

Numerous other proposals, including the bill in Subcommittee print, which are before you have also been carefully studied by the Department. With your indulgence, however, I should like to address myself first to the administration program. Thereafter, I will comment on the other bills.



I. Authorization of Civil Remedies

I should like to discuss first those portions of our program which would give to the Department the authority to use civil remedies in voting and other civil rights cases. These are the matters which appear under Part III and Part IV of S. 83 on pages 14 to 17 of that bill.

The right to vote is the cornerstone of our representative form of government. It is the one right, perhaps more than any other, upon which all other constitutional rights depend for their effective protection. It must be zealously safeguarded.

The Federal Government has in the past and must in the future play a major role in protecting this essential right. It is true that under the Constitution the states are given the power, even with respect to elections for office under the Government of the United States, to fix the "qualifications" of voters. (Art. I, sec. 2; Amend. 17) But this power of the states is limited, with reference to the election of federal officers, by the express power given Congress to regulate the "manner" of holding elections (Art. I, Sec. 4), and, more importantly, by the provisions of the Fourteenth and Fifteenth Amendments. The Fifteenth Amendment provides that in any election, including purely state and local elections, 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 condition of servitude. The Fourteenth Amendment prohibits any state from making or enforcing laws which abridge the privileges and immunities of citizens of the United States and from denying to any person