HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 9, 1966

The House met at 12 o'clock noon.

The Very Reverend Robert T. Gibson, dean, Christ Church Cathedral, Houston, Tex., offered the following prayer:

Wisdom of Solomon 6: 2–3: *Give ear, ye that rule the people, and glory in the multitude of nations. For power is given you of the Lord, and sovereignty from the Highest, who shall try your works, and search out your counsels.*

Let us pray.

Almighty God, the Supreme Lawmaker, who hast given us this good land for our heritage, and caused men to govern themselves, grant unto this Nation and her constituted Representatives the wisdom to seek and to know justice, and to make laws to uphold it in truth for all her citizens to live in peace and dignity. In the light of Thy counsel, O God, may they live and work to preserve and strengthen this Nation as truly "a land of the free and home of the brave." As God is our judge may each of us be true to our calling, and with courage live as Americans ought to live, and to the glory of God, the welfare of our people, and in the name of our Heavenly Father. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 13772. An act to authorize the disposal of metallurgical grade manganese ore from the national stockpile and the supplemental stockpile; and

H.R. 15485. An act to authorize the exchange of certain fluorspar and ferromanganese held in the national and supplemental stockpiles.

The message also announced that the Senate had passed, with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 11671. An act to approve a contract negotiated with the El Paso County Water Improvement District No. 1, Texas, to authorize the execution, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13277) entitled "An act to amend the Revised Organic Act of the Virgin Islands to provide for the reapportionment of the Legislature of the Virgin Islands, disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon; and appoints Mr. JACKSON, Mr. BURDICK, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed a bill and joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1684. An act to direct the Secretary of the Interior to adjudicate a claim to certain land in Marengo County, Ala.; and

S.J. Res. 178. Joint resolution to delete the interest rate limitation on debentures issued by Federal intermediate credit banks.

MRS. AUGUSTUS HAWKINS

Mr. KING of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. KING of California. Mr. Speaker, I have the sad duty today to advise the House that Mrs. Augustus Hawkins, the wife of our distinguished Member from California, Mr. HAWKINS, passed away this morning.

I know I speak for you, Mr. Speaker, and for all Members of this House when I say that our hearts go out to him and to all his and her loved ones.

FOOD PRICES COULD BE LOWER

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, I have opposed agricultural legislation because perennial subsidies are not in the long-run interest of the farmers, much less the taxpayer, for I feel they contribute to our overall high food prices. But one of the greatest factors in the recent price spiral, in my opinion, is not the farmer but is the result of costly, inefficient, and sometimes collusive practices by the middleman distributor.

Recently I have met with a number of food store and manufacturing executives in New York. Evidence of monopolistic practices and their attendant evils were brought out in this session.

Something is very wrong when the handling costs for a loaf of bread amount to 50 percent of its retail price and the cost of wheat is only 12 percent. There is something wrong when the price of bread includes 10 percent for stale bread that winds up as pig feed.

There is also something wrong if a retailer is forced by a monopoly of milk distributors to fix the price of milk to the consumer, even if he wants to reduce it. There is also something wrong in the fact that no new wholesale milk licenses have been issued in the State of New York for almost 20 years. There is something wrong when milk from the same cow is sold at one price to the consumer as fluid milk and the same milk at a lower price to an ice cream manufacturer.

There is also something wrong when almost three-quarters of a billion dollars are struck onto Mrs. Consumer's food purchases by trading stamps.

There seems to be a reluctance on the part of some Federal and local regulatory agencies to enforce the law in this area. If these agencies were to be more active in pursuing the public interest on behalf of the consumer, perhaps then we could have lower food prices instead of a rising spiral.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 204]

Adair	Ford, William D.	Martin, Nebr.
Andrews, George W.	Giaimo	Moorhead
Ashley	Halleck	Morrison
Blatnik	Hansen, Wash.	Murphy, N.Y.
Cahill	Harsha	Ottinger
Cameron	Harvey, Ind.	Powell
Celler	Hathaway	Rogers, Tex.
Clark	Hawkins	St Germain
Conyers	Keogh	Teague, Tex.
Edwards, Calif.	King, N.Y.	Toll
Edwards, La.	Long, La.	Tuten
Feighan	McCarthy	Ullman
	Martin, Ala.	Waggonner
		Willis

The SPEAKER. On this rollcall 393 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1966

Mr. RODINO. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 14765) to assure nondiscrimination in Federal and State jury selection and service, to facilitate the desegregation of public education and other public facilities, to provide judicial relief against discriminatory housing practices, to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 14765, with Mr. BOLLING in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday it had agreed that further reading of title VI of the committee substitute be dispensed with and that it be open for amendment at any point. Are there any amendments to title VI?

AMENDMENT OFFERED BY MR. RODINO

Mr. RODINO. Mr. Chairman, I offer a technical amendment to title VI.

The Clerk read as follows:

Amendment offered by Mr. RODINO: On page 79, line 1, strike "an" and insert in lieu thereof "on".

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 80, between lines 6 and 7, insert the following new section:

"SEC. 603. Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) is amended by adding at the end thereof the following new section:

"'SEC. 606. (a) Nothing contained in this title shall be construed to authorize the termination of, or the refusal to grant or continue, any Federal financial assistance for any cause other than a violation of a provision of the Constitution, or an affirmative provision of a statute of the United States, which has been established by substantial evidence.

"'(b) No rule, regulation, or order which may result in the termination of, or the failure to grant or continue, any Federal assistance shall be placed in effect unless it has been adopted after proceedings taken in compliance with the requirements of sections 4–10, inclusive, of the Administrative Procedure Act (5 U.S.C. 1003–1009).

"'(c) A determination under this title to the effect that discrimination on the ground of race, color, or national origin exists, has existed, or in the future may exist, in the administration of any program or activity shall require a showing by substantial evidence that in the administration or operation thereof, conditions or requirements, are, have been, or may be imposed with affirmative intent to exclude, or with the necessary effect of excluding, individuals from participation in the benefits of such program or activity solely upon the ground of race, color, or national origin.

"'(d) Nothing contained in this title shall be construed to authorize any Federal department, agency, or officer to issue any rule, regulation, or order for the purpose or with the effect of—

"'(1) controlling or regulating the administration or operation of any school, hospital, or other institution for any purpose other than to provide equal opportunity for access thereto by individuals without regard to race, color, or national origin; or

"'(2) depriving any class of individuals of the privilege of determining voluntarily whether or not to avail themselves of any benefit provided by any program or activity, or of the facilities of any school, hospital, or other institution.'"

Mr. McCULLOCH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. McCULLOCH. Mr. Chairman, is it not customary for an amendment of this length to be submitted to the minority table so that we may know what is being discussed?

I have not had, nor has the minority table had, a copy of this amendment until this moment.

Mr. WHITENER. Mr. Chairman, I shall be glad to respond to the gentleman from Ohio.

The CHAIRMAN. The Chair will have to state to the gentleman from Ohio [Mr. McCULLOCH] that that is not a parliamentary inquiry.

Mr. McCULLOCH. Well, Mr. Chairman, if the gentleman will yield for a statement——

The CHAIRMAN. The gentleman has not been recognized yet.

The Chair recognizes the gentleman from North Carolina [Mr. WHITENER] for 5 minutes, but only when the Committee is in order.

The gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, I ask unanimous consent that I be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

Mr. McCULLOCH. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

The gentleman from North Carolina is recognized for 5 minutes.

Mr. WHITENER. Mr. Chairman, before commencing my statement, I will say to the gentleman from Ohio that a copy of the amendment was given to the gentleman from Florida [Mr. CRAMER] some time ago. Unfortunately, the gentleman from Ohio has been a bit ubiquitous this morning and I just had not seen him and I apologize to the gentleman.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I shall be happy to yield to the gentleman from Ohio, if the gentleman will withdraw his objection to my request for additional time.

Mr. McCULLOCH. Mr. Chairman, I wish to renew the objection that the amendment was not at the minority table and I must say that insofar as I can determine I was in the Chamber before the gentleman who is now in the well of the House. I was here all the time except for about 5 minutes. In any event, Mr. Chairman, I believe it serves a useful purpose when complicated amendments are offered that they be furnished the minority table.

Mr. WHITENER. Now, Mr. Chairman, may I renew my request that I be allowed to proceed for 5 additional minutes?

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The CHAIRMAN. The gentleman from North Carolina is recognized for 5 additional minutes.

Mr. WHITENER. Mr. Chairman, I appreciated the comments of the gentleman from Ohio [Mr. McCULLOCH]. I believe that after I have explained my amendment the gentleman will find that it is not really complicated, but that it is one which will appeal to the fairness of his mind which I know he always has.

Normally, Mr. Chairman, I do not hesitate to yield, but if I may make my statement without anyone interrupting at this particular time, I shall appreciate it.

Mr. Chairman, in recent months it has come to my attention that important health, education, and welfare programs are being placed in jeopardy by an effort on the part of certain Federal officials to correct so-called racial imbalance in the States. I hasten to add that the Federal officials are not solely responsible because they are laboring under legislation, the provisions of which are vague and easily misunderstood. For this reason, I introduce, for appropriate reference, an amendment in the nature of a new section to H.R. 14765, the proposed Civil Rights Act of 1966.

The purpose of this amendment is to clarify the ambiguities of title VI of the Civil Rights Act of 1964. This is necessary to avoid the further submission of Federal officials to the pressures of outside forces which have compelled them to perform quasi-judicial functions and to allow them to concentrate on their statutory duty.

At the outset, I want to emphasize that this amendment is not intended to change the intent of Congress in enacting title VI of the 1964 Civil Rights Act. On the contrary, it is designed to implement that intent. It is not designed to diminish the decision of the Federal courts; rather it is designed to rely on those decisions in applying the sanctions of title VI. Nor is it designed to permit unlawful discriminations—it only assists in defining such discrimination.

This amendment amends title VI of the Civil Rights Act of 1964.

It would provide in section 606(a) that no funds can be withheld under any Federal program until a constitutional or statutory violation has been committed by the recipient of the benefits of such programs. Furthermore, such violation must be established by substantial evidence.

Subsection (b) provides simply that in making a determination with respect to alleged violations the particular Federal agency must follow the same procedural requirements as in the case of all other administrative adjudications. In the future, the recipient of such benefits must be accorded not only notice of the intention to withhold funds but also the opportunity to be heard and to present evidence in its own behalf.

Subsection (c) provides that in order to support a determination of discrimination it must be shown that there has been an affirmative intent to exclude or the necessary effect of exclusion of individuals from benefits on the basis of race, color, or national origin.

The purpose of this subsection is to negate the application of purely mechanistic and statistical criteria in the determination of discrimination.

Subsection (d) is a protective feature of the rights of potential beneficiaries and prohibits any Federal agency from exercising control over any school, hospital, or other institutions under the provisions of this title for any purpose other than to provide equal opportunity for access thereto by individuals without regard to race, color, or national origin. Furthermore, this subsection will insure that no class of individuals shall be deprived of the privilege of determining voluntarily whether or not to avail themselves of any benefit provided by any program or activity financed or partially financed by the Federal Government.

Section 601, which is the heart of title VI of the 1964 Civil Rights Act, would be left untouched by my amendment. It provides:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination

under any program or activity receiving Federal financial assistance.

The remaining, implementing language of the title, however, brazenly transfers to the Executive the lawmaking power of Congress, and in doing so leaves the definition of discrimination and the application of sanctions to the uncontrolled discretion of agency officials. Congress has meekly surrendered the control of the Federal purse strings to the "equal opportunity officer" of each agency which he may use to effectuate his own notions of sociological progress.

And what has been the result? Not only have many officials predictably taken full advantage of their new power, but indeed some have usurped far more than was given them by the act.

I will mention three examples in North Carolina, only to illustrate how this legislative and judicial power which officials have assumed has resulted in the distortion of the original Federal programs they are charged with administering.

An adult basic education project in Charlotte, under which 1,400 Negroes and 170 whites in a total of 91 classes were being taught to read and write, was threatened with termination by the Office of Economic Opportunity because of alleged de facto segregation and so-called racial imbalance in two classes. This threat, without complaint from any local organization or individual, was made under the provisions of title VI.

In another North Carolina city, a hospital is under threat of losing Federal funds because nonwhites do not comprise as large a percentage of the patient load as is the percentage of the nonwhite population of the city. There is no allegation of discrimination or segregation in the staffing, in employment, or in the assignment of patients to wards and rooms. The only allegation is that the local populace does not become ill and choose the threatened hospital according to racial quotas.

Finally, there is the example of the Office of Education integration guidelines recently published for the South. There is no pretense in the language of the guidelines that their purpose is to prevent either discrimination or State-supported segregation. The whole thrust is so-called racial balance in pupil and teacher assignment according to percentages.

These mindless threats and fatuous guidelines cannot be remotely reconciled with the language or the legislative history of title VI or with the unlawful conduct—as defined by the courts—that was intended to be condemned. Two brief statements confirm this.

The best authority on congressional intent of any legislative act is the floor manager of the bill, and the Senate floor manager of the 1964 Civil Rights Act was the then assistant majority leader, Vice President HUMPHREY. In developing the legislative history and articulating the intent of the act, the Vice President stated in 1964:

> While the Constitution prohibits segregation, it does not require integration. The busing of children to achieve racial balance would be an act to effect the integration of schools. In fact, if the bill were to compel it, it would be a violation, because it would be handling the matter on the basis of race. The bill does not attempt to integrate the schools; it does attempt to eliminate segregation in the school systems:

The Vice President meant that the act was designed to eliminate segregation by legal compulsion. His words echoed those of the Federal courts as stated in Briggs against Elliott.

> It is important that we point out exactly what the Supreme Court has decided and what it has not decided . . . . It has not decided that the Federal courts are to take over or regulate the public schools of the States. It has not decided that the States must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains.
>
> Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination.

But in not one of the instances I recounted in North Carolina did the Federal official responsible follow either the mandate of the 1964 act or the mandate of the Federal judiciary, or that of the specific poverty, education, or health program he was to administer.

In Charlotte, the poverty program official stated his purpose was to "promote maximum cross-cultural experience," according to his euphemistic, sociological jargon. The education of hundreds of illiterates, 90 percent of them Negro, was to be sacrificed to the overriding imperative of so-called racial balance. His integration program was of more importance than his poverty program. It was not those who administer nor those who voluntarily teach who would have been hurt—only those to whom the ability to read and write would have been denied.

If the incidence of sickness among nonwhites does not increase sufficiently and more Negroes do not come to our hospitals, so that, thereby, funds are cut off, it is not the hospital trustees nor the staff that will be hurt. It will be the charity patients whom the hospital can no longer afford to treat and many of whom are not white. Such tragically insane policies completely subvert the purpose of our health-care legislation.

Such a thought is surely confirmed by the new school desegration guidelines. In them there is this:

> The racial composition of the professional staff of a school system, and of the schools in the system, must be considered in determining whether the students are subjected to discrimination in education programs.

And one education official, in explaining these obtuse rules, said:

> Race may have to be taken into account in future assignments so as to achieve an integrated balance of staff.

These statements fly blindly in the teeth of every Federal judicial decision concerning equal protection of the laws handed down in the last 20 years—decisions which state unequivocally that race cannot be a constitutionally permissible consideration in the enactment and enforcement of Federal and State laws. To our Office of Education, the Constitution is no longer colorblind. On the contrary, race is the primary consideration in the ground rules of its great drive for so-called racial balance.

In ignoring the decisions of the courts, the guidelines equally ignore the intent of title VI. In fact, the sudden emphasis on so-called racial balance among classroom teachers violates the express language of section 604, which states that nothing in the title shall be construed to authorize action by any Federal agency with respect to any employment practice of any employer except where a primary objective of the Federal financial assistance is to provide employment.

And, again, who is hurt when a school system fails to achieve a so-called balance satisfactory to Federal officials? Not the school board; not the teacher. The only ones who lose are the students whom the Federal aid to education was designed to help and who have no control whatsoever over assignment policies. Yet the Federal Government would deny to those legally helpless students the equal protection and equal assistance which Federal law provides to all others.

As education bills are brought up in this body, we are admonished time and again that Federal control of schools is not the intention. I have accepted the assurances in good faith. Federal aid was intended to—and should—strengthen local school systems. That is not the current course of Federal aid, for the program has been twisted into a club held over the heads of local officials and used to enforce Washington's sociological notions.

The amendment I introduce today will prohibit such nonsensical interpretations of their own power under title VI as some Federal officials have divined. It will accomplish this by defining section 601 according to the intent of Congress, and the decisions of the Federal courts; if it is adopted, title VI, in the future, will be implemented according to the intention of Congress and not the whim of bureaucrats who are not answerable to the people for their sociological follies.

If my amendment is adopted, every American will be subject to the same guidelines and can ascertain what those guidelines are. No longer will "discrimination" mean something different in one year from what it means in the next as is presently the case. No longer can the title be applied in one section of the country and not in another, without the protections of due process, as is presently the case. No longer will "free choice" be allowed by one department or agency and not by another, as is presently the case.

Mr. Chairman, I ask all of my colleagues to consider this amendment carefully. I am confident that fundamental fairness and equal justice require its enactment.

Mr. RODINO. Mr. Chairman, I rise in opposition to the amendment. Although I recognize that the gentleman has undoubtedly labored long on the amendment he has presented to this Committee at this time, nonetheless, I would like to remind the gentleman that the amendment was never presented in

the committee. It is entirely new to us. The language, although clear to the gentleman, certainly is vague to me and difficult to comprehend. All that I do understand is that it presents new criteria and restricts the workings of title VI of the 1964 Civil Rights Act. The intention of the Congress in writing title VI of the 1964 act into law, was stated in section 601:

No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Were we to adopt this amendment, Mr. Chairman, despite the good intentions of the gentleman from North Carolina, I feel this would in effect be a complete repealer of title VI of the 1964 act. I believe that it would unduly restrict and hamper the workings of that program.

For that reason, Mr. Chairman, I urge the defeat of this amendment.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. RODINO. I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, I appreciate the comments of my friend from New Jersey [Mr. RODINO], but I would point out to him and to my colleagues that in the 1964 act it was provided, among other things, that regulations or orders of general applicability which shall be consistent with the achievement of the objectives of the statute should be made up by these various agencies.

The 1964 Civil Rights Act further said that no such rule or regulation or order shall become effective unless and until approved by the President.

Some of us, my friends, who have dealt with these agencies in recent months, have found they have not adopted rules and regulations of standard application. There is no evidence I have been able to get from anybody, for instance, from Health, Education, and Welfare, that the President has approved any of them.

