



## EDWARD M. KENNEDY ORAL HISTORY PROJECT

### **Interviewer's Briefing Materials**

**William Taylor Interview, 01/25/2007, 02/20/2007**

Robert A. Martin, Research Director

#### **Miller Center Documents<sup>1</sup>**

- Edward M. Kennedy Civil Rights Legislative Highlights.

#### **Secondary Source Materials**

- William L. Taylor bio, Citizen's Commission on Human Rights.
- William L. Taylor, *The Passion of My Times: An Advocate's Fifty-Year Journey in the Civil Rights Movement* (New York: Carroll & Graf, 2004) pp. 32-36, 151-159.

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<sup>1</sup> These are original documents created by Miller Center researchers for the Edward M. Kennedy Oral History Project. Please acknowledge credit for any use of these materials.

## EMK'S CIVIL RIGHTS LEGISLATIVE HIGHLIGHTS

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Miller Center, University of Virginia, 02/11/2007*

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**(Successful legislation in bold)**

<i>1963 Civil Rights Bill</i>	JFK's attempt to broadly improve civil rights protections for African-Americans. Little progress before his death.
<b>1964 Civil Rights Act</b>	Landmark legislation introduced by Mansfield to prohibit discrimination in public places, employment, and at the polls. It allows the AG to sue to force school desegregation. EMK votes in favor, only hours before his plane crash.
<b>1965 Voting Rights Act</b>	Sent to Congress by LBJ; outlaws literacy tests & allows DOJ to oversee voter registration. In his first legislative initiative, EMK tries unsuccessfully to add a poll-tax ban to the bill. The Supreme Court rules the poll tax unconstitutional in '66.
<i>1966 Civil Rights Bill</i>	Unsuccessful LBJ-requested legislation to strengthen protection of civil rights; includes controversial fair housing legislation.
<i>1967 Civil Rights Bill</i>	LBJ's follow up on '66 legislation also unsuccessful; EMK fights to keep controversial fair housing provisions in bill.
<b>1968 Civil Rights Act</b>	Landmark fair housing legislation, co-sponsored by EMK.
<b>1969 Philadelphia Plan</b>	EMK-supported bill requiring govt. contractors to hire minority workers according to quotas; bill passes.
<b>1970 VRA Extension</b>	EMK calls for legislation lowering voting age to 18 to be legislation as an amendment with EMK and Magnuson as cosponsors; the bill easily passes. Supreme Court rules it constitutional only in federal elections; Congress passes it as 26 <sup>th</sup> Amendment in '71.
<i>1970 Indian Education Bill</i>	Legislation from Sen. Interior & Insular Affairs Com. to allow Dept. of Interior to improve classrooms in Native American schools, place students in local public schools rather than boarding schools, & specify equal standards; EMK supports the bill, but it fails.

<b>1970 Mental Retardation &amp; Developmental Disabilities Act</b>	EMK-sponsored legislation to improve federal programs to help the developmentally disabled; the bill passes 69-0 and the conference report is adopted by voice vote.
<b>1971 Indian Education Act</b>	EMK & others introduce bill to improve education for Native Americans, particularly in non-reservation schools; gives Native Americans greater role in setting their own education policy; the bill passes the Senate & is eventually incorporated into the 1972 Education Amendments.
<i>1972 Equal Rights Amendment</i>	Bayh proposes Senate version of legislation to prevent discrimination on account of sex. EMK switches his position to support it; the amendment passes 84-8 in Senate, but fails to gain ratification in 3/4 of US states.
<b>Title IX of 1972 Education Amendments</b>	Bayh proposes an amendment to the aid-to-education bill, prohibiting sex discrimination in most education programs receiving federal funds. EMK votes against the education bill itself because strong anti-busing provisions have been added in conference.
1970s Anti-busing Amendments	After federal courts rule in the early 70s that busing can be used to integrate public schools, EMK fights a series of anti-busing amendments in '72, '74 & '75 aimed at limiting the ability of courts and HEW to order busing. EMK successfully fights some of the stronger anti-busing amendments, but is unable to stop compromise legislation in '74 & '75 that placed limits on the ability of the courts and HEW to force busing. EMK had first proposed a bill in 1966 to provide federal aid for busing and to withhold funds from segregated schools, but the bill wasn't reported.
<b>1973 Rehabilitation Act</b>	EMK co-sponsors legislation to extend aid to the handicapped and prohibit discrimination in federal programs or those receiving federal funds.
<b>1975 Voting Rights Act Ext.</b>	EMK supports successful legislation to extend the VRA, and to bring language minorities under its protection.
<b>1975 Older Americans Act Ext.</b>	EMK supports successful legislation from the House to extend and strengthen the 1965 Older Americans Act.
<b>1975 Age Discrimination Act</b> [Title III of Older Americans Act]	EMK supports successful legislation prohibiting age discrimination in programs receiving federal aid.

**1980 Protection of Rights of Institutionalized Individuals**

Bayh and Kastenmaier legislation allowing the federal govt. to file suits against states to protect prisoners, mental patients, etc. EMK is a co-sponsor on the Senate measure, announces for the bill, but does not vote; the bill passes.

