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by Neil MacNeil

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EOH:

On October 5, Howard Baker ended Helms's filibuster by threatening to invoke cloture and getting Helms to agree to a vote on October 19. That put off further consideration of the measure to the 18th, when again the Senate took it up.

Helms was ready. He had placed on all 99 of his colleagues' desks an inch-thick packet, containing his own indictment of Martin Luther King as a near-communist, plus what he called "a sampling" of the 65,000 documents on King recently released by the FBI, just about all purporting to the FBI's dark suspicions of commie conspiracy by this "scoundrel," as one of the FBI's own referred to King.

Kennedy was on the floor of the Senate -- and furious. He denounced Helms' claims as ^{"completely"} inaccurate and false." Helms, under the rules, called Kennedy to order. Under Senate Rule 19, a senator cannot impute to another senator conduct or motive unworthy ~~or~~ or unbecoming a senator.

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Under the rule, Kennedy should have taken his seat and not spoken again until given leave. But he didn't.

Howard Baker and other senators came tumbling through the doors into what had been a nearly empty senate chamber. Baker was trying to make peace. Kennedy repeated his accusation: "his statement is inaccurate and false."

Helms had used Ted's brother John and Bob in his argument against King.

"I am appalled at the attempt," Kennedy shouted, "to ~~misuse~~ misappropriate the memory of my brother Robert Kennedy, and misuse it as part of this smear campaign.... If Robert Kennedy were alive today, he would be the first person to say it was wrong ^{ever} to wiretap Martin Luther King. If Robert Kennedy were alive today, he would be the first person to say that J. Edgar Hoover's reckless campaign against Martin Luther King was a shame and a blot on American history. If Robert Kennedy were alive today, he would be among the first to stand and speak for this holiday in honor of Martin Luther King -- whom he regarded as the greatest prophet of our time and one of the greatest americans of all time."

New York's Patrick Moynihan, who has a flair for the demagoguery when he sees an opening, seized this. He grabbed the packet of papers Helms had had put on his desk. He called them "filth" and hurled the packet to the floor.

The game was afoot now, for sure. The Founding Fathers had created the Senate as a sedate body to cool the presumed passions of the democratically elected House -- but it hasn't worked that way. Certainly not now.

There was opposition to this proposal, and legitimately so. After all, creating a national holiday for whatever purpose is a questionable matter. But Helms's extravagances changed all that. Barry Goldwater mildly suggested that Congress should wait 50 years before considering this question, but he made that brief speech before the shooting started. Mississippi's John Stennis, a much respected elder of judicious temperment, opposed this plan, but judiciously held his peace. Texas's John Tower was opposed too, and remained silent.

Even Jesse Helms' other vote in the Senate, his colleague John East, hesitated to follow Helms down the communist-marxist-allegation road, though he did attack King. He suggested that King depicted the u.s. troops in vietnam ^{as} ~~the~~ acting like Nazis.

New Jersey's Bill Bradley, not a quick man to anger, fairly ex^lcoriated both North Carolina senators -- and there was no one to suggest he was out of order for so doing. He damned them for playing ^{the} ~~the~~ old racist game.

"I hear their rationalization," Bradley told the Senate. "They are not against black americans, you understand. Just dr. king. ... No, they are not etching another american profile in courage in this debate. Far from it. They are running the old campaign, as old as the interaction of race and politics in America. They are playing up to Old Jim Crow and all of us know it. This holiday is their cutting issue."

There was much said in the Senate debate in admiration of Martin Luther King, including eloquent praise from some of the Southern senators, notably Louisiana's Bennett Johnston and Arizona's Dale Bumpers.

But the legitimate opposition, such as it was, had no real show at all, not after Jesse Helm's took the field and preempted their side of the argument.

Helms ~~made~~ made a futile attempt to have the bill sent to the Judiciary committee, and there were a total of eight attempted amendments to change the brief bill into something else. They all failed miserably, but one -- and that was not aimed against Dr. King but against the idea of these three-day weekends. That, the

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senate leadership decided, would be worth looking at later.

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In the end the senate passed the unamended bill

78 to 22¹ -- all 100 senators voting. Of those voting no, besides the two from North ^Carolina, only two came from the Old South, the Confederacy. Even South Carolina's Strom¹ Thurmond, the old segregationist, voted aye: he had long since made his peace with the blacks.

As a bloc, the Southern senators voted ~~more~~ a higher percentage for the bill than the Senate itself, which, in a way, was a tribute to the reconciliation between races that Dr. King did so much to achieve.

For the Senate's Republicans, this was a special case, one in which they could demonstrate the broadening of their scope and vision. This was behind Howard ^Baker's action, and those of Mathias ^N and Bob Dole. At their behest, for the climactic minutes of the final vote on passage, Vice President Bush assumed the chair in the Senate.

There was no danger that this might be a tie vote that he would be needed to break. ^Far from it. He was there to lend the

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prestige of his office as President of the Senate to the historic occasion. It was good politics, too, of course.

There was distress among these Republicans for what Helms had done, and fear that he had by his antics undone what they had tried to achieve for their party and the image of their party.

Then, that night, President Reagan went on national television with his news conference. When he was asked ~~if~~ whether he agreed with Helms ~~in~~ that Dr. King was a communist sympathizer, Reagan replied: "Well, we'll know in about 35 years, won't we?"

That shrivelled up their very souls.

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The cost of the King holiday is subject to ~~no~~ much foolishness. We cited above Jesse Helm's use of that Congressman's estimate at dollars twelve billion. The library of Congress has put the federal government's cost at \$270 million and the state and local costs, assuming they close down for the day, at \$692 million. The U.S. Chamber of commerce has estimated the private sector cost at \$ollars 4.3 billion a year.

We suggest you ignore all of those estimates and use the one from the Congressional Budget Office.

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The bill, of course, applies only to the federal government. State and local governments can do as they please, observe the day or not. The same goes with the private sector, and the private sector certainly does not honor all the other nine federal holidays a year. That has to be worked out in the usual way, labor contracts and the like, and, of course, many retailers actually make extra money on their holiday sales.

According to the CBO report on this bill, the only cost to the federal government would be dollars 24 million a year in "premium pay" for federal workers who would have to work that day. Federal workers get paid biweekly whether they work or not. However, by closing down public buildings, there would be a saving ^{in utility costs} of some ~~24~~ dollars seven million. This law, when signed, won't take effect until 1986, and when it does then, with mild inflation taken into account, the total cost to the federal government will be dollars 18 million, according to CBO.

A far cry from dollars 12 billion.

We think we should use the CBO's number.

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