So my amendment, contrary to what the gentleman says, would merely implement the existing law and require that that be done, and that money not be cut off from schoolchildren simply at the whim of some faceless bureaucrat who none of us in the Congress knew would be down there.

Mr. RODINO. Mr. Chairman, again I must say that I respect the gentleman's intentions, but I do not believe there is any evidence which has been presented establishing any need to enter into this new area.

According to the intent of the Congress in section 602, the rules, regulations, or orders to be promulgated were to be of general applicability, consistent with the objectives of title VI.

Mr. WHITENER. In section 601 of the existing law the proviso says that no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirements, and has determined that compliance cannot be secured by voluntary means. That has not been the practice in these agencies. This is what the Congress said must be done. My amendment would merely assure the public that what we here said in 1964 would be complied with.

There is nothing new about my proposal. It is just implementing the intent we expressed before.

Mr. RODINO. It is my understanding that the rules are consistent with the objectives of the title. The spirit of the law is being complied with. The departments or agencies concerned have in no way indicated there is any difficulty in administering this law. For that reason, I urge the defeat of the amendment.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am pleased to join with my colleague, the gentleman from New Jersey [Mr. RODINO], in his analysis of this amendment. The amendment should not be agreed to.

As a matter of fact, Mr. Chairman, if the amendment were agreed to, the only ground, in my opinion, for the withholding of funds would be a direct violation of the Constitution or a positive, affirmative violation of a statute of the United States of America.

When we passed title VI of the Civil Rights Act of 1964, it contained a provision that rules and regulations which would authorize the withholding of funds must have the approval of the President of the United States and, furthermore, before there was a final withholding of funds, there had to be notice given to the political subdivision that was alleged to be in violation of such law.

It seems to me, Mr. Chairman, that is sufficient notice and a sufficient reason for a political subdivision to put its house in order and to comply with the law and the rules and regulations pursuant thereto.

I hope the amendment will be defeated.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I decline to yield to the gentleman from North Carolina.

Mr. WHITTEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, listening to the gentleman from New Jersey and the gentleman from Ohio makes me realize the absolute need to adopt the amendment of the gentleman from North Carolina.

While I opposed the measure under discussion here, I know that the proponents attempted to—and did—write into that measure having to do with schools reasonable precautions to give any school an opportunity to be heard.

The point is that they are not carrying out the intent of the Congress.

I have on my desk now complaints from a number of schools, stating they have met the demands of the Department of Education, even though the demands go beyond the requirements of the law—and yet they are being threatened with lawsuits and funds are being withheld.

What I am saying is that the provisions in the law are not being carried out, the restrictions in the law are not being observed.

When it comes to withholding money, nonaction carries out the desires of those folks in the executive department who want to go much further than the law.

I agree with the gentleman from North Carolina. The original decision and subsequent decisions for a time were that the opinions of the Supreme Court held only that the Constitution prohibited forced segregation. With time, that has been twisted around. Agencies have increased or broadened this court-made law by interpretation. We now find these agencies insisting that those decisions mean forced integration. That should not be.

But that is not where it ends. I am talking about the agencies now. They are writing guidelines which go much further than the law and are with holding funds not because the law is not met but because their guidelines are not agreed to.

I hope the amendment of the gentleman from North Carolina will be adopted. All should agree that the Department of Education should not be permitted to require more than the law requires.

I hope the amendment will be adopted.

Mr. LANDRUM. Mr. Chairman, I rise in support of the amendment.

I have listened to many arguments presented since I have been a Member of the House of Representatives. I have never listened to one presented with more clarity or more logic, about an amendment more badly needed, than the one just presented by the gentleman from North Carolina [Mr. WHITENER].

Likewise, I have listened to the arguments against it. Frankly, I do not see how anyone can argue successfully against the adoption of such an amendment.

I agree wholeheartedly with what the gentleman from Mississippi, who just preceded me, said.

I wish to ask the Committee's indulgence for just a moment, for the reading of a letter I wrote March 29, 1966, to the Honorable John W. Gardner, Secretary of Health, Education, and Welfare, about these guidelines issued by the Office of Education in pursuance to title VI of the Civil Rights Act of 1964.

The guidelines which the Office of Education issued in pursuance of title VI of the Civil Rights Act have gone far beyond the authority in title VI of the act and actually are doing what the gentleman from Mississippi has just said, forcing integration and destroying the freedom-of-choice plan, which has been working so well.

May I read from the letter I wrote on March 29:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., March 29, 1966.

Hon. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

MY DEAR MR. SECRETARY: Following a reading of the "Revised Statement of Policies for School Desegregation Plans under Title VI of the Civil Rights Act of 1964" issued by the U.S. Department of Health, Education, and Welfare in March 1966, I have looked carefully into the provisions of the public law authorizing federal assistance to elementary and secondary schools and I have also looked carefully into the provisions of

Public Law 88-352, the Civil Rights Act of 1964.

In making this examination into the laws and relating your Revised Statement of Policies under Title VI to these laws, I am compelled to the following conclusions:

(1) There are no provisions in Public Law 89-10, the "Elementary and Secondary Education Act of 1965," and no suggestions in the legislative history of the act which require such rules or regulations as you have published under the "new guidelines" policies. As a matter of fact, the debate surrounding the passage of the act providing assistance for elementary and secondary schools emphasized that no such federal dictation was to flow from the act.

(2) In examining Title VI of the "Civil Rights Act of 1964" on which your new Statement of Policies is prefaced and looking also at the debate transpiring at the time this act was passed, I find nothing in Title VI of the act and nothing in the legislative history of the act requiring such drastic and precipitous new regulations and guidelines as have been issued. Moreover, in Title IV of the "Civil Rights Act of 1964," Section 401, paragraph (b) specifically states:

"Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

Clearly, therefore, one must reach the conclusion that the regulations issued in your Revised Statement of Policies are in direct violation of paragraph (b), Section 401, Title IV of the "Civil Rights Act of 1964." While your Revised Statement of Policies very carefully avoids mention of the purpose "to overcome racial imbalance," the Statement, nevertheless, is saturated with directives which, if complied with, can have no other result and, therefore, leads to the conclusion that the regulations were issued for no other purpose.

Your directives abandon the freedom of choice plan which, admittedly, is working slowly, but nevertheless is working. But to abandon the freedom of choice plan and enforce policies called for in your Revised Statement at this time will, in my judgment, not only be in violation of the cited Section of the law but threaten serious harm to our efforts to educate so many who need it so badly. After all, Mr. Secretary, isn't this the fundamental purpose in our efforts to provide assistance for public education?

It occurs to me that a more prudent course for your Department to follow in administering these laws would be to withhold the application of these drastic guidelines and give the local people conversant with the local problems an opportunity to work these problems out under the freedom of choice plan and, thereby, afford a more wholesome learning environment.

With warm personal regards, I am,

Respectfully,

PHIL M. LANDRUM.

Therefore the guidelines are in direct violation of section 401 of the Civil Rights Act of 1964. Clearly, therefore, the amendment of the gentleman from North Carolina is needed in order to prevent this Department from going beyond the authority in the law of 1964 and in order to prevent the forced integration in the schools where we have a freedom-of-choice plan.

Members of the Committee, let me urge upon you, if you want to see a public school program continued in this country, if you want to see Federal assistance to education working in this country, if you want to see education do what it has to do in this field before we have the end of the strife we are now suffering, adopt this amendment of the gentleman from North Carolina and then you will begin to see some other kind of order coming out of the chaos existing in this U.S. Office of Education.

Mr. DORN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, and ladies and gentlemen of the Committee, I join my distinguished and able colleague from North Carolina in supporting this amendment.

I do not say that I know more about education than any Member of this body or the other body, but I believe that I perhaps know as much as any Member of this body or any Member of the other body.

My late father devoted 35 years to public education—19 years as teacher and 16 as superintendent of education of my home county of Greenwood. My mother taught school for 32 years, and reared 10 children during the same period.

I served on the education committee of the South Carolina House of Representatives. I have five children who attend public schools in the Metropolitan Washington, D.C., area half of each year. This fall they will attend public schools in my hometown, Greenwood, S.C.

My brother is chairman of the board of education, and I know that education officials have done everything humanly possible in Greenwood to comply with title VI of the Civil Rights Act of 1964.

We have freedom of choice in Greenwood. No child is turned away from any school in the area of South Carolina where my children will be attending this fall. We have complied with the law, but, Mr. Chairman, when someone in Washington, D.C., far removed from the scene of real education at the local level, issues rules and regulations like the one issued the other day which demands of the board of education the reason a school is being built in a certain locality, and demands blueprints of the new building, I say this type of conduct on the part of those who are supposed to advance the course of education in America, is destructive of good education at the local level.

Mr. Chairman, I daresay that it has been my honor since last October to speak to as many high schools and colleges in nearly every section of the United States—I would say more—than perhaps any other contemporary American. It has been my honor and privilege to visit a number of colleges and universities, among them Harvard, Rensselaer, the University of Virginia, and Michigan State. I spoke at various junior colleges and high schools. As a result of my extensive contact at these institutions and with the outstanding educational institutions of my State, I can categorically say to the members of the Committee that the people of my State are complying in more good faith with title VI of the Civil Rights Act than any other area I have seen. South Carolina school boards have made sincere and genuine efforts to comply.

Every child in my hometown of Greenwood, S.C., has complete freedom of choice regarding admission to our public schools. Every schoolteacher of any nationality, race, or creed can apply to any school in Greenwood and have his or her application considered fairly without discrimination. We have complied with the intent of title VI of the Civil Rights Act.

Clemson University is in my congressional district and became a model of decorum, tolerance, and understanding in February 1963. The late President John F. Kennedy complimented Dr. Robert C. Edwards, president of Clemson University, my people, and me for the admirable manner in which this situation at Clemson was handled.

Mr. Chairman, I have seen firsthand what is going on. These guidelines are not in the interest of education, they are not in the interest of the pupil, they are not in the interest of the teacher, they are not in the interest of the parents or the taxpayers.

Mr. Chairman, those men struggling at the local level to educate our children and to meet the demands of the space age, the age of astronautics, can no longer devote their time to education.

Instead, on orders from Washington, they must experiment with sociology and comply with unreasonable and impractical orders which are detrimental to education, detrimental to students, and detrimental to the teachers.

This amendment which has been offered by the gentleman from North Carolina [Mr. WHITENER] is urgently needed in order that the orderly process of education might continue for my children and yours and the other pupils throughout this great Nation.

Mr. Chairman, I take a back seat to no one in promoting good will and tolerance in this great country of ours.

But, Mr. Chairman, I would hate to see these guidelines destroy education and, in effect, the little boys and girls of both races, of all creeds and religions and nationalities.

Mr. Chairman, that is exactly what they will do, if we permit these unelected bureaucrats to continue to issue these orders and decrees. This amendment offered by the gentleman from North Carolina should be adopted.

Mr. LANDRUM. Mr. Chairman, will the distinguished gentleman from South Carolina yield to me at that point?

Mr. DORN. I shall be delighted to yield to my great colleague, the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, may I point out to the Committee, as the gentleman from South Carolina has suggested, that the act now under consideration carries the language now which was carried in the 1964 Civil Rights Act, the exact language of section 401(b) of title IV of the 1964 act.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent that the gentleman from South Carolina [Mr. DORN] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. DORN. I yield to my colleague, the gentleman from Georgia.

Mr. LANDRUM. In reading, not from the act of 1964, but from the bill that we now have under consideration, on page 79 thereof, beginning at line 14 on page 79, this proposed act itself states:

(b) As applied to public education, "desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

And, Mr. Chairman, if the gentleman from South Carolina will yield to me further——

Mr. DORN. I yield further to the gentleman from Georgia.

Mr. LANDRUM. Let me say that the guidelines, developed and issued and now trying to be enforced by the Department of Education, are in direct contravention not only of the 1964 Civil Rights Act, section 401(b) thereof, but apply to the act that we have under consideration today.

Mr. DORN. Mr. Chairman, I wish to thank my distinguished colleague from the great State of Georgia. I wish to state again, Mr. Chairman, that I am completely serious about this. We have complied with this law in my own hometown with which I am familiar. I have five children in the public schools. We have complied much more so than in the areas within the sound of my voice here in the great metropolitan area of Washington.

No one is turned down in South Carolina because of race, creed, color, or national origin. But these arbitrary rules handed down by some of these administrators vacillate. An order will be issued one month only to be changed a few days later. These arbitrary, high-handed orders are threatening our educational system at the local level as never before.

Mr. Chairman, I say we have done a magnificent job. We deserve the commendation and thanks and good will of the officers and the heads of the departments of HEW. But this harassment is more than our dedicated, devoted local educators can endure.

One of the finest educators in our district recently resigned solely because of these guidelines. Many others who have been in the field of education for 35 or 40 years are now considering retirement because of the arbitrary vacillating rules and regulations issued by people who know little if anything about real education.

Mr. Chairman, before I yield to my distinguished colleague, the gentleman from North Carolina [Mr. KORNEGAY], I would like to say that I happen to know that one of the greatest high schools in America, Central High School in High Point, N.C., where I spoke earlier this year, has no discrimination, yet under these guidelines administrators in charge of education cannot do a job for the teachers and for the pupils and for the cause of education.

Mr. KORNEGAY. Mr. Chairman, I appreciate the gentleman yielding to me, and I could not let the moment go by without endorsing completely what he has said.

Mr. Chairman, I see in my district and in my State the same thing that is happening in the State of South Carolina. Not only are the school administrators and teachers put in an impossible spot and harassed to the point of almost complete frustration, but it is going to be virtually impossible in the future to get any qualified and interested citizens to serve on the school boards of our counties and local communities. Public education is at the crossroads, Mr. Chairman, and if the Department of Health, Education, and Welfare does not wake up and become more reasonable and sensible in the exercise of its authority they are going to ruin one of the finest educational systems in this country. We have had such a system in my district and in my State for the past 60 years, but I fear our future under the strong and arbitrary hand of the Commissioner of Education. I appreciate the gentleman yielding to me.

Mr. DORN. Mr. Chairman, again may I say my brother is the chairman of the school board in my hometown and is one of the best lawyers in this country. He and the local school officials have done everything humanly possible—everything humanly possible to comply with the law. The teachers, the administrators, the trustees and parents want to do the right thing. They are sincerely trying to do so. Then to have the bureaucrats demand to see the blueprints and data of a school building barely begun is reminiscent of the kind of government carried on by Adolph Hitler.

Mr. KORNEGAY. Absolutely.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KASTENMEIER. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, I had not expected to rise to speak either on this title or elsewhere in connection with this bill, but this amendment is so serious that, notwithstanding my previous intent, I think it is necessary to speak against it.

Mr. Chairman, the opponents of this particular bill, not content to diminish it in every particular, have now sought to undo what we have done in the past. This intent would not only adversely affect the present legislation, it would gut title VI of the 1964 law.

By all means, my colleagues, we ought not to do this on this Committee floor.

Subcommittee No. 5 of the Committee on the Judiciary, which customarily has handled civil rights, constituted last fall a special ad hoc subcommittee for the purpose of looking into the administration and the application of the Civil Rights Acts of 1957, 1960, 1964, and the Voting Rights Act of 1965. The three-man bipartisan subcommittee had extensive conferences on these particular acts with members of the Department of Health, Education, and Welfare, the Justice Department, the Department of Defense, and with all people concerned with the administration of those parts of our national laws to which the preceding speakers have alluded.

Furthermore, Mr. Chairman, we were not only interested in what they said about the implementation of title VI and the rest of the laws relating to civil rights. We invited the attorneys general and the Governors of the Southern States, including those of North Carolina and South Carolina, to participate in these conferences, and in some instances they did.

The attorney general of the State of South Carolina actually came up here to Washington and conferred about title VI and about other aspects of this bill, and the ad hoc subcommittee made a report in January of this year.

If indeed title VI is to be changed, it should not be changed here on the floor of the House today. We need to do it by orderly process. There is a good question of whether title VI is effective and whether it is administered effectively. I think your ad hoc subcommittee had some doubts about that. But, indeed, we would never recommend to this House that all that we have done in the past years to make the civil rights laws effective should be undone by destroying title VI of the 1964 act, as the amendment would do. I could not too strongly urge my colleagues to reject this amendment.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. KASTENMEIER. I yield to the gentleman from North Carolina.

Mr. WHITENER. I appreciate the gentleman yielding. He knows I have a warm affection for him, as I have told him many times. He and I probably vote alike in committee more often, for different reasons, than any two other Members in the Congress. In this case I would hope he would be voting with us even though he does not think like we do on the issue.

But may I point out to the gentleman the very first section of title VI of the 1964 act states:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

My amendment would merely provide that there would have to be rules and regulations duly adopted and published so that everyone in the country would know what they were, so that everyone would be under the same rules and regulations, and then if those rules and regulations are in violation of the act, the provisions of the existing title VI of the 1964 act, then any interested citizen could ask for a judicial review.

At present one set of rules applies to one school district and to one hospital and another applies to another school district and another hospital. I do not think the gentleman from Wisconsin feels that that is a proper way to administer this title or any other act.

Mr. KASTENMEIER. I think that the appropriate agencies can issue proper guidelines. But I also think we need congressional oversight for this purpose. I do not think that section 606(d) in your amendment is the most devastating. But I think there are other aspects

of your amendment into which I submit we need congressional inquiry.

Mr. FLYNT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I call attention to instances in which the Office of Education or the Department of Health, Education, and Welfare have carried out some of the guidelines which they have issued. I would particularly like to ask those who have announced their opposition to the amendment of the gentleman from North Carolina, including the gentleman from Wisconsin who just preceded me in the well, the gentleman from New Jersey, the gentleman from Colorado, and others, a question. In the district in which I live, and which I represent, we have done everything in utmost good faith that can be done to comply with the Civil Rights Act of 1964, with title VI of that act, and we have made substantial progress, far greater than anyone has ever dreamed possible. Will these gentlemen reconsider their positions and support this amendment?

Yet we are now confronted, Mr. Chairman, with a situation in which the Office of Education will accept the plans submitted by one school district and refuse an identical plan submitted by an adjoining school district. As a result of this, about 10 days ago, in a conference in my home with 8 school district administrators and with some 41 members of the boards of education of those 8 school districts, we discussed and went over the figures which recite what has taken place.

We saw during this conference instances where the Office of Education and the Compliance Division of that Office have accepted plans which show a rate of increase for the school year 1966–67, of approximately 2.3 over the corresponding figures for 1965–66. Yet, in a county less than 20 miles removed, they rejected a plan which showed an increased ratio of 7.6 to 1 over what it had been during the preceding year.

