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Civil Rights Bill

Mike Mansfield 1903-2001

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Statement of Senator Mike Mansfield (D., Montana)
August 9, 1957

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Mr. President:

According to news stories appearing in the press, it is reported that Republican leaders in the House and Senate hinted at a possible special session to consider a new Civil Rights bill if the present Civil Rights bill is not amended satisfactorily. The implication is that on this assumption the President will veto the measure.

I should like to say that the President, over the past three years, has indicated quite strongly that he wanted a civil rights voting bill. May I say most respectfully that he now has in the version passed by the Senate the kind of a bill which he advocated -- and a stronger, better, more durable form than when it passed the House.

I should like to point out that on last Wednesday, five Southern Senators from the States of Tennessee, Texas and Florida voted for the bill.

I should like to point out that in other fields of civil rights, outside the voting right, the courts of this country are laying down decisions and making progress.

I should like to point out that this bill provides for the appointment of an additional Assistant Attorney General to specialize in civil rights cases.

I should like to point out that the commission to be created under this bill - a six-member Civil Rights Commission to investigate cases and study the need for any further legislation - has been set up. The life of this commission would be limited to two years, but it would have

subpoena power to bring in witnesses either for open or closed hearings.

With respect to this commission, there is, however, one weakness which some of us had thought to bring up during the course of the debate but which, through inadvertence on our part, we neglected to attend to. That was in ~~mak~~ reference to a clause in the House passed measure subjecting reporters to a \$1000 fine or a year in jail if they published testimony taken in private by the proposed Civil Rights Commission, without the consent of the Commission. As I understand it, the First Amendment to the Constitution expressly forbids the Congress to pass any law "abridging the freedom of speech or of the press". At the present time subsection G of section 102 of the bill as passed by both the Senate and the House now states:

"No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the commission.

"Whoever releases or uses in public without the consent of the commission evidence or testimony taken in executive session shall be fined not more than \$1000, or imprisoned for not more than one year."

This oversight, at least as far as the Senate was concerned, was in my opinion accidental. I should like to ask the distinguished Minority and Majority Leaders at this time if there is any possibility of correcting this secrecy clause in the Civil Rights bill if the Senate version is accepted by the House, or if the measure goes to Conference, or, if failing these two situations, if the intent of the Congress in this matter could be made clear now.