

106TH CONGRESS
1ST SESSION

S. RES. 165

In memory of Senior Judge Frank M. Johnson, Jr., of the United States
Court of Appeals for the Eleventh Circuit.

IN THE SENATE OF THE UNITED STATES

JULY 27, 1999

Mr. HATCH (for himself, Mr. LEAHY, Mr. SHELBY, Mr. SESSIONS, Mr. GRASSLEY, Mr. BIDEN, Mr. KENNEDY, Mr. KOHL, Mr. DEWINE, Mr. FEINGOLD, AND Mr. FITZGERALD) submitted the following resolution; which was considered and agreed to

RESOLUTION

In memory of Senior Judge Frank M. Johnson, Jr., of the
United States Court of Appeals for the Eleventh Circuit.

Whereas Frank M. Johnson, Jr. was appointed a United States District Judge in Alabama by President Eisenhower in 1955;

Whereas Judge Johnson was elevated to the United States Court of Appeals for the Eleventh Circuit by President Carter in 1979;

Whereas in a time when men of lesser fortitude would have avoided direct confrontation on the highly unpopular issues of school desegregation and voting rights for African-Americans, Judge Johnson stood firm in upholding the Constitution and the law;

Whereas Judge Johnson struck down the Montgomery, Alabama law that had mandated that Rosa Parks sit in the back of a city bus, because he believed that “separate, but equal” was inherently unequal;

Whereas Judge Johnson upheld the constitutionality of Federal laws granting African-Americans the right to vote in Alabama elections, because he believed in the concept of “one man, one vote”;

Whereas despite tremendous pressure from Governor George Wallace, Judge Johnson allowed the voting rights march from Selma to Montgomery to proceed, thus stirring the national conscience to enact the Voting Rights Act of 1965;

Whereas today, around a courthouse that bears Frank Johnson’s name in Montgomery, Alabama there are integrated schools, buses, and lunch counters, and representative democracy flourishes in Alabama with African-American state, county, and municipal officials who won their offices in fair elections with the votes of African-American and white citizens;

Whereas in part because of Judge Johnson’s upholding of the law, attitudes that were once intolerant and extreme have dissipated;

Whereas the members of the Senate extend our deepest sympathies to Judge Johnson’s family and the host of friends that he had across the country;

Whereas Judge Johnson passed away at his home in Montgomery, Alabama on July 23, 1999; and

Whereas the American people will always remember Judge Frank M. Johnson, Jr. for exemplifying unwavering moral courage in the advancement of the wholly Amer-

ican ideal that “all men are created equal” and deserve
“equal protection of the laws” and for upholding the law:
Now, therefore, be it

1 *Resolved, That—*

2 (1) the Senate hereby honors the memory of
3 Judge Frank M. Johnson, Jr. for his exemplary
4 service to his country and for his outstanding exam-
5 ple of moral courage; and

6 (2) when the Senate adjourns on this date it
7 shall do so out of respect to the memory of Judge
8 Frank M. Johnson, Jr.

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