When those figures were brought home to me—and we went through them as closely as we could to make certain that those figures were absolutely accurate—I then asked the Commissioner of Education and the Education Office Compliance Section to please tell us in black and white what would be required so that, if necessary, we could make additional efforts to comply.

What answer did I receive? The answer was "Mr. Congressman, we cannot tell you what we will accept because we do not know ourselves."

Mr. Chairman and Members of this Committee, if the Commissioner of Education and if the head of the Compliance Section do not know what they want and what they will accept, then I ask—and I ask it reverently—how in the name of heaven do we know what they want and what they will accept?

Mr. CORMAN. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I am glad to yield to the gentleman from California.

Mr. CORMAN. Mr. Chairman, I wonder if the gentleman will tell us the name of the school districts where the plans have been rejected, or funds have been delayed or denied?

Mr. FLYNT. I can name 13 that have received letters of rejection or deferral.

Let me explain further about this letter of deferral. As I understand it, if the approval of funds to be issued is merely deferred, such deferral can suspend the funds forever, and there is no way to go into court to determine the validity of the withholding order.

I say to the gentleman from California, if funds are deferred or if they are withheld, if the funds are not made available when every effort has been made to comply, then I submit that it is evidence of bad faith on the part of those who withhold these funds.

Now, let me name these school districts which have received these letters:

Butts County.
Clayton County.
Coweta County.
Newnan City.
Fayette County.
Griffin-Spalding.
Heard County.
Henry County.
Jones County.
Meriwether County.
Pike County.
Hogansville City.
La Grange City.

The CHAIRMAN. The time of the gentleman has expired.

(By unimous consent, Mr. FLYNT was allowed to proceed for 5 additional minutes.)

Mr. FLYNT. If I may say to this Committee, Mr. Chairman, the Fayette County system is the one that shows a ratio increase of 7.6 to 1 over the preceding year, yet it has been disapproved. There are others, Mr. Chairman, which have approximately 2 or 2.3, which have been approved. If there would be some affirmative rule or regulation that the school administrators and the boards of education could understand, then I believe the work of all of us—those of us in Congress, those who are administering the school systems on a local basis, and the Office of Education itself—would be made easier, and we could do a much better job for public education in the United States.

Mr. LANDRUM. Mr. Chairman, will my friend from Georgia yield?

Mr. FLYNT. I am glad to yield to my colleague from Georgia.

Mr. LANDRUM. With the naming of the systems by the gentleman from Georgia, with the relating of the percentages to be accomplished in 1966–67, as compared with 1965–66, as related to the percentage of increase, and with the failure of the Commissioner of Education to approve in one instance and his acceptance in approving in other instances, we see clear evidence that the guidelines about which this discussion has taken place are being promulgated for the sole purpose of correcting an imbalance, which is in direct violation of paragraph 401(b) of title IV of the Civil Rights Act of 1964 and in direct violation of section 303(b), previously cited, of this bill now under consideration.

I congratulate the gentleman for presenting the statistics to prove that they are in violation.

Mr. FLYNT. I am in accord with the statements of my colleague from Georgia and I thank him for his remarks at this point.

Let me come back to the Coweta County system and the Newnan school system, both of which are located in Coweta County.

Recently the chairman of the board of education of the Coweta system and the president of the board of education of the Newnan school system received a call from two very capable and very fine special agents of the Federal Bureau of Investigation. They came in, identified themselves, and said, "We are down to investigate a complaint."

The first question naturally asked was, "What is the complaint?" The agent said, "We are under instructions not to inform you what the complaint is." Then they proceeded to ask further questions.

The chairman of the board of education, I believe quite properly, asked to see the complaint, or to at least be told its content. The information was refused. He asked the question, "If a man were accused of robbing a national bank or a bank insured by the Federal Deposit Insurance Corporation, would not a suspect be entitled to receive what amounts to a bill of particulars, giving the name of the bank, the city in which it is located, and the date upon which it was robbed?" The special agent said, "Yes, he would; but in this case we have been instructed not to give any information as to what the complaint is."

In this instance, Mr. Chairman, we have every reason to believe that the complaint is a malicious complaint not based upon any fact whatsoever.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I am glad to yield to the gentleman from North Carolina.

Mr. WHITENER. Would the gentleman agree that the only thing the amendment I have offered would do would be to require the agency to promulgate rules which would be available for everybody to see, and then, if funds were cut off, the person would have, in effect, a bill of particulars as to which regulation was violated, or the Government agency would, and then if they felt that the agency had not legally cut them off under the terms of the present civil rights law they could bring an action in Federal court?

Mr. FLYNT. The gentleman is entirely correct.

Mr. MATHIAS. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to this amendment. I believe the proponents of the amendment may, by seeking to have it adopted, do the very thing they do not wish to do. They will perpetuate a continuing stream of Executive or administrative decisions bearing on the very questions and the very examples they have been citing.

The amendment refers to "violations of a provision of the Constitution," for example. When dealing with practical

situations in schools or in welfare cases, or in other situations to which this amendment might apply, you are then going to have administrative officials of the Government, members who are in the executive branch, interpreting that very language.

Mr. Chairman, I would like to recall what the gentleman from Wisconsin said about the responsibility of Congress in this area. I would certainly like to associate myself with the observations he has made on the necessity for the continuing of oversight by the Congress. What this amendment would do is just kick it back again on a different basis to administrative officials. I would like to congratulate the distinguished chairman of the Committee on the Judiciary and the ranking minority member on their foresight in appointing an ad hoc committee to study the continuing responsibility of Congress for oversight. I would join with the gentleman from Wisconsin who served as the chairman of the ad hoc committee and the gentleman from California who, with myself, was the other member of the committee, in hoping that the Congress will take a more active role in seeing how efficiently these acts have been administered and in seeing where corrective action is specifically needed in different programs. This is, however, a totally revolutionary idea that we simply deal in a wholesale manner with the question as this amendment proposes. It would be a step backward and would be a reversal of the tremendous progress that was made in this Congress in 1964. It would be a reversal of all of the forward looking and forward moving trends that have taken place in the meantime and to a large degree it would be an abdication of our real legislative responsibility here.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman.

Mr. FLYNT. I would like to ask the gentleman from Maryland what objections he has to a requirement that the regulations issued by the Office of Education be reduced to writing.

Mr. MATHIAS. I have no objection to that whatsoever, but I think that we have to deal with this thing on a responsible legislative basis. I think that the place, as the gentleman from Wisconsin has said, to do it is in a committee on oversight of the execution of these laws.

Mr. FLYNT. If the gentleman will yield further, will he not agree with me that Congress cannot know what the Office of Education is doing unless it has some regulations in writing to see what regulations are being promulgated? And would the gentleman from Maryland also agree that is the sole purpose of the amendment offered by the gentleman from North Carolina?

Mr. MATHIAS. No, I would not agree to that as your final conclusion, because I do not think it is. I do agree with the gentleman that the Congress has a responsibility here, but I think we have to deal with it in a detailed and special way and not wholesale. The gentleman from North Carolina has asked me to yield, and I am very happy to do so at this time.

Mr. WHITENER. Mr. Chairman, I thank the gentleman for yielding. I commend the gentleman for his statement that this may be a revolutionary idea that we have a government of laws and not of men, because as I remember that did bring about a revolution on one occasion which our people won. However, I would point out to the gentleman a personal experience that I had down in the Department of Health, Education, and Welfare.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. WHITENER. Mr. Chairman, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. MATHIAS. I am very happy to yield to the gentleman.

Mr. WHITENER. The Department of Education sent a gentleman named McKeechum down to North Carolina to meet with all of the school folks there and he outlined to them what they would have to do to comply with the Civil Rights Act. These people complied. They drew up their statements in accordance with it.

I went down with representatives of one of the school boards from the congressional district which it is my honor to represent. The HEW people with whom we met said, "Yes; that is right; that is what is Mr. McKeechum told you. We have now changed that. He is no longer with us and you have got to do something else."

Mr. Chairman, this is the type of thing that brings about the amendment which I have offered. We should have rules and regulations that everyone can read and follow.

Mr. MATHIAS. Mr. Chairman, I would suggest to the distinguished gentleman from North Carolina that as an alternative to this amendment, it would be more satisfactory and more efficient and effective to achieve the ends which he seeks, if the gentleman will lend his support to a continuing standing subcommittee of the Committee on the Judiciary which will have legislative oversight over the execution of the Civil Rights Act of 1964, 1965, and, hopefully, the Civil Rights Act of 1966.

Mr. CORMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise to endorse and concur in the remarks of the chairman of the ad hoc committee, the gentleman from Wisconsin [Mr. KASTENMEIER], and my colleague, the gentleman from Maryland [Mr. MATHIAS].

Mr. Chairman, we sat for a great number of hours listening to both sides concerning the enforcement of title VI. It is my own view that the failure on the part of the administration in this field is due to being too lax, not being too strict.

Mr. DOWDY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I believe this to be a necessary amendment, if any of us are to know, or if any of our constituents are to know, where we stand in connection with these various bills that are being passed by the Congress of the United States.

Mr. Chairman, of course we know that this time is no different from other times in the past when a civil rights bill is being debated. It is a highly emotional atmosphere that prevails in the House of Representatives. On occasion, however, when an amendment is offered and the case for it is compelling, and if we can get the Members to listen, there are some changes made in the bill.

Mr. Chairman, that has been demonstrated in this debate as well. I am sure that the members of the Committee of the Whole House on the State of the Union have also noticed that when we have finally obtained the attention of the members of the Committee and secured the adoption of an amendment by the Committee, the managers would immediately shut off debate on that title and go on to the next title because they do not want amendments adopted even though they are necessary to the bill, and no matter how meritorious they might be.

Mr. Chairman, some of the schools in my district have had troubles with the Federal Office of Education, but I want to get into something else at the moment.

Mr. Chairman, Senator ERVIN had occasion to question the Attorney General of the United States at hearings which were being conducted in the other body on the Civil Rights Act of 1966; the Senator later, in commenting about this, stated:

> I directed a question to the Attorney General at the hearings being conducted on the proposed Civil Rights Act of 1966. I asked him whether the health insurance for the aged is an insurance program. He stated, to the bewilderment and consternation of many of his listeners, that the Health Insurance for the Aged Act was not an insurance program at all but rather a "Federal assistance program."
>
> Secretary Gardner and the Surgeon General later agreed with him.

Now, as we have learned, our hospitals in getting approved for medicare have to get approved under title VI of the Civil Rights Act of 1964.

Mr. Chairman, I had an experience just recently. My experience in this instance spread out over about 3 or 4 weeks. It involved a hospital that had done everything they had been told to do.

The hospital called me and told me that its approval for medicare was being held up. I called up downtown and asked about the problem. I was called back in a day or two and was told that the holdup was in Baltimore. I called the office in Baltimore and talked to them advising them of the problem. The man there told me he would call me back later. He did in a day or two. He said, "I want you to know that the problem on these cases in the departments is that the left hand does not know what the right hand is doing." He said, "I will look into it for you further."

Later he telephoned me back in 2 or 3 days and said the hospital had been approved under title VI. I called the

hospital and relayed the advice. In about a week the hospital called me again, that they had heard nothing, and still not approved. I again called Baltimore, inquiring why the hospital had not been notified of the approval, and was advised it would be investigated. A few days later, I received a return call, in which I was told I would have to contact their Dallas office. I called Dallas about the problem, and was told that I would be called back. When I received this return call, I was told it was somebody else in Dallas I would have to talk to. So I called him, and again went through relating the problem. He told me that he would call me back in a few days.

He called me back and said I would have to take it up with yet another office here in Washington.

I called them and talked to them and explained the problem.

This is over about a 3-week period.

Mr. Chairman, I explained the problem to that man. He said that he would call me back.

Then he referred me to someone else and I talked to that person here in Washington. This man referred me back to the office in Baltimore and he said that is where the decision would have to be made, where I had started off in the first place.

Mr. Chairman, I am a patient man, but I fear it had grown extremely thin by the time this circle in buckpassing had been completed.

A day later the hospital was approved.

But, honestly, they were telling me the truth when they said that their left hand did not know what their right hand was doing. I think it is time Congress required them to adopt some sort of regulations so that at least they will know what they are doing and perhaps we could find out; but it is problematical whether we can ever find out definitely what they are doing.

Mr. Chairman, this amendment certainly should be adopted. I sincerely urge all of the Members to vote for it.

Mr. SIKES. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. BENNETT. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. BENNETT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Chairman, it seems to me that an amendment such as that of the gentleman from North Carolina is needed if the chaos caused by the arbitrary and vacillating policies placed by Washington on our local communities is to end. As I understand the guideline procedures that have been followed to date, they violate the express prohibitions of the statutes. So something needs to be done to bring out into the light of day just what is occurring and what is planned. Perhaps in this way a more orderly and proper manner of handling these problems may be found.

Floyd Christian, State superintendent of public instruction of Florida, informed me this week that the U.S. Office of Education communicates directly with county superintendents and bypasses the State department of education; and that inconsistent decisions are made by the Office of Education, and by the area director of the U.S. Health, Education, and Welfare Department; each purporting to speak for the Federal Government of the adequacy of the desegregation plans on a local level. The matter was further complicated in Florida by the Office of Education sending there a team of four young people, only one of whom had ever taught school and that one for only 1 year. The others are still students, and not even students of teaching.

Mr. Christian told me that this team told the local county superintendents and boards what they had to do, instead of trying to help them resolve difficulties.

Mr. Chairman, it is obvious to me that if we are to keep our beloved country as a country of laws and not of dictatorship, the amendment before us should be accepted.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. McMILLAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The people in the State of South Carolina have made a desperate effort and in my opinion have bent over backwards in an effort to obey the civil rights law of 1964. However, the bureaucrats in the Department of Education have continuously harassed the individual school boards to the extent that schools are unnecessarily suffering a great setback. No school board can ever know when they have complied with the guidelines being issued by so many irresponsible people in the Department of Education.

The rules and regulations being submitted to the school boards in South Carolina and the other States are far beyond the Civil Rights Act of 1964 and it seems that the Congressmen from other States of the Union outside the South are condoning the action of the bureaucrats in the Department of Education by voting against amendments such as the one presented to the Congress by Mr. WHITENER.

We are only trying to compel the Department to use a standard set of guidelines and to continuously advise school boards that funds are being withheld when the local boards to the best of their knowledge have complied with every request made by the Department of Education.

This is one chance the Members of the House will have an opportunity to vote for a proposal that will bring some sense of reasoning out of the chaos in connection with our public school system in its effort to comply with the Department of Education guidelines.

There is a great desire on the part of Members of Congress from some certain States, both Republican and Democrat, to continue to crucify the Southern people in an effort to gain the vote of the colored people in their respective metropolitan areas.

I could not use words strong enough on the floor of the House to express my opinion on some of the unnecessary and irresponsible guidelines, rules, and regulations now being issued by the Department of Education in the name of civil rights.

I hope everyone will do some sound thinking at this moment and vote to correct this intolerable situation.

Mr. SELDEN. Mr. Chairman, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. SELDEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Chairman, I rise in support of the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

Following the passage of the 1964 Civil Rights Act, the Office of Education issued guidelines to be followed by the Nation's school systems. While the majority of local school districts were in the process of complying with those guidelines, educators from coast to coast were startled last March by the issuance of extremely far-reaching new guidelines—guidelines obviously aimed at imposing "racial balance" in the public schools of our Nation.

The Commissioner of Education cites title VI of the Civil Rights Act as his authority in promulgating these new guidelines. In the opinion of many, however, the regulations far exceed both the scope and intent of the 1964 Civil Rights Act.

The first section of title VI of the act states:

> No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

However, the first section of title IV of the same act, in defining the word "desegregation," states:

> "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

Throughout the debate on the 1964 Civil Rights Act, assurances were given that no attempts would be made to achieve "racial balance" in education and that the Government's efforts would be confined to what the Supreme Court had ordered in 1954; namely, that public schools could not remain segregated on the basis of race and must admit students without regard to color.

As a matter of fact, on June 4, 1964, Vice President HUMPHREY, who was then a Senator from Minnesota, in discussing a controlling Federal court case which

was upheld by the Supreme Court, told the Senate:

> This case makes it quite clear that, while the Constitution prohibits segregation, it does not require integration. The fact that there is a racial imbalance per se is not something that is unconstitutional.

In spite of these assurances, however, and in spite of the fact that the majority of the local school districts were in the process of complying with the first guidelines spelled out by the Office of Education, these new stringent guidelines were issued.

As I understand the amendment of the gentleman from North Carolina [Mr. WHITENER], it defines section 601 of the 1964 Civil Rights Act according to the intent of Congress. If the Whitener amendment is adopted, title VI, in the future, will be implemented according to the intention of Congress and not according to the whims of fourth echelon bureaucrats.

This amendment, Mr. Chairman, is badly needed, and I urge its adoption.

Mr. SIKES. Mr. Chairman, I rise in support of the amendment offered by the distinguished gentleman from North Carolina.

It is a very useful amendment. It is a clear amendment. It is a needed amendment.

Frankly, I am somewhat surprised and disappointed that my esteemed and able friend, the gentleman from New Jersey [Mr. RODINO] does not accept this amendment.

Mr. Chairman, there is nothing revolutionary about establishing standards where there are no standards. This amendment can do no possible harm to the bill. It can make a substantial contribution by ending present confusion. And confusion is what we have now—confusion compounded.

This amendment does not undo any past legislation. It simply helps to spell out the law and clarify it. The amendment would actually put the intent of the legislature in a more workable form.

Mr. Chairman, the conditions which disturb me may not be general throughout the country but certainly in the South, school conditions in particular are chaotic. This is not because of a lack of conformity with the requirements for integration—that is not the problem at all. The South is accepting the law of the land and integration there is proceeding, Mr. Chairman, much more rapidly than most people thought possible. The trouble is with guidelines. We need this amendment to establish orderly procedure in the issuance and administration of guidelines. Today the guidelines are beyond the law. They are outside the law. They are a law unto themselves. I question their legality but that is at the moment beside the point.

Mr. Chairman, this amendment will bring the guidelines within the law. Congress does have a responsibility to the people to bring about order and end the unproductiveness of confusion. This amendment would simply establish standards of procedure. It would get away from whim and irresponsibility. This is the controlling force needed. There is no controlling force now other than bureaucratic decisions on the spur of the moment.

In recent weeks a young woman of 26, with no experience, background, or qualification, other than a college degree and 1 year as a teacher of the second grade, has been going through northern Florida. She is accompanied by two or three college kids of both races. She is arbitrarily and irresponsibly directing conformity as she sees the need for it. This group is confusing and confounding elected officials who are trying to carry on a sound school system under the law. They do not know what they are doing other than to stir up trouble. They are the judge, jury, and prosecuting attorney on schools matters in every county into which they go, and they have left nothing but confusion behind them. They know nothing about education. They care nothing about education. Their only purpose appear to be race mixing. I do not object to their zeal but I object to the authority given to irresponsible people and I object to the destruction of our educational system, and that is what is taking place. Great harm is being done by such practices.