**1980 Mental Health Systems Act**

EMK-sponsored legislation to expand and restructure federal aid for mental health services; EMK & Javits are unable to include a patients' "bill of rights" and EMK does not vote on the final bill.

*1980 Fair Housing Bill*

EMK and Byrd unsuccessfully attempt to pass a bill to strengthen the enforcement mechanisms of the 1968 Fair Housing Act by making it easier for the fed. govt. to sue. EMK is cosponsor and floor manager of the Senate version.

**1982 VRA Extension**

EMK helps draft compromise legislation (forged by Dole) to extend the VRA for 25 years and establish a "results" test; making it easier to find that election laws are discriminatory. Previously, proof was required that the "intent" behind the election laws was discriminatory. The 1982 Act follows stronger but unsuccessful legislation that EMK and a group of other senators had introduced in '81.

**1983 MLK Holiday**

EMK and Mathias lead the Senate fight to make King's birthday a national holiday (EMK is a cosponsor, though the House version passes); EMK and Helms enter a bitter and personal debate; the legislation passes.

**1983 Civil Rights Commission Reauthorization**

An EMK-supported bill to extend mandate of the Civil Rights Commission for 6 years; delayed by Hatch's attempts to secure Reagan nominees; a compromise passes but, reportedly, it is not fully honored.

*1983 Equal Rights Amendment*

O'Neill unsuccessfully tries to resurrect the ERA, which has failed to gain ratification by the required 3/4 of states. EMK co-sponsors a companion Senate measure, but the attempt fails in the House.

*1984 Civil Rights (Restoration) Act*

EMK-sponsored proposal to overturn *Grove City* – a Supreme Court decision which hampers the fed govt's ability to restrict educational aid eligibility on the grounds of discrimination. Byrd tries to attach it to the FY 1985 appropriations bill, but the amendment is tabled.

<i>1985 Anti-Apartheid Legislation</i>	EMK sponsors a resolution condemning Apartheid in South Africa, which passes 89-4 but does not make it to the House floor. EMK also sponsors a sanctions bill, but a weaker bill is supported in committee, passing the Senate 80-12. Amid parliamentary maneuvering, the conference report is “lost,” preventing further action.
<b>1986 Anti-Apartheid Act and Veto Override</b>	EMK-supported bill imposing sanctions on S. Africa; it passes 84-14, is vetoed by Reagan, but overridden 78-21.
<b>1988 Civil Rights Restoration Act and Veto Override</b>	EMK-sponsored bill prohibiting discrimination by organizations receiving fed assistance (with an amendment exempting medical organizations from being required to carry out abortions). Bill passes (75-14) and is vetoed by Reagan, but then overturned 73-24.
<b>1988 Fair Housing Amendments Act</b>	EMK-supported bill to strengthen fed law against housing discrimination and increase housing options for the disabled (wider doors, lower light switches in new units). EMK sponsors the Senate version and recruits Muhammad Ali to persuade Hatch; Reagan signs the bill.
<b>1990 Amer. w/ Disabilities Act</b>	After a similar bill fails in '89, a measure sponsored by Harkin (and co-sponsored by EMK, among others) passes. It gives broad protection to the disabled against bias in public accommodations and housing.
<b>1991 Civil Rights Act</b>	Danforth legislation making it easier for victims of discrimination or sexual harassment to sue their employers for damages; Bush had vetoed a similar bill, sponsored by EMK, in '90 (for including employment quotas). Quotas are dropped, EMK votes in favor, and Bush signs into law.
<i>1991 Crime Bill</i>	Authorizes the death penalty for more than fifty federal crimes, restricts habeas corpus petitions by those already convicted, and imposes a 5-day waiting period on handgun purchases; the bill fails, due in part to an EMK-sponsored provision to allow defendants to challenge death penalty sentences on grounds of racial discrimination.
<b>1992 VRA Extension</b>	Extends and expands the bilingual assistance provision of the VRA, which was first extended to language minorities in '75; EMK supports the bill (co-sponsoring the Senate version, though the House version is substituted).

<b>1993 Family &amp; Medical Leave Act</b>	Allows an employee to take unpaid leave to care for a sick family member or a newborn child without losing employee benefits; the act was drafted by the National Women's Defense Fund and supported by EMK; Dodd had been leading the fight for the bill in the Senate since 1983.
<b>1996 Defense of Marriage Act</b>	Allows states to refuse to recognize gay marriages. EMK opposes the bill and threatens to add an amendment to extend employment discrimination protection under '64 CRA to sexual preference, but is persuaded to offer it as a separate bill. EMK's bill is defeated 49-50, while the Defense of Marriage Act is passed 85-14. EMK votes nay.
<i>2000 Hate Crimes Bill</i>	EMK sponsors an amendment to the defense authorization bill to expand federal hate crimes laws to include sexual orientation, gender and disability, but the bill is dropped in conference.
<b>2006 VRA Extension</b>	EMK co-sponsors the Senate bill to extend the VRA for 25 years, following House action. The bill maintains the requirement for certain states to obtain DOJ approval before changing precinct boundaries, polling places, legislative districts, ballot formats and other voting procedures. It is approved 98-0 and becomes law in July.