatus for notifying Senators functioned poorly. [Democrat] Frank Moss [of Utah], for example, missed the first vote entirely because the Democratic cloakroom staff failed to summon him from a phone booth; he then voted against the leadership . . . out of spite. The incident only narrowly avoided becoming

TO END ALL SEGREGATION

a debacle of major dimensions; the party leaders could take scant pride from their ragged performance. . . . On balance, the Southern Democrats in defeat looked better than the civil rights coalition in victory.<sup>50</sup>

After such a sorry performance, Mansfield and Dirksen were anxious to redeem themselves as leaders of the Senate by bringing up and passing the Mansfield-Dirksen substitute jury trial amendment. Mansfield and Dirksen thought they had an agreement with Richard Russell that, following disposal of the Morton amendment, the Mansfield-Dirksen substitute could be voted upon. Suddenly, however, Russell announced that no such understanding existed and that no further votes would be allowed. Knowing they would lose the vote and that the Mansfield-Dirksen substitute would be adopted, the Southern Democrats chose instead to resume their strategy of total obstructionism to the civil rights bill. The filibuster resumed with no prospect of further votes until mid May or perhaps even later.

The civil rights forces were disconsolate when the Southerners refused to allow a vote on the Mansfield-Dirksen substitute. "I would be less than honest if I said I was not unhappy," Hubert Humphrey told the Senate. "This is not what I would call a 'happiness house.' Occasionally it is a quorum of frustration."<sup>51</sup>

In retrospect, however, it appeared that the failure of the Southern Democrats to permit a vote on the Mansfield-Dirksen substitute helped the civil rights forces. Humphrey's legislative assistant put the argument this way:

Although it could not be fully appreciated at the time, the refusal of the Southern Democrats to permit further votes on the jury trial issue proved to be a major factor in convincing Dirksen to cast his lot with the civil rights forces. . . . As business on the Senate floor in effect ground to a halt due to the inability to continue voting, the battle for the Civil Rights Act of

*THE GREAT AMENDER*

1964 shifted into the rear of Dirksen's chambers on the second floor of the Capitol.<sup>52</sup>

TO END ALL SEGREGATION

1. Mike Manatos, interview, 25 August 1969, Oral History Collection, LBJ Library, pp. 19-20.
2. Notes of the First Congressional Leadership Breakfast held by the President on 3 December 1963, LBJ Library, Appointment File (Diary Back-up), Box 2, p. 1.
3. Johnson, The Vantage Point, p. 30.
4. Johnson, The Vantage Point, p. 159.
5. Louis Martin, interview, 14 May 1969, Oral History Collection, LBJ Library, p. 30.
6. Miller, Lyndon, p. 368.
7. Horn log, p. 26.
8. Humphrey memorandum, p. 13.
9. Miller, Lyndon, p. 368-369.
10. Miller, Lyndon, p. 369.
11. Humphrey memorandum, pp. 13-14.
12. Miller, Lyndon, p. 370.



*THE GREAT AMENDER*

13. Unsigned memorandum entitled Thoughts on the Civil Rights Bill dictated Wednesday, April 21, 1964, Hubert H. Humphrey papers, Senatorial Files, Civil Rights, 1964, Minnesota Historical Society, St. Paul, Minnesota, p. 2. The author mailed a copy of the memorandum to Humphrey's legislative assistant, John G. Stewart, who acknowledged authorship. This memorandum and others dictated by Stewart will be referred to as "Stewart notes."
14. Stewart notes, 30 April 1964, p. 1.
15. Rauh manuscript, p. 25.
16. Rauh manuscript, p. 25. Rauh gives an extensive account of Mitchell's proposal to arrest Southern senators and his own proposal to implement the two speech rule. He concludes with this sentence: "Neither suggestion was ever adopted -- but the talk of cloture died down."
17. This excerpted discussion was developed from Stephen Horn's notes on the pro-civil rights strategy meeting of 16 April 1964. See Horn log, 92-94.
18. Rauh manuscript, p. 26.
19. Rauh manuscript, pp. 26-27.
20. Stewart notes, 21 April 1964, pp. 3-4.
21. Neil MacNeil, Dirksen: Portrait of a Public Man (New York: World Publishing Company, 1970), 128.
22. MacNeil, Dirksen, 128.
23. MacNeil, Dirksen, 6.

TO END ALL SEGREGATION

24. MacNeil, p. 202.
25. MacNeil, p. 6.
26. Annette Culler Penney, Annette Culler, Dirksen: The Golden Voice of the Senate (Washington: Acropolis Books, 1968), pp. 62-69.
27. MacNeil, p. 176.
28. MacNeil, p. 166.
29. MacNeil, p. 219.
30. MacNeil, p. 222.
31. MacNeil, p. 226.
32. MacNeil, p. 226. The three "Bombers" were Clyde Flynn, Cornelius B. Kennedy, and Bernard J. Waters.
33. Personal recollection of the author.
34. Cornelius B. Kennedy, former Republican Counsel, Senate Committee on Judiciary, interview by the author, 14 August 1984, Washington.
35. Personal recollection of the author. See also Horn log, p. 48.
36. Stewart, Independence and Control, 240.

*THE GREAT AMENDER*

37. Stewart, Independence and Control, pp. 241-242.
38. Humphrey memorandum, p. 14.
39. Stewart notes, 19 May 1964 to 11 June 1964, p. 6.
40. Clyde Flynn, Republican counsel, Subcommittee on Constitutional Amendments, Senate Committee on the Judiciary, 20 April 1966, quoted in Kane, The Senate Debate, 123.
41. Bernard J. Waters, former Republican counsel, Subcommittee on Anti-Trust and Monopoly, Senate Committee on the Judiciary, interview by the author, Washington, D.C., August 16, 1983.
42. Bernard J. Waters, 20 April 1966, quoted in Kane, The Senate Debate On The 1964 Civil Rights Act, p. 167.
43. Cornelius B. Kennedy, interview by the author, 14 August 1984.
44. Stewart, Independence and Control, p. 226.
45. Stewart, Independence and Control, p. 228.
46. New York Times, 24 April 1964, p. 1.
47. The staff member doing the dragging was John Stewart, legislative assistant to Senator Humphrey. The staff member pushed into the meeting was Ken Teasdale, assistant counsel, Senate Democratic Policy Committee. See Stewart notes, 29 April 1964, p. 2.

TO END ALL SEGREGATION

48. Stewart notes, 29 April 1964, p. 5.
49. Stewart notes, April 29, 1964, pp. 5-6.
50. Stewart, Independence and Control, pp. 234-235.
51. Congressional Record 110, Pt. 8 (6 May 1964) 10213.
52. Stewart, p. 237.