In my State we have had a minimum of racial problems and we are proud of that. But this is the sort of thing which will give us racial problems. If there is a continuation of the procedures that have been forced upon us, there may be serious racial problems despite our efforts to live within the law. The amendment should be adopted.

Mr. JOELSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I dislike very much to disagree with the distinguished gentleman from Florida, who preceded me in the well, because being on the same committee with him, I know his ability and his dedication. But just now I heard him say that the integration of the school system is proceeding more speedily than any of us thought possible. I would like to point out to my colleagues that the decision in the case of Brown against the Board of Education was handed down by the U.S. Supreme Court in 1954, and here we are, in 1966, and the U.S. Commissioner of Education has issued a statement only recently in which he said that rather than making progress, the situation with regard to integration of the school system is worse today than it was at the time that decision was handed down in 1954.

What is going on actually is blatant, flagrant disregard and hostility to the law of the land, and I do not think the Federal Government can underwrite disregard of the law of the land. For that reason I vigorously oppose the pending amendment. I yield back the balance of my time.

Mr. FOUNTAIN. Mr. Chairman, I move to strike out the last word, and rise in support of the Whitener amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOUNTAIN. Mr. Chairman, I know my colleagues from other sections of the country have become accustomed during the past few years to hearing criticism from the South about Federal actions involving civil rights and the way Federal agencies are administering some of these laws.

I am very much afraid also that consciously or unconsciously you have become accustomed to considering such criticism on the basis of its source rather than its merits. Naturally, you are hearing from many of us from the South today on the subject of title VI of the 1964 act because it is our section of the country which has suffered from the arbitrary and capricious acts of administrators.

Mr. Chairman, the matter which we are debating at this moment is one of the most important we have considered during this 2 weeks of debate on the subject of civil rights.

The gentleman from South Carolina [Mr. DORN] said a few moments ago very eloquently—and some might accuse him of exaggerating when he says he has not seen such bureaucratic dictatorship, or words to that effect since the days of Adolph Hitler in Germany. I do not believe I am looked upon as an extremist in my views, yet I say to you that the gentleman from South Carolina has spoken the truth. In the administration of title VI of the civil rights law of 1964 in my congressional district and in many other areas of North Carolina, I have observed bureaucratic dictatorship and harassment at its worst. The hospital and school officials of my district will, I believe, agree with this assertion.

However, before going into a full discussion of the ways and means by which title VI has been literally and brutally administered and in support of the Whitener amendment, I want to express my general opposition to this sweeping legislation.

As I said yesterday for the third time in as many years, this House is being asked to approve sweeping legislative proposals in the name of civil rights.

I am opposed to passage of this bill because I believe its proposals are in part unconstitutional and—on the whole—unwise and unnecessary. However, it is not my purpose to discuss specific provisions of the bill in detail. My colleague from North Carolina [Mr. WHITENER] and other members of the Judiciary Committee in their minority views in the committee report, have done an excellent job of pointing out defects and dangers in particular provisions of the bill in their reports, and many Members of the House have done the same during the debate. I will, therefore, not take time to repeat the logical and convincing reasons they have given why the specific proposals of this bill should be defeated.

My purpose in speaking is to discuss additional reasons why this bill should not be approved under the present circumstances—reasons which are valid without regard to the merits of the bill's proposals. I hope my colleagues who advocate passage of the bill will listen with an open mind.

I do not question the good intentions of the sponsors of this legislation. But good intentions do not insure good

laws—particularly when those good intentions involve complex, controversial and very important matters. When Congress acts on such subjects, it has a special responsibility to give calm, thorough and objective consideration to the possible results of its action. And Congress has an equally important duty to make unmistakably clear what is intended by the legislation it enacts.

The proposed Civil Rights Act of 1966 calls for a number of complicated and potentially far-reaching changes in existing law. Despite their importance, these changes have not been thoroughly considered. It would have been extremely difficult to give adequate consideration to even one of this bill's eight titles in the time available to the Judiciary Committee for studying it. No group of men—no matter how hard working and how dedicated—could possibly give due consideration to the possible consequences of all eight titles.

While lack of time alone would have precluded adequate study of the pending legislation, there is another—and perhaps even more serious deficiency—in the consideration given this bill. Notwithstanding its title, the proposed Civil Rights Act of 1966 contains provisions which could very well have serious and completely unintended effects on matters which do not even involve civil rights as the term is generally understood. Yet these proposals have been considered almost exclusively on the basis of their alleged effectiveness in promoting civil rights, with little or no attention being given to their overall impact on our society.

For example, the proposed legislation would make sweeping changes in existing procedures for selecting juries in Federal courts and create a possibility of substantial Federal interference with the jury selection process in State courts. It is argued that such changes are necessary to insure that juries are drawn "from a cross section of the community, without discrimination on account of race, color, religion, sex, national origin, or economic status."

There may be some justification for limited and carefully considered legislation designed to correct specific inequities in jury selection procedures. But such justification cannot be found in the report of the Judiciary Committee. Nor is there any indication that the committee has considered the possible repercussions of the changes it proposes.

What assurance do we have that the proposed changes will not place substantial unforeseen burdens on both courts and litigants? Who can tell us what further difficulties might be added to the already overwhelming task facing prosecutors in criminal courts? How do we know that unexpected adverse effects may not far outweigh any benefits of the proposed changes?

I ask these questions in all sincerity. They are not answered in the report of the Judiciary Committee, nor does it appear that these and other questions have even been considered.

It is bad enough that Congress is being asked to approve a bill which, if enacted, may produce very serious adverse effects which are both unintended and completely unexpected. What is even worse is that the hastily drafted language of the bill does not even make clear what is intended. When it enacts legislation as controversial and important as that proposed in the pending bill, Congress has a particular responsibility to leave no doubt whatever about what is intended. Yet even the proponents of this bill disagree among themselves as to the meaning of some of its provisions.

I ask my colleagues who support this bill: Can you honestly say that it has been as thoroughly considered and as carefully drafted as its subject matter warrants?

Let me also ask another question, which I believe is equally important. If you approve this bill and it is enacted into law, how will it be administered?

Wise and prudent administration by the executive branch of government can sometimes compensate at least partially for legislative defects. But when laws which have been inadequately considered and hastily drafted are poorly administered, the result can be disastrous.

I do not, of course, support the pending legislation. But even if I did support it, I would have serious reservations about voting for it because of my very deep concern about the manner in which it is likely to be administered. This concern is based, to a considerable extent, on what has already taken place under the alleged authority of the Civil Rights Act of 1964, particularly on very serious abuses relating to title VI of the 1964 act. Because of the danger that the pending bill would be administered in the same manner, I should like to discuss the administration of title VI of the 1964 act in some detail.

The stated purpose of title VI of the 1964 act is to insure that no person "shall be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance" on the ground of race, color, or national origin. Federal departments and agencies which administer programs or activities involving Federal financial assistance are authorized under certain circumstances to terminate or deny such Federal assistance as a means of accomplishing the objectives of title VI.

I do not quarrel with the stated purpose of title VI that programs receiving Federal financial assistance should be available to all without racial or ethnic discrimination. Moreover, while the language of title VI might perhaps have been improved, it is quite clear that Congress did not intend to allow termination or denial of Federal funds on an arbitrary or capricious basis. Specific provisions designed to prevent unjustified action by Federal departments and agencies and to insure that beneficiaries of Federal programs received fair treatment were enacted by Congress as a part of title VI.

Mr. JOELSON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Ninety Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 205]

Andrews, George W.	Hagen, Calif.	Murray
Blatnik	Hansen, Wash.	Powell
Celler	Harvey, Ind.	Purcell
Clark	Hawkins	Rogers, Tex.
Edwards, Calif.	King, N.Y.	Toll
Edwards, La.	Martin, Nebr.	Ullman
Farnsley	Miller	Willis
Goodell	Morrison	Wilson, Charles H.
	Murphy, N.Y.	

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 14765, and finding itself without a quorum, he had directed the roll to be called, when 406 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the gentleman from North Carolina [Mr. FOUNTAIN] had been recognized for 10 minutes. He had consumed 4 of those 10 minutes. He is recognized, therefore, for 6 minutes.

Mr. FOUNTAIN. Mr. Chairman, before the quorum call—which, incidentally, I did not request—I was discussing some of the problems we in North Carolina have had in connection with the unwise and illegal administration of title VI of the 1964 Civil Rights Act and speaking in support of an amendment offered by my able colleague, the gentleman from North Carolina [Mr. WHITENER] an amendment—to this pending bill—designed to force the agencies involved to comply with the spirit and intent of those provisions of title VI dealing with the withholding of Federal funds.

Before proceeding further, I want to suggest to the gentleman from Wisconsin [Mr. KASTENMEIER] who says he heads up an ad hoc committee which has been making a study of the way in which the various titles of the acts are being administered that at some time during the course of this debate he take the time to outline to the Members of this body just what his committee has been doing, what it has found, whether or not the so-called school and hospital integration guidelines applicable to only 17 States are being wisely, fairly, and legally administered, and what recommendations, if any, his subcommittee has already made. If there have been violations, to what extent has he expressed himself to the appropriate agencies? I believe I know the answer. I am anxious to read his report if it is ever filed.

Mr. Chairman, let me get back to title VI of the 1964 act. Title VI includes two provisions intended by Congress to prevent unreasonable demands by Federal officials under the alleged authority of that title. Let me repeat what I said before the quorum call. Rules, regulations, and orders issued to implement title VI are required by law to be "consistent with the accomplishment of the objectives of the statute authorizing the financial assistance" involved. More-

over, the law provides—and the gentleman from North Carolina quoted this—that "no such rule, regulation or order shall become effective unless and until approved"—by whom? "By the President." Lest I not get to that discussion because of limitations of time, let me tell you that the guidelines about which we have been talking have not been approved by the President.

In order to insure fair treatment for beneficiaries of Federal programs accused of noncompliance with nondiscrimination requirements imposed under title VI, Congress specifically provided that Federal funds should be terminated or refused only after there had been "an express finding on the record, after opportunity for hearing, of a failure to comply." As a further safeguard, the law provides that no action to terminate or refuse Federal funds shall become effective until 30 days after the head of the Federal department or agency concerned has filed with appropriate committees of the House and Senate a full written report of the circumstances and grounds for such action. Congress also provided that any person aggrieved by action to terminate or refuse Federal funds could obtain judicial review of such action.

Mr. LENNON. Mr. Chairman, I make the point of order that the Committee is not in order.

The CHAIRMAN. The gentleman is certainly correct. The Committee is not in order.

The gentleman from North Carolina may proceed.

Mr. FOUNTAIN. Mr. Chairman, the language of title VI of the 1964 act makes it very clear that Congress wished to prevent its abuse through arbitrary and ill-considered actions by Federal officials. The reason why Congress included procedural safeguards in title VI is also clear. Title VI applies to all programs or activities receiving Federal financial assistance. In authorizing these programs and activities, Congress intended to serve worthwhile public purposes and to meet real and sometimes urgent needs. If the funds appropriated to carry out these programs and activities were to be denied because of capricious and unwarranted action on the part of Federal officials, the purposes for which Congress provided them could not be accomplished.

Mr. Chairman, as I said earlier, regrettably, sometimes some of us are not heard because of the area of the country from which we come rather than the merits of our position.

Congress could hardly have spelled out more clearly the intention that federally assisted programs should not be jeopardized by unjustified conduct of Federal officials under title VI. Unfortunately, some of those charged with administering title VI have ignored—and on occasion appeared to deliberately defy—the clearly expressed intent of Congress.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(On request of Mr. HUNGATE, and by unanimous consent, Mr. FOUNTAIN was allowed to proceed for 5 additional minutes.)

Mr. FOUNTAIN. I thank the gentleman.

Mr. Chairman, I do not profess to know how title VI has been administered in all Federal departments and agencies. I am familiar, however, with what has happened in the case of the Department of Health, Education, and Welfare, which is responsible for administering vitally important Federal programs intended to provide better medical care and improved educational opportunities.

Some officials of the Department of Health, Education, and Welfare, I regret to say, apparently do not regard title VI of the 1964 act as a law which should be carried out with due regard for the intention of Congress and a proper concern and respect for the rights of those affected. Instead, they have been using title VI as a convenient means of imposing unjustified demands upon participants in Federal programs. Moreover, they are doing this in a manner which makes a mockery of the procedural safeguards of title VI.

Those of you who do not live in 1 of the 17 Southern States are not yet familiar with the situation as those officials with whom many of us have talked have either said or implied—when they get through their brutal actions and harassment against southern people, they will go to work on you in other parts of the country where they say de facto segregation is and has been a long established practice.

The congressional requirement that title VI be implemented through rules, regulations, and orders approved by the President has been effectively evaded—if not deliberately violated. It is true that the President has approved broad general regulations for administration of title VI by HEW. But additional—and often unwarranted—demands are being made upon participants in federally assisted programs through so-called guidelines which have never been approved by the President or even through personal edicts of HEW officials.

The clear intention of Congress that those affected should have an opportunity for a hearing before Federal funds are denied is being circumvented. Those who wish to participate in federally assisted programs are being denied Federal funds without any opportunity for a hearing unless they agree to the demands of HEW officials—no matter how capricious or illegal those demands may be. HEW officials admit that they cannot legally "refuse" Federal funds without giving applicants an opportunity for a hearing. Consequently, they have devised an effective method of evading this legal requirement. Instead of formally "refusing" Federal funds to applicants who fail to agree to all HEW demands without question, HEW simply "defers" action on their applications indefinitely. As a result, such applicants are being deprived not only for Federal assistance, but of the right to be heard, which Congress intended to guarantee under title VI.

I feel sure that most Members of Congress are not aware of the shocking administrative abuses which have occurred under the alleged authority of title VI of the 1964 Act. Consequently, I am going to take time to cite some specific examples of unreasonable and absolutely indefensible conduct by officials of the Department of Health, Education, and Welfare.

HEW officials have demonstrated an almost unbelievably callous attitude in their treatment of some persons entitled to benefits under the medicare program. Medicare legislation enacted by Congress contains specific provisions prohibiting Federal interference with hospital administrative practices and guaranteeing medicare patients a free choice of hospitals. Despite these provisions, HEW officials have been—and apparently still are—willing to deprive elderly citizens of both races of the medicare benefits to which they are entitled unless hospitals in their communities agree to any and all demands made upon them by HEW, no matter how questionable the legality or the wisdom of such demands.

One North Carolina hospital was denied approval for medicare patients even though it had never been segregated, had an integrated staff and made its facilities equally available to all without discrimination. The sole reason for denying approval to this hospital was that it allowed patients a choice of assignments to rooms with other patients, when space was available, and the choices of its patients resulted in an insufficient amount of biracial room occupancy to satisfy HEW.

No court or authoritative administrative tribunal has held that a policy of honoring patients' requests for room assignments is discriminatory, and HEW itself officially stated in 1965 that such a policy was not discriminatory. Nevertheless, the hospital was told that it would not be approved for medicare patients unless and until it changed its policy.

Another North Carolina hospital has been—and still is being—denied approval for medicare patients because it has so far been unable to comply with a demand by HEW that it merge with another hospital. This hospital is willing and anxious to provide care to medicare patients of both races without any discrimination whatsoever. It cannot do so because HEW has arbitrarily refused to approve the hospital for medicare patients. Neither title VI nor any other law, of course, authorizes HEW to demand that two hospitals merge before it will approve them for medicare patients. However, that agency appears unconcerned about the fact that its conduct is both unreasonable and illegal.

Disregard for the procedural safeguards of title VI has also characterized HEW's administration of Federal programs for aid to education. It is interesting to note—and I hope my colleagues from the North will listen carefully—that one of the earliest instances of arbitrary action under the alleged authority of title VI involved the city of Chicago. In that situation, the Office of Education received unsubstantiated complaints from a local civil rights group alleging discrimination in the

Chicago school system. Before the complaints had even been investigated, the Office of Education publicly stated that Federal funds would be withheld from Chicago schools.

The position taken by the Office of Education was indefensible, of course, since there had not even been a pretense of compliance with the procedural safeguards of title VI, and it was reversed in less than a week.

Unfortunately, the present conduct of some officials of the Office of Education does not indicate that they learned any lasting lessons from the Chicago fiasco.

"Freedom of choice" plans, under which each student is permitted to decide for himself what school he will attend, is the method being used by most southern communities to desegregate school systems which formerly had separate schools for white and Negro students. The legality of such plans as an acceptable method for achieving desegregation has been consistently upheld by Federal courts. The Office of Education has also stated publicly that such plans are an acceptable method of desegregation. Office of Education guidelines specifically prohibit any official, teacher, or employee of a school system from attempting to influence, either directly or indirectly, the choices of schools by students.

Despite court rulings and their own guidelines, however, some officials of the Office of Education are telling local school officials that free choice desegregation plans will be considered inadequate unless a sufficient number of Negro students choose to attend formerly white schools. In effect, the Office of Education is saying officially that all students must have a free choice of schools and suggesting unofficially that some Negro students should be forced to change schools against their will if such a step is necessary to provide a racial balance satisfactory to the Office of Education.

I ask your indulgence for having spent a considerable amount of time discussing what has happened under title VI of the 1964 Civil Rights Act. I did so because I thought it was essential that the House have this information before it acts on the pending bill.

The administrative abuses which I have cited occurred in spite of the fact that Congress included what it thought were effective procedural safeguards to prevent such abuses. The present bill, in sharp contrast, contains no procedural safeguards comparable to those included in title VI of the 1964 act.

If such serious abuses can occur and are occuring under a law which contains relatively strong procedural safeguards, what can we expect to happen under a law which gives administrative agencies almost unchecked power?

I hope every Member of this House will make an honest effort to consider that question objectively.

As I have said, I know that my colleagues from other sections of the country have become accustomed during the past few years to hearing criticism—as I have said before I am very much afraid, that—consciously or subconsciously—you from outside the South have become accustomed to considering criticism from southerners on the basis of its source, rather than its merits.

It is becoming increasingly clear, however, that racial problems are national—not regional—in their scope. It has also become clear that racial problems outside the South, in many respects, are more serious and will be more difficult to solve than those in the South. I take no pleasure in reminding my colleagues from other sections of the country of their own racial problems, because such problems—wherever they are—should be a matter of grave concern to all of us. I mention them only to emphasize that racial problems do not begin or end at the Mason-Dixon line.

