

Calendar 149

IN THE SENATE OF THE UNITED STATES

MAY 5 - 1965

Ordered to lie on the table and to be printed

A M E N D M E N T

1,005
X copies

X 30

Intended to be proposed by Mr. KENNEDY of Massachusetts (for himself, Mr. BARTLETT, Mr. BASS, Mr. BAYH, Mr. BREWSTER, Mr. BURDICK, Mr. CASE, Mr. CLARK, Mr. DODD, Mr. DOUGLAS, Mr. FONG, Mr. GRUENING, Mr. HARRIS, Mr. HART, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. LONG of Missouri, Mr. MAGNUSON, Mr. McGOVERN, ^{Mr. McIntyre} Mr. McNAMARA, Mr. MONDALE, Mr. MORSE, Mr. MOSS, Mr. MUSKIE, Mr. NELSON, Mrs. NEUBERGER, Mr. PASTORE, Mr. PELL, Mr. PROXMIRE, Mr. RANDOLPH, Mr. RIBICOFF, Mr. SCOTT, Mrs. SMITH, Mr. TYDINGS, Mr. WILLIAMS of New Jersey, Mr. YARBOROUGH, and Mr. YOUNG of Ohio) to the amendment in the nature of a substitute (No. 124) proposed by Mr. MANSFIELD (for himself and Mr. DIRKSEN) to S. 1564, a bill to enforce the 15th amendment to the Constitution of the United States,

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manuscript

viz: On page 14, beginning with line 8, strike out all through line 3, on page 15 (section 9 of the bill), and insert in lieu thereof the following:

X 28

Ⓛ Section 9(a) Congress hereby declares that to prohibit the collection of a poll tax or other tax or payment as a precondition of voting is necessary to secure the rights guaranteed by the Fourteenth and Fifteenth amendments to the Constitution against denial or abridgement.

(b) To assure that such rights are not denied or abridged in violation of the Constitution, no State or political subdivision shall enforce the collection of a poll tax or other tax or payment as a precondition of registration or voting.

(c) The Attorney General of the United States shall forthwith institute, in the name of the United States, actions against any state or political subdivision for declaratory judgment or injunctive relief against the enforcement or threatened enforcement of such tax or payment as a precondition of voting. Such actions shall be heard and determined by a court of three judges in accordance with the provisions of Section 2284 of Title 28 of the United States Code and any appeal shall lie to the Supreme Court. Such action shall not preclude any remedy

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available to the Attorney General or to any other person under the laws or Constitution of the United States. For the purposes of this subsection the term "threatened enforcement" shall include the failure of a state or political subdivision to direct the appropriate election officials, no later than 60 days after the effective date of this Act, to permit otherwise eligible persons to register or vote notwithstanding their failure to pay a poll tax or make any other payment.

(d) If subsection (b) of this section is held invalid in its application to a state or political subdivision, for one year after the entry of a final judgment in such action no person shall be denied the right to vote in any election for failure to pay a poll tax or to make timely payment thereof if at least 45 days prior to such election he pays the amount of the tax or taxes for one year as may be required by State law.

[Faint handwritten notes and scribbles, including a large 'X' mark.]

APR 2 1962