

March 19, 1970

MEMORANDUM FOR BILL TIMMONS

From: Dick Cook

House Judiciary  
Committee

The prevailing situation on the question of voting rights for 18 year-olds is very complex, both from a parliamentary and tactical standpoint. Nevertheless, after talking to Bill McCulloch, Dick Poff, Jerry Ford, Frank Polk, Lew Beschler, Bob Hynes and John Dean, the following seems to be shaping up.

1. The House will not take up the House passed Voting Rights Act (as amended and passed by the Senate) until after the Easter recess.

2. When the bill is before the House, Celler may offer a motion to instruct the House conferees to recede and concur in the Senate amendment with an amendment deleting the Senate language granting the right to vote to 18 year-olds.

Should that motion fail, I think Celler would then move that the House recede and concur in the Senate amendment, thus avoiding a conference (and possible Senate filibuster on consideration of the conference report). The President then would have the Senate passed Voting Rights bill (5-year extension plus Hart-Scott and 18 year-old vote) here for signing.

Prior to offering his motion to instruct the House conferees to delete the 18 year-old vote, Celler probably would promise early Judiciary Committee hearings on reaching this goal through the constitutional amendment process. He probably would be supported by Bill McCulloch and other ranking Judiciary Committee Members.

At the present time, many observers feel that a motion to instruct conferees to delete the 18 year-old vote would be defeated on a roll call vote. Were the Administration to make an open move in favor of the constitutional amendment prior to this vote, the lines might harden behind Celler. (see below)

There is virtually no chance of a free and unstructured conference. If there was, most of Celler's choices for

conferees would oppose the 18 year-old vote and the House position on this issue would probably prevail. If Celler didn't try to control the situation with his own motion, the Speaker probably would have to recognize any Member (probably from the Judiciary Committee) for the purpose of offering a motion to instruct conferees. There are many Members (a majority on the Judiciary Committee) in favor of the 18 year-old vote who, in the absence of a motion from Celler, would offer a motion to instruct the House conferees to recede and concur with the entire Senate bill. Despite last year's vote in favor of the Ford substitute, this motion would be very difficult to beat.

3. Justice has under consideration two possible actions: submission of a proposed constitutional amendment to the Speaker and President of the Senate that would permit the 18 year-old vote for President, Vice President and Congress or a letter from the Attorney General to Celler and Eastland endorsing lowering the voting age to 18 along the lines suggested by Kleindienst before the Senate Sub-Committee on Constitutional Amendments on February 17, i.e., the constitutional amendment route.

RECOMMENDATION:

John Dean and I talked about this today. We think it would be a good idea to have a meeting with the Attorney General, Ford, McCulloch, Scott and Hruska and White House staff at the earliest opportunity.