Bitterness and distrust between different sections of the country will do nothing to help solve what is essentially a national problem. What is needed are courses of action which will unite—rather than divide—us.

I want to emphasize once again that, as a matter of personal conviction, I do not approve nor do I support racial, religious or ethnic discrimination. I believe that every American should be treated as an individual—and that no one should be penalized because of his race, religion or national origin.

It is the duty of government to protect—on an equal basis—the legitimate personal and property rights of all its citizens. Without effective action by government to maintain law and order, none of us could peacefully enjoy the benefits of our society.

Government protection for the rights of all is a fundamental basis for any civilized society. But, while government can and must protect the rights of all, no government can insure that all will receive equal acceptance and equal opportunities from their fellow citizens. True equality can be achieved only by voluntary acceptance, not by governmental compulsion. And if government, in attempting to advance the interests of some of its citizens, takes away or seriously jeopardizes the rights of others, the resulting bitterness and resentment will inevitably retard progress toward true equality.

Passage of the Whitener amendment will make this a far less dangerous bill, but passage of the pending bill in its present form will do more to aggravate racial problems than to solve them. What is needed is more wisdom, understanding and more cooperation—not more "force" legislation.

I urge the House to adopt the Whitener amendment. The agencies may ignore it, but illegal action on their part will be more difficult.

In any event, whether or not this amendment is adopted, I urge the defeat of this malicious and unconstitutional legislation.

Mr. RODINO. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. WAGGONNER. Mr. Chairman, reserving the right to object——

Mr. RODINO. Mr. Chairman, I amend my request to 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. Each Member will be recognized for approximately 2 minutes.

The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER] for approximately 2 minutes.

Mr. DOWDY. Mr. Chairman, will the gentleman yield to me?

Mr. WAGGONNER. I yield to the gentleman from Texas.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent that my time be assigned to the gentleman from Louisiana [Mr. WAGGONNER].

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The gentleman from Louisiana now is recognized for approximately 4 minutes.

Mr. WAGGONNER. Mr. Chairman, and Members of the Committee, the gentleman from North Carolina [Mr. WHITENER] has pending before this body a very fine amendment. The gentleman has explained in detail the purpose of the amendment and how his amendment would work.

Mr. Chairman, I agree with the gentleman as to its need. I agree with those who have followed him in support of the amendment as to the abuses by the several Federal agencies, especially the Office of Education, in the administration of title VI of the 1964 civil rights bill, which is that section of the bill having to do with federally assisted programs, supposedly mutually beneficial to the Federal Government and to the several States and the people thereof. I will not be redundant.

Now, Mr. Chairman, I would like to talk about a separate section of title VI of the Civil Rights Act of 1964 from that which has been discussed previously here today, and I would like to ask the gentleman from New Jersey [Mr. RODINO], who is presently the floor manager of this legislation, if the gentleman would consider the matter of hiring teachers to be an employment matter in public education, and I yield to the gentleman from New Jersey [Mr. RODINO] for the purpose of answering that question.

Mr. RODINO. Mr. Chairman, would the gentleman from Louisiana state whether it is just the question of hiring teachers or are the teachers being hired for a specific purpose or are they just being hired?

Mr. WAGGONNER. No matter for what they are being hired, the answer would be the same. But if they are being hired to teach, would that be considered a matter of employment?

Mr. RODINO. Mr. Chairman, if the gentleman will yield further, it is a matter of employment. However, if those teachers are then teaching children as teachers do, then it is a matter of education also.

Mr. WAGGONNER. Mr. Chairman, the gentleman from New Jersey could not possibly have given me a better an-

swer than the one he has given, because I believe it is obvious to all that the purpose of education has been misconstrued and misused by the Federal Government.

Mr. Chairman, schools were created for education and teachers are employed for the purpose of teaching in the furtherance of education. Schools, however, are being improperly used to promote social reform. Education has become secondary.

Mr. RODINO. Mr. Chairman, will the gentleman yield further?

Mr. WAGGONNER. No; I do not yield further at this moment. When I am through with this explanation and the discussion of this section, I shall be glad to yield, if the gentleman from New Jersey has a question.

Mr. Chairman, teachers are hired to promote education.

The gentleman from New Jersey has admitted that it is a matter of employment. This admission by Mr. RODINO in itself expresses the congressional intent of the Congress in passing title VI of the 1964 Civil Rights Act and voids the demand of the Commissioner of Education for integrated faculties in public schools.

Now, Mr. Chairman, listen to what section 604, title VI of the Civil Rights Act of 1964 says:

> Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer.

Mr. Chairman, the Commissioner of Education has gone to the public school boards around this Nation and has said, "You have got to integrate your faculties," and the gentleman who is the floor manager of this legislation says in answer to my question that this is a matter of employment and in effect and as matter of fact he in so doing says the Commissioner of Education does not have the authority to require integrated faculties because it is a matter of employment.

Mr. Chairman, this very abuse of this section of title VI of the 1964 civil rights legislation fully discloses the need for this amendment. The Commissioner of Education has failed to cite in answer to a face-to-face question of mine authority to require integrated faculties. He cannot because he no authority.

Gentlemen of the Committee, this amendment should be accepted. The executive branch of the Government must adhere to congressional intent.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. KORNEGAY. Mr. Chairman, will the gentleman yield?

Mr. RIVERS of South Carolina. I yield to the distinguished gentleman from North Carolina.

Mr. KORNEGAY. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from South Carolina [Mr. RIVERS].

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Chairman, this section of the Civil Rights Act of 1964 has not only been abused, it is being crammed down the throats of the people of the South in an effort to destroy the social order of the South.

Mr. Chairman, this misfit whom we call the Commissioner of Education was so ignorant, so biased, so determined to change the whole social structure of the South—and his name is Harold Howe II. He should be cited as a disgrace to his office. He made a statement that dumbfounded the chairman of the Committee on Education and Labor, the gentleman from New York [Mr. POWELL]. It dumbfounded Mr. POWELL when he made the statement in the presence of members of the committee from the South that he thought the Civil Rights Act of 1964 was passed against the South.

Now he has gone beyond the section under discussion and he has determined, he has mandated, he has decreed that we not only accept people regardless of race or color but we go out and carry on a crusade to recruit these people.

Think of such a thing. This is destroying the school system of the South. For you on my side of the aisle, it will destroy the Democratic Party of the South. As the Atlanta Constitution says, "All the Republicans have to do is to keep quiet, things such as this will destroy the Democratic Party," with people such as this administering the law.

Mr. Chairman, what the gentleman from North Carolina [Mr. FOUNTAIN] has said is eminently accurate.

The commissars have held meetings in Columbia and other places in South Carolina where they have had seminars requiring that our people go out and recruit teachers for integration purposes.

The law does not say that. Yet, you have a dictator and as it is set up under this bill, which will destroy the autonomy of our country.

What the gentleman from Louisiana [Mr. WAGGONNER] has just finished saying about employment—these people are determined to change our part of the world and they have said, "We will make you bow to our will."

They are saving money. They are saving money at our expense—our own money—and taking it to other sections of America to advance the Great Society program. They are denying our people their schools, their lunch money, and their hospitalization to carry on these other programs against the law, against the intent of Congress.

Mr. Chairman, regardless of how the 1964 statute was worded, or the intent of Congress, as bad as that act was, they have gone beyond it.

Do you think we are not bitter? We are really bitter and somebody is going to pay for it.

Ask the gentleman from South Carolina [Mr. DORN] what has happened in the county of Beaufort, S.C., where Parris Island is, where we have had integration long before many of you who are present here were born. They have found fault in that part of the country. This amendment should pass—yes. This is a disgrace to democracy—a man by the name of Howe, the Commissar of Education, is carrying on his own idea of democracy.

Mr. ROGERS, regardless of how your heart beats—and I assure the gentleman I have nothing but the best will for you, because I am going to ask you some questions if I get some additional time—but this section of the code has been raped. It is being misinterpreted. It is being carried on for a crusade—a crusade against the people of the South. It is destructive of our party and destructive of democracy as we understand it.

The amendment of the gentleman from North Carolina should be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word and I rise in opposition to the amendment.

Mr. Chairman, I object to the amendment for the simple reason that it was not presented to either the subcommittee or our full committee. In its form it is contradictory and would lead to confusion under title VI of the 1964 Civil Rights Act.

May I point out there are prescribed procedures provided in title VI that if rules and regulations are promulgated they must be made with the approval of the President. Then after they have been promulgated, there is an opportunity for compliance by those is entitled to Federal assistance. If there is a denial of funds, then it becomes the duty of the agency involved to refer it to the appropriate committee in Congress which has charge of that subject matter.

With that objective in view, we also provided judicial review in section 603 of the Civil Rights Act of 1964 with a right of appeal.

May I say to the gentlemen whose districts have been so badly abused that there are methods provided in title VI of the Civil Rights Act of 1964 to follow an adequate remedy. The proposed amendment would place a burden upon the Government to prove every rule that it might make.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. WALKER of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Mississippi.

Mr. WALKER of Mississippi. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WALKER of Mississippi. Mr. Chairman, I am most disturbed about the way HEW is handling their business in regard to hospitals over our Nation qualifying for the poverty program.

We have, in Neshoba County of my district, a very thriving hospital known as the Neshoba County Hospital, and I have never seen an administrator at any hospital work any harder for the welfare of the hospital, and of this county than has Mr. Lamar Salter, administrator of this hospital. Just recently while I was on a trip to Vietnam to visit our boys

in that war torn country, the administrator of the Neshoba County Hospital was given a typical HEW run around.

In late May of 1966, an inspection team was sent to the hospital from the Atlanta regional office of the Equal Health Opportunity Division of the Public Health Service. The team, composed of a Mr. Black and a Mr. Settles, told the administrator that the hospital qualified under title 6 of the medicare bill except for assignments in semiprivate rooms.

On June 1, 1966, Mr. Williams of the Atlanta regional office was written a letter by Mr. Lamar Salter the hospital administrator, telling him that he would have completed complying to the semiprivate regulations by June 15, and this compliance was completed by this time and the news was published in the local newspaper known as the Neshoba County Democrat.

On June 17, the same Mr. Settles headed another inspection team from Atlanta and said he would recommend approval and that Mr. Salter should hear something in 4 or 5 days. Mr. Settles further told Mr. Salter not to discharge any elderly patients until July 1 because he would be approved by then and they would come under medicare.

By July 2, Mr. Salter had not heard anything, and was told to call a Mr. Watson who works for Mr. Robert M. Nash, chief of the equal health opportunity branch in Baltimore. Mr. Watson sent another inspection team. On July 6 an inspection team composed of a Dr. William Moss and a Mr. O'Shanahan inspected the hospital and informed Mr. Salter that he was in full compliance with the regulations and they reported same to Mr. Watson by telephone and in writing.

On July 8, Mr. Watson of Baltimore, told Mr. Salter that they should have their approval within an hour. Mr. Watson told Mr. Salter that a Dr. Richard Smith, a special assistant to Mr. Nash had been holding up the works for Mr. Nash. Because of my being out of the country, Mr. Salter called upon my colleague and friend, Congressman JOHN BELL WILLIAMS of Mississippi for help, and Congressman WILLIAMS readily went to work.

On July 18, the Neshoba County Hospital received another inspection team, and then received another team on July 20, but each team refused to let Mr. Salter, the administrator of this hospital, know what would be in their report. They told him not to worry.

On July 20, Mr. Robert Nash of Baltimore, called the Neshoba County Hospital and wanted another inspection, and they sent a doctor to inspect, but he also refused to say what would be in his report.

After seeing that Mr. Salter was not going to be pushed around by the HEW political machine, on July 22, he received a wire that the hospital had been approved as of July 20, with no explanation as to why he had not been approved as of July 1 as he had originally been told.

Mr. Chairman, I think it is anything but fair that you and my colleagues know why this particular hospital has been kicked around so badly by HEW, and why HEW needs a complete reworking.

This hospital happens to be in Philadelphia, Miss., where the three boys were found buried in the earthen dam. Every concerned American will agree that this was an awful happening, but I would point out to you that many times worse crimes, and much more of it, has happened in New York, Boston, and the Watts area of California. In these instances, HEW has poured in millions of dollars to try to appease the criminals.

Mr. Chairman, I believe it is the obligation of every Christian American to start taking a little inventory to see if someway, somehow, we cannot start in a small way to restore our Government once again back to the people to where equal rights must be accompanied by equal responsibilities.

Mr. BUCHANAN. Mr. Chairman, according to the remarks of the distinguished gentleman from South Carolina, I find myself in the strange position of helping to save the Democratic Party in the South. May I say that from what I have observed it certainly needs salvation.

I rise in support of the amendment because, Mr. Chairman, I would ask the Committee, What vice can there be in equity, in clarity, and in consistency in giving school superintendents, hospital administrators, and other public officials charged with compliance with this act some clear and firm ground upon which they can stand, knowing with confidence that when they stand upon that ground, they are within the law and complying with its requirements? What vice can there be in this, and what virtue can there be in confusion, in inconsistency, and in leading such public officials into a perplexing maze of bureaucratic evasion, doubletalk, and inconsistency?

The gentleman has offered a sound, reasonable and equitable amendment. It ought to be adopted by this Committee.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. CORMAN].

Mr. CORMAN. Mr. Chairman, I took the information given me by the gentleman from Georgia [Mr. FLYNT] and I called the Department of HEW to ascertain their side of the story. I did not check all the school boards the gentleman mentioned. I did check five of them, which seemed a reasonable number for a spot check. Of these five, only one has funds withheld. That is Meriwether.

That school district was sent written uniform guidelines which required of them four things: First, to show some progress toward desegregation of faculties; second, that the freedom-of-choice program actually was a freedom-of-choice program, and that it showed some promise for integrating the schools; third, requirements as to how the freedom-of-choice program would be administered such as that parents be given written notice of their free choice 30 days prior to the time they have to make that choice; fourth, a requirement prohibiting artificial segregation by adjustment of geographic zones.

The school board was asked to agree to comply with those guidelines. Instead, they sent the guidelines back and said, "We will comply with title VI of the 1964 act as best we can." The Department of HEW said that that was not good enough.

The fact is that there is less than 4 percent integration in that school district. There are 2,933 Negro youngsters and only 118 of them attend integrated schools. The faculty is entirely segregated. There are no Negro teachers in white schools; there are no white teachers in Negro schools. The school board has indicated that they will send a representative to Washington to talk with representatives of the Department of HEW and indicate what they might be willing to do.

I appreciate the opportunity to clarify the situation as reported to me by HEW. The guidelines are in writing. They are uniform. They are reasonable.

Youngsters who started to school in 1954 are still going to segregated schools. This House, HEW, and the Meriwether School District cannot escape the fact that 12 years after the Brown decision, 96 percent of the Negro students in that school district are relegated to segregated and, I strongly suspect, second-class schools.

Mr. FLYNT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from North Carolina [Mr. WHITENER].

Mr. Chairman, a few minutes ago at a time when I was off the floor for a matter of 3 to 5 minutes, the gentleman from California [Mr. CORMAN], after debate had been limited, and at which time under the rules I could not obtain recognition, attempted to take issue with certain statements which I had made earlier in debate.

I therefore ask, Mr. Chairman, that these remarks be placed in the RECORD immediately following the remarks of the gentleman from California [Mr. CORMAN].

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Chairman, as I have read the transcribed stenographic record of the remarks of the gentleman from California in which he stated to this Committee that he had talked to someone in the Department of Health, Education, and Welfare, presumably in the Office of the Commissioner of Education, and had been told that only one school district previously described by me had been issued a letter of rejection, disapproval, or deferral.

The information which I received, I received from the Commissioner of Education, Harold Howe II, who should be the highest authority in the Office of Education on this subject.

Mr. Chairman, the gentleman from California informs me that his source of information was a person identified only by the name of Ruby Martin.

Mr. Chairman, I do not know who Ruby Martin is and I doubt very seriously if the gentleman from California [Mr. CORMAN] knows who Ruby Martin is.

But, Mr. Chairman, I do know, and the gentleman from California knows that Harold Howe II is the Commissioner of Education.

Mr. Chairman, in my office, the Commissioner of Education told me that 13 school districts had received letters similar to the one which I showed him which had been received by the superintendent of education of the Griffin-Spalding County school system in Georgia, and I quote from that letter:

Your State educational agency is being notified that your school system's assurance is unacceptable and that your system has been placed on the list of those districts for which commitments of Federal financial assistance for all new activities are deferred, pending submission of an acceptable assurance from your school system.

We have taken this step, rather than start formal enforcement procedures at this time, in order that we make make further efforts to obtain voluntary compliance. It is our sincere hope that your school board will soon approve the submission of an acceptable 441–B assurance.

The other letter is to Mr. Patrick, superintendent of that school system, and it reads:

As such, under the Departmental Regulation, the plan would no longer provide a basis for continued participation in Federally assisted programs, unless the lack of adequate progress can be remedied.

Each of these letters, as well as the letters to each of the other 12 school systems bears the signature of either the Area Director or the Assistant Commissioner.

The Commissioner of Education advised me that similar letters have been mailed to 13 school systems within the Sixth District of Georgia.

That appears as plain as the English language can make it, that these funds are being withheld or deferred by order of the Commissioner of Education.

I hope that the information read to the Committee by the gentleman from California is correct and that at least 12 and possibly all 13 of such plans and certificates have now been approved. Accordingly, I have requested confirmation of such approval from the Commissioner of Education.

Tne CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman and members of the Committee, I renew the objection I made to the amendment soon after it was offered.

It will only confuse the confusion, wherever it exists now, to have this amendment adopted today.

It is strange indeed that the amendment was not proposed in the Subcommittee on the Judiciary, and it was not proposed to the Committee on the Judiciary. In most, if not in all, of the instances where complaints have been made, the complaints are no more well-grounded than those that have been explored by our colleague from California.

I repeat, Mr. Chairman, the amendment should not be agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. RODINO] to close the debate.

Mr. RODINO. Mr. Chairman, I must repeat what I said earlier in the course of debate on this amendment, that this amendment would be unduly restrictive. It would set new criteria. It would in effect repudiate and reject what the Congress did in title VI of the 1964 act, and what we have been trying to do.

I do not believe when the gentleman brings an amendment of this sort, which is so complex, that he could possibly expect this Committee to adopt his amendment. It was never presented to the subcommittee, nor to the full committee.

Might I also add, although there have been some experiences cited here, we have not had from the administration incidents reported where title VI was not working well. Title VI has worked well. It has helped in trying to achieve the objectives of nondiscrimination. Namely that "No person in the United States shall, on account of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity" under this program.

