

# OPINION BALLOT

Subject: Should Congress Pass the Voting Rights Act of 1965?

My dear <sup>Representative</sup> Senator:

You will very soon be asked to vote on a bill known as the "Voting Rights Act of 1965." This is a very controversial issue, and you will no doubt thoroughly study both sides before you vote on it.

AGAINST: The Washington Star, March 24, 1965 - says: "The question that the advocates of the new voting rights bill have as yet failed to answer adequately is this: Why should literacy tests as a qualification for voting be perfectly all right in 44 of the 50 States but invalid in the other six? If a voter in Alabama who cannot read or write is qualified to vote in a Federal or any other election, why should not an illiterate New Yorker have the same right? ... New York requires proof of an eighth-grade education or demonstration of the ability to read as a requirement for voters ...."

Sen. Harry F. Byrd (D-Va) says: "... I am intensely aware of the democratic liberties to be achieved through our form of government, and to be guarded by it. I am also dedicated to preservation of the principles and requirements of our State-local-Federal system and the checks and balances necessary to protect it. The Federal Government of this country has worked itself into fiscal, monetary and military difficulties which are exceedingly serious.

"Now the Federal Administration is allowing itself to be influenced beyond reason by the emotion of domestic hysteria; and by its own actions it is inflaming so-called civil rights issues. It admittedly was drafted by the Federal Attorney General. It is a vicious bill. It clearly bears the unreasonable stamp of hysteria ... I have analyzed all provisions of the bill. They are iniquitous in effect and contemptible in design .... The proposal is made in the name of voting justice. It would be less hypocritical and more accurate to describe it as Federal law designed for vindictive use against six States selected in advance ...." (Congressional Record - April 5, 1965 - page 6693)

FOR: The Cleveland, Ohio Plain Dealer (April 4, 1965) says: "... A strong Federal law is needed to end the tragic problem of negro voter discrimination but it should be directed to the discriminatory application of unreasonable literacy tests, to registrant intimidation and limitation on availability of the registration process. It is pertinent that the validity of many literacy tests has already been upheld by the Supreme Court."

Sen. Everett M. Dirksen (R-Ill) says S. 1564 (Voting Rights bill) is primarily an attempt by the Congress to see that "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous conditions of servitude. (15th Amendment - Sec. 1) ... It is the protection of this right that we are attempting to provide by this legislation. We are trying to achieve this objective of insuring the right of suffrage within the authority conferred upon us by the 2nd section of the 15th Amendment which says: 'The Congress shall have power to enforce this article by appropriate legislation.'" (Congressional Record - April 13, 1965 - page 7580)

Sen. Robert Kennedy (D-N.Y.) says: "... I think everyone associated with S. 1564 hopes it will be passed in the strongest possible form, the form which goes as far as law can go in stopping discrimination in the registration and voting process. It would be a great shame if next year we found that we had not gone far enough with this year's effort and that we had to set again ...." (Congressional Record - April 5, 1965 - page 6685)

My opinion is that the States should be given the opportunity to correct what abuses might be existing in their localities. I am not opposed (over)

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TOMAS MOYERS

to literacy tests if they are given fairly to the voters without discrimination of any kind, race included. I think some Southern States have discriminated against Negroes in this manner. This should end, with the States seeing to its end. I think we can if we can be left alone to do it.

Mr. Poage, I am opposed to the Voting Rights Act because I believe it has been levied against the South, with its main application to the South. I am wondering whether it would really be enforced throughout our country, not just in the South. I think we have been wrong, but I think we can right our wrongs. Have other States been investigated besides Southern ones??

[Transcription of the “My opinion is” section of “Opinion Ballot from Rockdale with Reply”]

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May 8, 1965

Judiciary

Mr. Robert L. Downtain  
Box 564  
Rockdale, Texas 76567

Dear Mr. Downtain:

Your Opinion Ballot on the "Voting Rights Act of 1965" has just been received.

Of course, the bill has not come before us and we do not know just what it will contain, but I think there is much danger of legislation along the type that has been discussed.

I want to prohibit any discrimination, but I want to prohibit discrimination against states as well as individuals, and I still believe that the states of this Union have a place in our form of government and have a function to perform. That function, of course, does not include the right to ignore the 15th and 19th Amendments, but having complied with these two amendments, it seems to me that every state has the right to determine for itself whether it will apply a literacy test, the age at which it will let citizens vote, the length of time citizens must have lived in the state before they can vote, etc. While Texas does not have the educational qualification as a requisite to vote, it seems perfectly logical to me and, certainly, as I see it, we have a right to prescribe such qualification. Nor do I think that it is wise, or within the purview of the Federal Government, to require that citizens vote in each and every election. Again, it seems to me that this is entirely a matter over which the states should have jurisdiction.

Thanking you, I am

Sincerely yours,

W. R. Peage, Congressman

WRP:mnd