Mr. Chairman, I believe that despite the fact that my good friend from North Carolina has attempted to bring before us language, which he says will clarify an issue, about all it does will be to add confusion.

For that reason I reject the amendment.

The CHAIRMAN. All time has expired.

The question is on the amendment of the gentleman from North Carolina [Mr. WHITENER].

The question was taken; and on a division (demanded by Mr. WHITENER) there were—ayes 89, noes 104.

Mr. WHITENER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WHITENER and Mr. RODINO.

The Committee again divided and the tellers reported that there were—ayes 127, noes 136.

So the amendment was rejected.

Mr. RODINO. Mr. Chairman, may I inquire as to the number of amendments that are at the Clerk's desk on this title?

The CHAIRMAN. The Chair will advise the gentleman that there is at the desk one amendment.

Mr. RODINO. Mr. Chairman, I ask unanimous consent that all debate on this title and all amendments thereto conclude at 4 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. ARENDS. Mr. Chairman, reserving the right to object, in view of what transpired here in the last few moments, with no indication of any hurry whatsoexer, I object.

Mr. RODINO. Mr. Chairman, I move that all debate on this title and all amendments thereto conclude at 4:30.

The CHAIRMAN. The question is on the motion of the gentleman from New Jersey.

The question was taken; and on a division (demanded by Mr. WHITENER) there were—ayes 98, noes 123.

So the motion was rejected.

Mr. POFF. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. POFF. Mr. Chairman, will it be the policy of the Chair, as in the past, to recognize, first, those Members who have amendments to offer?

The CHAIRMAN. The Chair will state to the gentleman from Virginia that the Chair always endeavors to do that. Apparently, the Chair does not understand the parliamentary inquiry, because the motion was defeated.

Mr. POFF. Well, Mr. Chairman, I did not so understand it.

Mr. CRAMER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. CRAMER. Mr. Chairman, well, now, we have spent 3 hours on one amendment that emanated from the other side. In the past consideration of this legislation the Chair has recognized, alternately, one side and then the other.

Is it the intention of the Chair to permit the other side to offer all of the amendments, because it looks as if time is going to be cut off any minute here?

The CHAIRMAN. The Chair has tried to alternate but only observed one member of the committee standing when the Chair recognized the gentleman from Texas. Is the gentleman standing?

The gentleman is not a member of the committee, is he, the gentleman from Texas?

Mr. CRAMER. Mr. Chairman, I demand recognition.

The CHAIRMAN. The gentleman from Florida was not standing when the Chair recognized the gentleman from Texas. The gentleman from Texas is recognized.

AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 78, line 1, strike out all of title VI.

Mr. DOWDY. Mr. Chairman, the difference between the present law and the proposed title VI, as I understand it, is substantially this:

Under the present law the Attorney General has to receive a complaint in writing signed by the individual to the effect that he is being deprived or threatened with the loss of his rights of equal protection of the law before the Attorney General can impose himself into the controversy or start up a controversy on his own.

Mr. Chairman, the present law provides that the Attorney General has to believe that the complaint is meritorious and certify that the signer or signers of such complaint are unable in his judgment to initiate and maintain appropriate legal proceedings for relief and that

the institution of an action will materially further the orderly progress of desegregation.

Mr. Chairman, under those conditions the Attorney General is authorized to institute a civil action for such relief as may be appropriate.

If we adopt this present title VI, striking the present law, then the Attorney General would not even have to believe he has a meritorious case.

Mr. Chairman, title VI can serve no good purpose. The present law gives almost dictatorial powers to the Federal Government through the Attorney General to control our schools and hospitals and other institutions. This title, as written, would make that power truly totalitarian.

Mr. Chairman, the Members of this House who have been here for any length of time will recall the warnings from myself and others that the so-called Federal aid-to-education would bring with it Federal control in progressive doses until it became total. In every instance, the proponents of Federal control would emphatically deny that it was their intent to have Federal control. They even went to the extent in some instances to provide in the bills they were advocating that control would be maintained at local levels, and that there would be no Federal control for schools. This proposed tite VI which my amendment would strike out once again gives the lie to all of those emphatic statements that were made here on this floor and elsewhere.

Even those who want total Federal control of our educational system must see that this title VI is not necessary to carry out their designs. The U.S. Commissioner of Education for the past 6 months, Harold Howe, assuredly does not believe he needs more power to do as he pleases in the control of our schools at all levels.

His expressions bear this out. He has told school administrators throughout this Nation that they will either comply with his orders concerning school desegregation or they will lose their Federal aid.

Furthermore, the school districts have been firmly told that they will be compelled to comply, even though they do not accept Federal aid.

He has repeatedly expressed his view that the most crucial problem in education in the United States today is to attain total integration of public schools.

Mr. Chairman, he has indicated that his next step will be to take aim on those "fortunate white families who flee to the suburbs to avoid integrated schools."

He says he is not going to let them escape his decrees and he has outlined some of his ideas which would prevent them from doing so.

He says he can alter school districts to bring the "social, economic, and intellectual strength of the suburbs to bear on the problems of the city schools."

He further aserts that the building programs of the future can be planned so that new schools will break up segregation of an economic sort as well as racial. He says his office will provide Federal planning funds for such efforts right now. And if he could get his way, his Office would also provide construction funds for such schools—that is for area schools.

Howe says that the concept of neighborhood schools ought to be abandoned and abolished. He seems not to be interested in schools for educational purposes, which I have always considered to be the primary purpose of having schools, that is, for educational purposes. But Howe says that if he can have his way, schools will be built for the primary purpose of social and economic integration. This is the one theme that runs through all his public statements, that Federal leverage must be exerted to achieve racial and economic balance in our schools, and that he can and will accomplish this end through the use of Federal funds and the powers of his office.

Under those circumstances what more do you want? What is the use of title VI of this bill? Is it just to build up the oppressive powers of the Attorney General and to give further reason for the creation of a national police force, which he talked about in the testimony he gave during the hearings on this bill? Such a police force would be destructive of liberty and would open the gate to totalitarianism. America is not ready for storm troopers.

Mr. Chairman, title VI is another of the titles that should be peremptorily removed from the bill. I urge adoption of my amendment.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

The objective and purpose of title VI is to authorize the Attorney General to institute an action on his own initiative when he has reasonable grounds to believe that any person acting under color of law is violating an individual's right to equal protection of the law on account of race, color, religion, or national origin. The other provision authorizes the Attorney General to institute such an action against a private individual who intimidates or interferes with another who seeks to exercise his rights secured by the Constitution.

All we are doing here is to give to the Attorney General authority to institute civil actions on his own initiative where it is necessary to protect the Federal rights of the people of the United States. For that reason the amendment should be defeated.

Mr. ASHMORE. Mr. Chairman, will the gentleman yield for a question?

Mr. ROGERS of Colorado. I yield to the gentleman from South Carolina.

Mr. ASHMORE. I wonder why the subcommittee which heard the evidence on this bill, and of which the gentleman from Colorado is a member, thought it wise to change title VI from the present law in the act of 1964, where it is provided that before the Attorney General could bring such a suit he would be required to receive a written statement from some person that his rights had been discriminated against.

Mr. ROGERS of Colorado. I will answer the question in this way. There is a case down in your own State where a former Member of this body, Judge Hemphill, required the Attorney General, before he could proceed, to divulge the identity of the people who were complainants.

Mr. ASHMORE. Is there anything wrong with such a requirement? Does not every citizen have the right to know who is complaining against him?

Mr. ROGERS of Colorado. That is exactly the reason for the title: to remove intimidation.

Mr. ASHMORE. Intimidation?

Mr. ROGERS of Colorado. That is the best reason I know of for the title to be adopted.

Mr. ASHMORE. I wonder if the Attorney General requested that he be given additional authority so that he could go out and bring suit against any person without the written complaint of a citizen?

Mr. ROGERS of Colorado. I do not recall that the Attorney General, when he testified before the subcommittee, asked for such additional authority. However, I think you and I will agree that since the Attorney General represents the United States, he should have authority to proceed if he has reasonable grounds to believe that certain acts are taking place. You and I as attorneys recognize that if you hire an attorney to do a job, you should empower him to do the job that is necessary without hindrance.

Mr. ASHMORE. In this instance the Attorney General is not hired. He is working free. gratis, for the citizen who wants to enter a complaint.

Mr. ROGERS of Colorado. You could not convince the Treasury that he is working free.

Mr. ASHMORE. He does not get any more pay when he brings suit than if he does not bring a single suit.

Mr. ROGERS of Colorado. Still he has the duty and responsibility. Why should we not let him go ahead and perform his duty?

Mr. ASHMORE. I say he will be performing his duty if he has a written complaint from some citizen, and I see no reason to withdraw that requirement from the law, if you want to be reasonable.

Mr. ROGERS of Colorado. May I ask the gentleman if he was practicing law, would he require his client to put in writing the authorization for him to institute a lawsuit?

Mr. ASHMORE. I usually do when it comes to collecting a fee; yes.

Mr. ROGERS of Colorado. Yes; but the fee is not involved here, as the gentleman agrees.

The CHAIRMAN. The question is on the amendment of the gentleman from Texas [Mr. DOWDY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. CALLAWAY

Mr. CALLAWAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CALLAWAY: On page 80, immediately after line 6, insert the following new section:

"SEC. 603. Title VI of the Civil Rights Act of 1964 (78 Stat. 252-253; 42 U.S.C. 2000d-

2000d–4) is amended by adding at the end thereof the following new sections:

" 'SEC. 606. Nothing in this title shall be construed to authorize action by any department or agency to require the assignment of students to public schools in order to overcome racial imbalance.' "

Mr. CALLAWAY. Mr. Chairman, the authority of various agencies of the U.S. Government to cut off funds appropriated by the Congress in order to secure desegregation of federally assisted programs and projects has been a source of controversy since it was proposed in 1963. Despite sincere attempts by its proponents to write legislative history that would make the scope of the power abundantly clear to all, title VI of the civil rights bill of 1964 has remained a storm center of controversy since its enactment. A basic question is whether the Secretary of Health, Education, and Welfare has authority under title VI to withhold funds until a school district achieves a racial balance in its schools.

Last week I discussed the impact of the Federal Government's intrusion into the field of housing desegregation. I insert into the RECORD a letter I had received from the Secretary of HEW, the Honorable John W. Gardner. I had written the Secretary to ask if a free choice system which did not achieve the percentage of integration required by HEW guidelines, would result in a cutoff of funds even if the free choice system were operating perfectly freely and without complaint. The Secretary's reply is worth quoting again:

Let me address myself to the question of whether a free choice plan offered in good faith operating freely would be accepted even if it resulted in no desegregation. The answer would be "no."

Desegregation is a goal. A district may seek to achieve that goal through a free-choice plan, but if the plan doesn't achieve the goal, then other means must be tried.

Now, Mr. Chairman, it seems to me that the controversy is over what is meant by the word "desegregation." I am sure many other Members of the Congress have received letters and indications of concern from their constituents which describe how faceless, far-distant administrators of the Washington bureaucracy are relying exclusively on quotas as a measure of compliance with the requirements of the law against discrimination. I believe a great deal of this misunderstanding might be avoided if we were to specify under title VI what we intend "desegregation" to mean. That is the purpose of the amendment I now offer.

Let me make it clear that I wish to do no more than return title VI to its original meaning. Let me briefly quote for you the words of the proponents of this measure in the other body, that you may appreciate how completely the original intent of the bill has been subverted. The full debate may be found in the CONGRESSIONAL RECORD, volume 110, part 10, page 12715. Senator BYRD of West Virginia questioned Senator HUMPHREY, the floor manager of the bill:

Can the Senator from Minnesota assure the Senator from West Virginia that under title VI schoolchildren may not be bused from one end of the community to another end of the community at the taxpayer's expense to relieve so-called racial imbalance in the schools?

Mr. HUMPHREY. I do.

Mr BYRD of West Virginia. Will the Senator from Minnesota cite the language in title VI which would give the Senator from West Virginia such assurance?

Mr. HUMPHREY. That language is to be found in another title of the bill, in addition to the assurances to be gained from a careful reading of title VI itself.

In other words, the definition now found in title IV of the 1964 civil rights bill was intended to apply to title VI and if this were not absolutely as clear as it could be, one need only to look on page 12717 for an equally strong exposition of the meaning of title IV by Senator JAVITS:

Taking the case of the schools to which the Senator (Senator BYRD) is referring, and the danger of envisaging the rule or regulation relating to racial imbalance, it is negated expressly in the bill, which would compel racial balance. Therefore, there is no case in which the thrust of the statute under which the money would be given would be directed toward restoring or bringing about racial balance in the schools.

Mr. BYRD of West Virginia. I thank the Senator from New York for his interpretation of the language. I trust that it will help to clarify the intent of the title.

Unfortunately, Senator BYRD's trust was not fulfilled. HEW has since decided that the definitions in question are limited to title IV.

My amendment would simply give assurance that the law plainly and clearly means what its backers intended it to mean. It would correct the view of the Secretary of Health, Education, and Welfare, as expressed in his letter to me and in his guidelines.

The Committee on the Judiciary is aware of the problem to which my amendment is addressed. If you will look at title VI of the 1966 bill, you will see that the committee felt it necessary to write into title VI of this year's bill the same clarifying definition of the word and the concept of desegregation which I am now seeking to write into title VI of the 1964 act. There is simply no reason to have a double standard in the school desegregation field. For the Department of Justice in bringing suits and the courts in deciding them, the authority is clearly defined. The Department of Health, Education, and Welfare is entitled to no less clear a definition.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Georgia [Mr. CALLAWAY].

Mr. CALLAWAY. Mr. Chairman, I thank the gentleman from Ohio.

Now for those who think such an admonition of the Secretary of HEW is not warranted, let me again reemphasize that the funds for 61 school systems in Georgia have been cut off by the Secretary without the slightest attempt to comply with the printed words of title VI which require notice and hearings before funds are cut off.

I say to the gentleman from Colorado, who referred to this a few minutes ago and said it was necessary to have hearings before the committees of Congress, that not a single hearing and not a single notification has been given in respect to any of Georgia's school systems.

I am sure no Member of this body has forgotten the incident during September of last year when school funds to Chicago were cut off by HEW. You may recall that it took Presidential intervention in order to secure compliance with the law by HEW.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. I am happy to yield to the gentleman from Ohio.

Mr. McCULLOCH. And also the mayor of Chicago.

Mr. CALLAWAY. That is correct. Accordingly, I ask your support of my amendment which will return to the original and I believe the continuing intent of the Congress and fairplay.

Mr. RODINO. Mr. Chairman, I rise in opposition to the amendment.

Title VI merely extends the right of the Attorney General to sue without the need of a written complaint in the areas of discrimination in public education and public facilities.

The gentleman's amendment would not refer to this extension of the right of the Attorney General to sue. It merely states that nothing in this title shall be construed to authorize action by any department or agency to require the assignment of students to public schools in order to overcome racial imbalance.

I do not see the relevancy of this amendment to title VI. Actually, the gentleman brings us an amendment which is thoroughly new, which has never been debated before the committee or the subcommittee.

I urge the Committee to defeat this amendment because it has no relevancy whatsoever to title VI, the title under discussion.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. RODINO. Yes. I yield to the gentleman.

Mr. CALLAWAY. The words put in were the best that could be drafted to give the exact definition now in title IV of the 1964 act and title VI of the 1966 act. The word "desegregation" does not appear in title VI of that act and it was necessary to write these words in the same way. I am sure the gentleman will agree that the words are virtually the same as appear in title IV.

Mr. RODINO. However, it has no reference to title VI of the 1964 act. I understand that the language the gentleman uses is the same. It is the same language in school desegregation title—title IV of the 1964 act—but in this area it has no relevancy, and I urge the defeat of the amendment.

Mr. CRAMER. Mr. Chairman, I rise in support of the amendment.

I do not intend to take my full time, but the answer to the gentleman's question is that the wording as proposed is precisely the wording contained in the present law which is the law of July 2, 1964, in title IV. Nobody ever conceded such a problem could arise, I do not believe. I think I can say that somewhat

authoritatively, because I was the one that offered on the floor of the House this similar amendment to this title IV in 1964. It was done with the full belief that it would be the definition used in title VI as well, and apply to the withholding of funds. For what unknown reason the administration did not see fit to apply that definition I frankly do not know. The debate on the Senate floor clearly shows it was the intention of the other body and clearly, in my opinion, it was the intention of this House. This is the opportunity to correct the wrong which occurred by administrative action and apparently by lack of legislative oversight.

The Attorney General specifically laid to rest for all time the question of whether up to this point the Supreme Court has at any time ruled that de facto segregation is illegal. I asked the Attorney General this specific question, and for the purpose of the RECORD let me read it. This is on page 1196 of the record:

Mr. CRAMER. It is your opinion, is it not, that racial imbalance or the bussing of students, de facto segregation, has not been outlawed by the court?

Attorney General KATZENBACH. That is correct.

He answered without qualification. So if we do not pass this amendment, we are in effect declaring illegal that which the Court has never stated to be illegal under the Constitution. This amendment must be adopted to carry out the intent of Congress.

Mr. JOELSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I remember about 2 or 3 years ago when we first took up Federal aid to education, many of our colleagues here were yelling and screaming about what a terrible thing it was. They told us how horrendous it was and how it would pollute the public school system. Yet today I see these same gentlemen scratching and clawing for a share of the Federal money for aid to education. I am happy to interpret this as a confession of error and welcome them into the ranks of the enlightened.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. JOELSON. I yield to the gentleman from Texas.

Mr. DOWDY. It is now the law of the land; furthermore the gentleman is probably not aware of the fact that the Office of Education told the school districts that they are going to compel them to confirm whether they accept any money or not.

I suppose the gentleman is not aware of that, because I imagine he does not have these problems in his district.

Mr. JOELSON. I would like to ask the gentleman if he will ask the Department of Education to refuse funds to his district.

Mr. DOWDY. I believe the gentleman failed to get the purport of what I just told him. The school districts certainly have the right to take advantage of any law passed by this Congress.

Mr. JOELSON. My point is that people here who were saving that the acceptance of Federal money would destroy local initiative and destroy the public school system are now in line for their money, and I believe it is a very good thing that they are and I am glad that they have seen the light.

Mr. MACGREGOR. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman and Members of the Committee, I speak as one who has supported enthusiastically and has had a hand in the draftsmanship and passage of the Civil Rights Acts of 1964, 1965, and, hopefully, of 1966.

Mr. Chairman, this amendment which has been offered by the gentleman from Georgia repeats on page 80 the exact language that now appears on page 79 of the bill we are considering. It makes crystal clear the 1966 intent of the Congress and reaffirms the intent of Congress regarding coercive efforts to achieve racial balance as expressed in the 1964 Civil Rights Act.

Mr. Chairman, the Committee on the Judiciary and this body has spoken and has acted to eliminate racial discrimination. We have not acted, and I hope we shall not act here today by inference, to force integration.

Mr. Chairman, there is a great deal of difference between the elimination of discrimination and legislative action or inaction to force integration. If this amendment is defeated, we will be putting our stamp of approval on administrative action to destroy the neighborhood school concept.

Mr. Chairman, I am a new member this year of the subcommittee which deals with civil rights matters. I have been impressed with the statements made on the floor of this House today by the gentleman from Wisconsin [Mr. KASTENMEIER], the gentleman from Maryland [Mr. MATHIAS], and the gentleman from California [Mr. CORMAN], on the work of the ad hoc subcommittee appointed last year to examine the administration of title VI of the Civil Rights Act of 1964.

Mr. Chairman, I would hate for us to take action here today that would short circuit the hard work already done by that ad hoc subcommittee. Based upon conversations with two members of that subcommittee, I know that as the gentleman from Wisconsin [Mr. KASTENMEIER], stated earlier today, there are doubts about whether title VI is being administered effectively.

Surely, Mr. Chairman, we ought to make crystal clear here today that this Congress does not approve of the blatant violations of title VI of the Civil Rights Act of 1964 that have occurred in the office of the Commissioner of Education.

Mr. Chairman, it is not only Southern States which have been affected. I had some personal acquaintanceship, since I was in Chicago at the time, with the action taken in Illinois to withhold Federal funds. Without so much as a courtesy call to the Commissioner of Public Instruction of the State of Illinois, and on the basis of an unsubstantiated claim or claims, the U.S. Office of Education decided to withhold Federal money allocated to the schools of Cook County, Ill. This step was taken in flagrant violation of existing law, and it contributed nothing toward the goal of nondiscrimination in educational opportunity.

Mr. Chairman, we shall be making a serious mistake here today if we, by failure to approve the Callaway amendment, put our stamp of approval upon the highhanded tactics of the U.S. Office of Education that have been disclosed here and with which many of us are familiar.

If there is a serious problem of deteriorating schools in our urban centers, and I believe there is, it will not be solved by forced transportation of children to distant school buildings. This is a problem that ought to have the imaginative attention of the Committee on Education and Labor of the House of Representatives. We might well heed the thoughtful observations and advice of syndicated columnist Joseph Alsop given in a series of three articles published last week. His full texts appear on pages 18441 and 18442 of the CONGRESSIONAL RECORD for August 5, 1966.

Mr. Alsop wrote in part:

To go on with, short of a Constitutional Amendment, you could not even end de facto segregation by forcibly homogenizing all the schools in an urban school system that was only 30 per cent Negro. The careful research behind the Watts report shows that any school which is forced to accept as much as 25 per cent of disadvantaged children virtually ceases to be a school; and almost all the children of the ghettos are very seriously disadvantaged.

Race has nothing to do with the effect on the school. The school becomes worthless because the teachers are unable to carry the huge extra burden of helping their disadvantaged pupils—whether they are Negro, or Mexican-American, or poor white. And when the neighborhood school goes to hell in a hack, all the middle and lower-middle income families in the neighborhood simply pick up and move to the suburbs, thereby creating another wholly segregated school.

Since an amendment forbidding such movement is unlikely, the important thing is not to "end de facto segregation."

* * * * *

The answer is not just good urban schools, which we do not now have. Merely good schools are no longer good enough to reverse the sinister population trend that may soon make our cities into vast Negro reservations. The answer, I fervently hope and strongly believe, is immensely superior urban schools, fine enough to hold and even to attract all families that want the best schooling for their children.

* * * * *

There is only one expedient that offers much hope of reversing the present urban trend. The great cities must be given superior schools—not just good schools, mind you, but immensely superior schools, with a strong attractive power * * *.

Why not, then, take the three following steps:

First, let the President appoint a distinguished Federal commission, or even a series of commissions, to trace the true limits of the metropolitan areas of each of the great cities.

Second, let the Federal revenues from each metropolitan area be ascertained.

* * * * *

Third, let the Congress therefore provide that of these revenues from each metropolitan area, a generous percentage will be returned to each city-center, in order to pay for the superior schools that offer the main hope of cure for the urban disease.

Mr. Chairman, let us put a stop to arbitrary and unauthorized actions by the Commissioner of Education to force acceptance of his solution to de facto segregation. His tactics will not end discrimination in education, and they are contrary to the clearly expressed intent of this House, of the Senate, and the President of the United States.

The Callaway amendment should be adopted.

Mr. MARTIN of Alabama. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman.

Mr. MARTIN of Alabama. Mr. Chairman, I commend the gentleman on his remarks and I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MARTIN of Alabama. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, if we are to maintain the rights of the people to direct their local school systems, this amendment is absolutely necessary in order to prevent a dictatorship of education at the Federal level. Under previous civil rights legislation every school system in this country is now under the one-man rule of an appointed official, the Commissioner of the Office of Education.

If you do not believe that the objective of the present Commissioner is to absolutely control public education, you should read his own statements. I have met on several occasions personally with Harold Howe II, the present Commissioner and I can assure you his chief concern is the total integration of all public schools in the United States. Incidentally, "public schools" is a very loose term because Federal control of school systems may be extended to any school receiving any Federal money. So actually, no private or parochial school will be able to operate free of Mr. Howe's philosophies, and Commissioner Howe has made no secret as to what his philosophies are.

Several months ago when our Alabamians met with him on two occasions to ask that he use some reason and fairness in his demands that all Alabama schools integrate immediately, he made it clear that total integration is his goal. He was not concerned when we pointed out to him that local school boards in Alabama were making every reasonable effort to comply with the law. It did not bother him when we showed him that his unreasonable and dictatorial demands for immediate integration would hurt the education of thousands of schoolchildren of all races in Alabama.

An interesting sidelight on our visit to the Commissioners' office was the complete lack of any signs of material dealing with education. His whole attention was clearly given to total integration and when we asked him to produce some evidence that his Office was dealing with some matters of education, our request created much confusion and no such evidence was ever shown us. We came away from the meeting with the Commissioner of Education, gravely troubled by the haunting feeling that this Office, with the tremendous power of the Federal Government behind it, is not too much concerned with the quality of education in America, but rather in directing social changes in our society, subsequent statements by the high Commissioner of Education indicate that this is exactly the role he envisions for himself.

This appointed official who is not responsible in any way to the people, but only to the President whose policies he is carrying out, has told audiences across the land that in his view:

The most critical problem of American education today is to achieve total integration in the public schools.

Many of my colleagues from northern cities have been made aware of Commissioner Howe's purposes because up to this point his devious designs have been directed mainly toward the South, but make no mistake, your State will hear from him soon. Speaking in Chicago on May 13—and I need not remind you what is going on in Chicago at this moment—Commissioner Howe made it clear that he does not intend to tolerate all white schools in suburban neighborhoods, and all Negro schools in the city ghetto. He told his audience he is contemplating some drastic measures to achieve his ends. He said he plans to do something about those "fortunate white families who flee to the suburbs to avoid integrated schools."

What Howe has in mind may be learned from his further remarks in Chicago.

For example—

He said—

traditional school district boundaries often serve education badly and may have to be changed.

In whose opinion besides the Commissioner do local school districts serve education badly? Is Commissioner Howe so much wiser, so much more able to decide what is best for American schools than thousands of local school boards elected by their neighbors and those who are most concerned with the schools that he alone can decide on an entirely new concept to school boundaries?

In a speech at Columbia University on May 3, Commissioner Howe said:

If I have my way, schools will be built for the primary purpose of social and economic integration.

In another address on July 19, the Commissioner said this would abolish the concept of neighborhood schools, but the concept ought to be abandoned anyhow.

There you have it, the real purpose behind such legislation as title VI of this bill. The Johnson administration, working through Commissioner of Education Howe, is going to abolish your local school system. You, as a parent are not going to decide what you believe is the best way to educate your children. You are not going to choose the schools your children will attend. Commissioner Howe, if he has his way, will do this for you.

If you move to the suburbs of Washington and Commissioner Howe decides it suits his plan for social rule to send your children to school back in the District of Columbia, that is where they will go, transported clear across State lines if necessary for him to achieve what he thinks is proper social conditions.

Mr. Chairman, I say we had better take some action now to stop such high-handed takeover of the rights of the people by an appointed official. If we do not act now by curtailing the power of such officials, freedom of education, freedom of worship, and finally freedom itself, will surely perish. That is why I am for this amendment. I for one, do not want to turn the future of my children or your children or the children of millions of God-fearing, law-abiding, freedom-loving Americans over to the social experimental laboratories of Commissioner Harold Howe. He has already caused such havoc with his school guidelines as to seriously jeopardize the education of all our children in the South. I hope I may save you, the North, from the awful consequences of such misuse of power by a Federal bureaucrat.

To conclude these remarks, I would like to insert a recent article by the nationally recognized editor and newsman, James J. Kilpatrick:

HEAVY HAND OF FEDERALISM—HOWE'S AIM: TOTAL SCHOOL INTEGRATION

(By James J. Kilpatrick)

In the six months since he succeeded Francis Keppel as U.S. Commissioner of Education, Harold Howe II has achieved a singular distinction: He has replaced Robert Kennedy as the Yankee most hated in the South. He also has acquired a new and unofficial title. He is the U.S. Commissioner of Integration.

Neither the honor nor the title is likely to impress the Connecticut-born educator. He has told Southern school administrators in coldly unequivocal terms what he expects of them. They will comply with his harsh and exacting "guidelines" for school desegregation, or they will lose their Federal aid. He has told audiences everywhere that in his view, the "most crucial" or "most critical" problem of American education today is to achieve total integration in the public schools.

Thus far, most of Howe's effort has been directed toward imposing his will upon the South, where many segregated schools still operate as a continuing result of nullified laws, old customs, and individual choice. The rest of the country will hear from him soon. Speaking in Chicago on May 13, the commissioner made it clear that he does not intend to tolerate all-white schools in suburban neighborhoods, and all-Negro schools in the city "ghetto." He is contemplating some "drastic" measures to achieve his ends.

Howe has some powerful tools to work with. His office administers 100 major programs in the field of education. He has large discretion over the disbursement of $3.3 billion a year in Federal aid. Under Title VI of the Civil Rights Act of 1964, he has broad authority to issue rules and regulations having the force and effect of law. And the rationale of Title VI, as he remarked in New York on June 18, is beautifully simple: "No desegregation, no Federal money."

In a series of speeches in recent weeks, Howe has hinted strongly that his next major step, once he whips the Southern school officials into line, will be to take aim on those

"fortunate white families who flee to the suburbs to avoid integrated schoools." He does not propose to let them escape. He has a number of ideas in mind.

"For example," Howe said at Chicago, "traditional school district boundaries often serve education badly and may have to be changed. New York and New Jersey surrendered State prerogatives to form the Port of New York Authority in the interest of improved transportation. If we can make such concessions for transportation, I suggest that we can make them for education."

"We could, for example, alter political boundaries to bring the social, economic and intellectual strengths of the suburbs to bear on the problems of the city schools. Building programs for the future could be planned so that new schools break up, rather than continue, segregation of both the racial and economic sort. The Office of Education will provide Federal planning funds for such efforts right now, and if I have my way, the Office will provide construction funds before long."

Howe used the identical phrase in a speech at Columbia University on May 3. "If I have my way," he said, "schools will be built for the primary purpose of social and economic integration." True enough, he said in another address on July 19, this would abolish the concept of neighborhood schools in many areas of the nation, but the concept ought to be abandoned anyhow:

"To a disturbing degree it has come to mean the polarization of families according to the size of their split-level homes or the size of their welfare checks. We are faced with the fact that we are becoming a nation of plush suburbs on one hand and mid-city slums on the other."

Howe's anger is directed at those "who live in a world of wall-to-wall carpeting, pleasant back yards, and summers at camp." Such affluent families "forget that their neighbors in the central city have children who play in alleys and live six to a room." By the judicious use of Federal funds, the commissioner will compel them to remember. His thought is to contrive "new boundary lines" that ignore county and city limits. He would bring ghetto children to the suburbs and suburban children to the ghetto. Or he would develop "educational parks" of perhaps 20,000 students, where a proper "cultural mix" could be imposed.

As he travels about the country, Howe gives lip service to the idea of local control of education, but these affirmations have no real steam behind them. The one theme that runs insistently through all his public statements is that the leverage of Federal aid must be exerted to achieve a racial and economic balance in the schools. "School desegregation is the single point on which we who call ourselves educational leaders prove that we really are so."

This is Harold Howe, II, Yale '40, Washington's leading zealot. The whole country should know him better. It is immaterial whether his title is Commissioner of Education, or Commissioner of Integration. In his eyes, the two functions are quite the same thing.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MACGREGOR. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, I think the members of this Committee should be warned about the language in title VI of this bill as set forth in section 303(b). For those colleagues who have had no practical experience with what guidelines can mean, let me point something out. This language is identical to that which was used in title IV of the Civil Rights Act of 1964. If this language is to be interpreted in the same manner that the language in title IV was, we are inviting a continuation of our present troubles. In fact if we blithely reenact the language of the 1964 act without change, the effect will be to encourage the Office of Education to continue its present unwarranted practices.

The schools in my district, and indeed all over the South, have paid a dear penalty and our districts will continue to pay a dear penalty for the language in title VI of this bill.

The Commissioner of Education has on one occasion after another pointed out the fact that language such as that contained in this amendment was absent from title VI of the Civil Rights Act of 1964 and it is upon this omission that he has arrogated unto the Office of Education, completely without justification, the right to defer the payment of Federal funds to school districts in the South for failure to comply with the dictatorial and extralegal "guidelines" drawn up and put into effect by the Office of Education.

Unfortunately, this condition has been allowed to prevail by the Secretary of Health, Education, and Welfare, Mr. John W. Gardner.

While I would have preferred that an amendment spelling out in greater detail and stronger language be included in the provisions of the title now before this Committee, I wholeheartedly support the amendment of my colleague from the State of Georgia and I associate myself fully with the remarks of my good friend from the State of Minnesota [Mr. MACGREGOR], and I want to thank him for yielding to me so that I might include these remarks.

May I express my hearty approval of the fact that this amendment will put language into title VI of the act which will rob the Commissioner of Education of his reasons for adopting the position that funds may be withheld from school districts where "racial balance"—whatever that may mean—fails, in the judgment of the Commissioner of Education, to materialize even though this failure may rest in the voluntary choice of the citizens of the community.

It may well be that if the amendment were worded more strongly it would have the end result of bringing about the amendment's defeat here today so permit me to express the hope that it will be adopted and that the membership of this Committee will not see fit to oppose it.

Permit me further to observe that the amendment simply places in title VI of the Civil Rights Act of 1964 the clear intent and meaning of the language contained in section 303(b) of title VI of the bill now under consideration. This, incidentally, is the same language as that which appeared in title IV of the Civil Rights Act of 1964.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I trust the membership has listened to the argument which was presented. While I opposed and am against the present law, the complaint that we have in my area is that the Department of Health, Education, and Welfare or rather the Office of Education is requiring far more than even the law requires.

Mr. Chairman, I have at the desk an amendment and I have taken this time so that I may read it to you. I hope I may have your attention.

Mr. Chairman, it is my opinion that my amendment would cause the Office of Education to at least follow the law.

I read my amendment to you:

In any case where any official of the Department of Health, Education, and Welfare or other Federal employee shall demand of any school or school board or other local body having supervision of any local public school that such school authorities take any action not required by the Civil Rights Act of 1964 or by this Act or other Federal law as a condition precedent to the allocation of Federal funds, the Attorney General upon being notified shall institute in the name of the United States a civil action or other proceeding to enjoin such Federal official or employee from continuing such demand and to require the release of all Federal funds withheld from such school.

Mr. Chairman, my amendment would require the Attorney General to take action to stop other Federal employees if they require more than the law requires as a condition precedent to allocating funds to a school.

If this amendment—when it is presented later, is adopted, you will have put back under the law the operation of the Department of Health, Education, and Welfare which is now requiring more than the law.

I hope to have the chance to present this amendment to you later, but in view of the hour debate might be cut off before I had a chance to explain it to you.

Mr. O'NEAL of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I am pleased to yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. O'NEAL of Georgia. Mr. Chairman, while giving my unqualified support to the amendment offered by my colleague from Georgia [Mr. CALLAWAY], I would like to take this opportunity to issue a warning to my friends from outside the South on a problem they will no doubt face in the future if appropriate action is not taken by this Congress.

I am referring to the completely illegal, highhanded and tyrannical action taken by officials in the U.S. Office of Education in the pursuit of desegregation of public schools.

Harold Howe II, U.S. Commissioner of Education, has set himself up as a little Caesar. His bible is an unconstitutional set of guidelines which flout the intent of Congress. His weapon is the threat of withdrawal of Federal funds. His target, at the present time, is the South.

The legislative history of the Civil Rights Act of 1964 clearly shows that

Congress did not intend to authorize the Office of Education to work toward achieving racial balance in given schools. Mr. Howe's guidelines set forth percentages that school systems must meet with total disregard for a freedom of choice plan.

Section 604 of the Civil Rights Act of 1964 with great clarity says that nothing in the act shall affect employment practices. Mr. Howe's guidelines say that school systems will desegregate teaching staffs with total disregard to personal preferences of the faculty.

I could cite a number of examples to demonstrate Mr. Howe's illegal actions, but I could never capture his harsh and belligerent attitude in dealing with public school officials in the South.

My colleagues from the North and West may not be able to fully appreciate the problems my State and area are experiencing. But I say your time for a face to face confrontation with Mr. Howe will come. It may be too late if we do not take appropriate action at this time.

Mr. EDWARDS of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Chairman, one of the great problem areas of the 1964 Civil Rights Act is the manner in which it is enforced by the Department of Health, Education, and Welfare. This has been covered extensively by other Members of this body and I shall try not to repeat their arguments.

Mr. Chairman, one gets the impression in dealing with HEW officials that in writing regulations and guidelines that they try to cover every area of the law, and there can be no objection to this; but, then, they invariably go that extra step and completely destroy whatever good may have been intended by the original law. Unfortunately, it does absolutely no good to point out any differences between the law and the guidelines to HEW. HEW officials will not listen.

Mr. Chairman, many school districts in my State signed the 1965 guidelines for a 3-year period in good faith, and have set about to comply with these guidelines in good faith. Then along comes the 1966 guidelines, changing the original guidelines and throwing these school districts into a turmoil.

I do not care how sincerely my colleagues here in this body feel about civil rights and integrated education. Members should not, in their zeal, close their eyes when the executive branch of the Government completely circumvents, or ignores, or disregards the laws duly passed by this Congress. I should think Members would rise up in anger at the very thought of a Federal agency issuing regulations or guidelines contrary to the law of the land. This is the issue today; this is the question we must decide; and it should not even require this much debate.

It will do no good to add examples on top of the examples already mentioned here today. Suffice it to say that the only real losers as a result of the illegal guidelines are the children of this country. Educational systems cannot be run properly when they are left in a turmoil by inconsistencies and changed directives from HEW.

I cannot conclude this statement without saying that I know the school boards of the South have not, in many cases, been enthusiastically diligent about complying with the 1954 Supreme Court decision. But, Mr. Chairman, considerable progress has been made over the last few years. What we need most, now, is a chance to comply with the law, without harassment, without constantly excessive pressure from bureaucrats in Washington, without the constant stream of do-gooders telling us how to run our school systems, and with a little understanding on the part of all citizens of this great Nation.

I urge my colleagues to require HEW to follow the law as it is written by supporting the Callaway amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. CALLAWAY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAMER: On page 78, line 7, strike the word "nay" and insert "is authorized, after giving notice of such denial or abridgement to the appropriate State officials and after certifying that he is satisfied that such board or authority has had reasonable time to adjust the conditions alleged in such notice, to".

Mr. CRAMER. Mr. Chairman, the amendment is very simple. All it would do is precisely what we did relating to title II. By exactly the same words, an amendment, adopted by this body, would require notification to the State and local authorities that they are believed to be guilty of discrimination in jury selection. They would be given a chance to put their house in order before Federal action is brought. That is all the amendment would do.

Having adopted such an amendment to title II, we should adopt it to the present title. But of even greater importance is that such a provision is the present law. That is the present law relating to school integration.

This is one of those little nuances of the Attorney General's recommendations which they did not bother to spell out. All they did was completely repeal section 407 of the 1964 act that we had carefully worked out no longer ago than a year and a half.

This is precisely the language I am using. I just want to retain the present law and here is what it is—

After giving notice of such complaint to the appropriate school board or college authority, and after he certifies that he is satisfied such board or authority has had reasonable time to adjust the conditions alleged in such complaint—

That is the present law.

When the Attorney General came before the Congress of the United States and before our committee and was telling us what he wanted to do relating to this title, he did not bother to volunteer that he was striking out what Congress specifically wrote into law—as an amendment on the floor—in 1964. I offered the amendment and it was adopted by a substantial majority, who approved giving notification to the States and an opportunity to do something about the alleged discrimination.

So the Attorney General—and we will not say it was done intentionally, it was an oversight—struck out the provision for notice.

Why is it important? Congress certainly does not intend to change its mind on this subject 18 months later. There is not a word in the record to justify such change, except the question I asked the Attorney General. There is nothing which would justify such action. Those who come from Chicago and who are concerned about the cutoff of funds—and it has happened in many other areas without even the mayor or the school authorities being given notice that they were going to cut it off—would be given an opportunity to correct the situation within a reasonable period of time. That is exactly what we did in 1964. That is what we did with regard to title II just last week or the week before last, in respect to a similar amendment I offered. This is precisely the language presently in the law, and I am asking that it remain in the law by the adoption of my amendment.

Mr. RODINO. Mr. Chairman, I rise in opposition to the amendment. I am sure the gentleman knows that this same procedure as provided in the bill is now required in suits to desegregate public facilities. The language relates to State officials. There is no need to give State officials any special notice. For that reason we would merely be encumbering the right of the Attorney General to institute such an action. For that reason I urge defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WHITENER

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 78, line 8, after "United States" insert "when he has received a complaint in writing signed by an individual to the effect that he is being deprived of or threatened with the loss of his right to the equal protection of the laws".

Mr. WHITENER. Mr. Chairman, this amendment would engraft into section 301 again, or reengraft in it, language which this bill would seem to strike out.

Under Public Law 88-352, the Civil Rights Act of 1964, section 301(a), it says this:

Whenever the Attorney General receives a complaint in writing signed by an individual to the effect that he is being deprived of or threatened with the loss of his right to the equal protection of the laws—

And so on, then the Attorney General can bring a civil action.

By the terms of the bill before us, the committee would rewrite section 301 to

eliminate the provision for a complaint in writing. It is my judgment—and I believe this should appeal to all of us, and I certainly would think it would appeal to the Attorney General—that litigation in the name of the United States because some person has been deprived of or threatened with the deprivation of equal protection of the laws should be based on a complaint. It certainly is not asking too much to require that that be a written complaint.

We have heard a great deal of intimation, by some who think that there is something sacrosanct about this bill. They contend that to require a written complaint involves a great deal of trouble or a great amount of work. But yet, if two automobiles bang together out here in front of the Capitol this afternoon, and there is $50 worth of damage, there will be many statements written. All the witnesses have to do is to sign a statement to state their view about what happened.

Certainly when we bring a lawsuit, it is not unusual for us to go out and seek to have people give us a statement in writing as to what happened.

This does not mean that the individual has to sit down and write it out in some laborious handwriting exercise. There is nothing in my amendment to place any undue burden upon anyone who feels he is being denied equal protection of the laws or threatened with the loss of his right to equal protection of the laws.

I hope the Committee will accept the amendment. Perhaps the gentleman from New Jersey [Mr. RODINO] will tell us why, in writing up this bill, that language was removed from section 301 of title III.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. First of all, Mr. Chairman, I think it is very evident that the reason for the change prepared by the bill is to place responsibility directly on the Attorney General without first requiring a written complaint from the individual who may have been discriminated against.

Mr. WHITENER. I believe I understand the gentleman's contention. I thank him. I understand the gentleman is suggesting that the Attorney General should engage in conduct which we used to call "champerty in maintenance," and go out and seek to discover lawsuits which he can bring in the name of the United States.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I always yield to my friend from Colorado.

Mr. ROGERS of Colorado. The section the gentleman is trying to amend winds up by saying, "Whenever he has reasonable grounds to believe." Does that connote champerty in maintenance in connection with a lawsuit?

Mr. WHITENER. I thank the gentleman for his very valuable contribution. I can say to him I have reasonable grounds frequently to believe that many individuals in my community have a good lawsuit. As a lawyer I do not go out and suggest to them that I bring the lawsuit for them free of charge or for compensation.

I do not see that there is any relevance to the appearance of the words "reasonable grounds."

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(On request of Mr. RIVERS of South Carolina, and by unanimous consent, Mr. WHITENER was allowed to proceed for 5 additional minutes.)

Mr. RIVERS of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. A former distinguished Member of this body, Judge Hemphill, in Columbia, S.C., where this same Attorney General came into the court with some kind of fanciful idea that they had a complaint because of the act of 1964, said:

> Equal protection of the laws extends to the defendants as well as the plaintiffs.

Judge Hemphill also said:

> Sharp warning that the balance is in danger of being tipped is given when, as here serious questions of due process appear. Had there been the enabling intention that cases such as this were to be exempted from the rules, the Congress would have seen it drawn expressly into the (Civil Rights) Act—

Of 1964.

Mr. Katzenbach tried to justify his action by quoting the now Vice President when the bill was in the other body.

Let me ask the gentleman a question. The reason they have put this in the law now is that the courts do not recognize it and they want to have the Congress give approval to this fanciful idea that the law is being violated, when they do not have an individual whom they can produce so that the accused might face the accuser.

The gentleman's amendment should pass. The way this thing is now written and the way it is being enforced is just plain ridiculous and disgraceful.

Mr. WHITENER. I take it the gentleman from South Carolina [Mr. RIVERS] feels that this is not an accidental omission in the language on the part of the committee.

Mr. RIVERS of South Carolina. Of course it is no accident.

Mr. WHITENER. Would the gentleman agree with the statement I made earlier that to strike the requirement for a written complaint would be in effect making the Attorney General an instrument of stirring up strife and litigation and perhaps almost touching upon what we used to know in the old common law as champerty and maintenance?

Mr. RIVERS of South Carolina. Of course. What the gentleman says is proper.

I saw a picture in the Washington newspaper last week, in respect to one of the Job Corps programs or some one of the programs, and people were going around the District taking pictures of families, asking them if they did not have some kind of complaint. They said, "You must have something to complain about."

That is what the Attorney General is doing all over my country, stirring up trouble.

The gentleman's amendment should pass.

Mr. WHITENER. I am most appreciative of the gentleman's comments.

I would say, in conclusion, to all of my colleagues, I believe it is only elementary that before a lawsuit is brought the least that should be required is that there be a written complaint to the Attorney General before he brings a lawsuit in the name of the United States.

We must remember that it is provided in the bill, and by the legislation which we recently passed through the Judiciary Committee and in the Congress, that when the United States is the unsuccessful party in litigation the costs of the action are taxed against the United States.

Now, that does not say that the costs are taxed against the Attorney General. They are taxed against the taxpayers of the United States. Certainly, before the Attorney General puts in jeopardy moneys out of the Treasury of the United States by filing lawsuits, he should at least have a written complaint from some citizen who feels he is being aggrieved.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

As I attempted to point out to the gentleman from North Carolina, the objective of title VI, particularly section 301, which he now attempts to amend, is to give to the Attorney General the right and the authority to institute certain actions if he has reasonable grounds to believe that there has been a denial of equal protection of the law. We all recognize that the Attorney General must have reasonable grounds before he can proceed with the action. The gentleman from North Carolina makes a point of the fact that the Civil Rights Act of 1964 in section 301 provides that whenever the Attorney General receives a complaint in writing by an individual that he is being deprived of his rights, then he can institute the action. I would like to direct the attention of the House to the report of the Civil Rights Commission issued in February of this year wherein, beginning on page 35 and going on through several pages thereafter under the title of "Fear, Intimidation, and Harassment." The effect of this report is that when the Attorney General was compelled to go and get the complaint in writing and the same became known, the individual who made the complaint was subjected to intimidation and harassment. That is evidenced by the fact that in the State of South Carolina in an opinion rendered by a former Member of this body, the Honorable Robert W. Hemphill insisted that the Attorney General before he could proceed with an action of school desegregation must produce the written complaint in court and divulge the identity of the complainants. Thereafter, whoever made it would be subject to intimidation and harassment. That is a plain and fair consequence of the amend-

ment that is put forth in section 301 that the gentleman now tries to amend.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman.

Mr. WHITENER. You know, I sometimes have difficulty in understanding the arguments of my friend from Colorado. He says that in the present bill the Attorney General must have reasonable grounds to believe certain things before bringing an action. But what the gentleman fails to take note of is that in existing law, section 301 of title III of the present Civil Rights Act, it is required a complaint be in writing and, in addition to that, the Attorney General must believe that the complaint is "meritorious." That is the same as saying reasonable grounds.

I would further point out to my friend another amendment in this bill—and I am sure this is unintentional—the subcommittee has stricken out the right of the winning party, the defendant, to get the attorney fees from the United States. I do not understand the gentleman's purpose.

Mr. ROGERS of Colorado. I do not understand why you would take from the Attorney General of the United States the right, duty, and responsibility to protect constitutional rights and hamper his enforcement authority by intimidation or unfamiliarity with technical requirements. The Attorney General under title VI of the bill has the responsibility to make a reasonable determination that there has been a denial of equal protection of the laws and thereafter institute the action without the necessity of having to go out and get somebody to make a complaint in writing.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. Yes, I yield to the gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, the gentleman from Colorado again confounds me because the present title III of the Civil Rights Act of 1964 is one which says that the Attorney General shall have a complaint in writing.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. WHITENER. Mr. Chairman, I ask unanimous consent that the gentleman from Colorado [Mr. ROGERS] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. ROGERS of Colorado. Yes, I yield further to the gentleman from North Carolina.

Mr. WHITENER. There is nothing that we would take away from the Attorney General. We want to keep the law as it is now. You and your associates are the ones that want to take away something.

Mr. ROGERS of Colorado. Well, what we are trying to do in this bill is to eliminate the necessity for the Attorney General to first have a complaint in writing before bringing suit, as your amendment provides. Hence, I believe that the amendment should be defeated.

Mr. CORMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I regret that my 2 minutes came at a time when the gentleman from Georgia [Mr. FLYNT] was not on the floor. I had not planned it that way, but we have been pressed for time.

It seemed to me I ought to pass on to the Committee the information which I received from HEW. It came from Mrs. Ruby Martin, an attorney. She has been an attorney for many years and is in the office of Secretary Gardner. She has some responsibility for the enforcement of title VI of the 1964 Civil Rights Act. She is an experienced attorney. She is a graduate of Howard Law School.

She informed me that as of the time I called her, there was only one school district of the five I mentioned that had its funds withheld. The others, Monroe, Butts, Fayette, and LaGrange, have all filed satisfactory statements of compliance and there is no plan to defer their funds.

Mr. Chairman, I will ask permission when we go back into the House to insert into the RECORD the guidelines and complete statement of Mrs. Martin as to the situation in the school district I mentioned.

Mr. HAYS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is with a great deal of apprehension that I would want to argue with the distinguished gentleman from Colorado. But if I understood him correctly, he is objecting to what I have always considered a basic American right—the right to face one's accuser.

The gentleman says he does not want anything in writing and does not want the person accused of this thing to know who accused him. The gentleman wants them, the accusers, to hide behind the Attorney General of the United States. In other words, the accuser would be a faceless person.

Mr. Chairman, I have taken the floor here more than once on just exactly the other side of this argument when I said that a man in the minority had a right to know who is accusing him. I think anybody who is going to be hailed into court by the Attorney General of the United States, with the power of the United States behind him, has the right to know who made the complaint.

If the gentleman cares to disagree with that, I would be pleased to hear from him.

Mr. ROGERS of Colorado. Mr. Chairman, it is clear that the gentleman is getting the thing confused.

Mr. HAYS. No, I do not believe I am.

Mr. ROGERS of Colorado. The gentleman will not hold still a minute.

Mr. HAYS. It is very difficult for me to hold still when the gentleman wants to obfuscate the issue.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HAYS. Mr. Chairman, I will yield in a limited way but I will decide when I do not want to yield.

Mr. ROGERS of Colorado. As I read a moment ago, we are changing this for the purpose of permitting the Attorney General to proceed without getting somebody to put it in writing to him.

Now when he gets into court, he must prove his case. What you are talking about when you go before a grand jury, who knows who goes before that grand jury to bring forth an indictment. Now that is exactly a similar situation.

Mr. HAYS. An indictment is a considerably different thing than going into court.

Mr. ROGERS of Colorado. There is no difference.

Mr. HAYS. Oh yes, there is.

Mr. ROGERS of Colorado. Mr. Chairman will the gentleman wait a minute?

Mr. HAYS. No, you wait a minute. Let me tell you about an indictment. Maybe you do not know about an indictment.

The CHAIRMAN. The gentleman from Ohio has the floor.

Mr. HAYS. When you go into a grand jury, when a witness goes in, he is going in before a jury. They are going to decide about it. But in this case, you are letting some Assistant Attorney General—let us be frank about it—make the decision about whether this fellow is going to be brought into court.

Mr. Chairman, right here in the front row of the Chamber we have a distinguished attorney from Ohio who is running for the office of attorney general of that State. I would like to hear what he has to say about it. I yield to him.

Mr. SWEENEY. Mr. Chairman, I wish to thank my colleague from Ohio for the opportunity he has afforded me. As the gentleman in the well has suggested, there is a basic American right involved in this very, very important amendment. A few moments ago we adopted an amendment to this title which would bring into arrest the all-powerful right of the Attorney General to forge forward without regard to consulting the local authority on the community level. In that amendment we said that we wanted to give the local community an opportunity to make amendment and correction before the Attorney General ought to be vested with the arbitrary right to move forcibly forward.

I am fearful, as is the gentleman in the well, that all too often in this day and time the Attorney General's Department has exhibited an awfully well documented tendency to move forward without regard to individual rights and without making disclosure as to the identity of the complainant.

Mr. HAYS. And if they want to go on a witch hunt for somebody with whom they do not agree or somebody they want to harass, they would have a perfect opportunity to do so if this is adopted. Is that not so?

Mr. SWEENEY. I would agree, and I would say that we are swinging the door wide open if we in the U.S. House of Representatives are going to adopt the principle that a man is not entitled in a court of law, particularly in a Federal district court, to the opportunity of facing his accuser in a court proceeding.

Mr. HAYS. I thank the distinguished gentleman. If the people are so strong

for the Attorney General to have this provision, they should stand up and be counted. But I do not want the present Attorney General or more likely some unknown assistant or any other Attorney General in the future or his assistant regardless of who he is, to have the privilege and the opportunity to harass people in this country without having any complaint, without having anything in writing, and without having anybody really say that they have committed a wrong.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike the requisite number of words.

I am somewhat amazed that the candidate for the office of attorney general of the State of Ohio is joining in with the other gentleman from Ohio in connection with the duties and responsibilities of the Attorney General, be it of the United States or of the State of Ohio. What the gentleman from Ohio [Mr. HAYS] overlooks is that we provide only that the Attorney General of the United States may act when he has reasonable grounds to believe there is a denial of equal protection of the law. I am sure the gentleman is acquainted with what the word "reasonable" means. I am sure that he knows that the Attorney General of the United States, in the exercise of his authority, is going to be reasonable and will understand what the duties and responsibilities of his office may be in connection with this subject. For the gentleman from Ohio to assume that he is not going to do so is to assume a falsity. If the gentleman becomes attorney general of the State of Ohio and is given a right to act, will he then require, before he takes an official action, that someone come in and give him something in writing?

The objective of this particular piece of legislation is to let the Attorney General use some reasonable discretion. Hence the amendment should be voted down.

Mr. SWEENEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Ohio.

Mr. SWEENEY. Mr. Chairman, I should like to draw the gentleman's attention to the specific language of the existing law, which I believe answers the point the gentleman from Colorado raises. The existing statute reads: "the Attorney General believes the complaint is meritorious and certifies" it as such. What experience have we from the Attorney General to document the committee's contention that the Attorney General should not have to have a meritorious complaint before he should be permitted to proceed?

May I have an answer to this question? Why are we taking the language, "must have a meritorious complaint," out of the law?

Mr. ROGERS of Colorado. Mr. Chairman, the Civil Rights Commission has shown, that throughout the time we have had the 1964 Civil Rights Act in force and effect, every time an individual lets himself be known——

Mr. SWEENEY. Where does it say that?

Mr. ROGERS of Colorado. I have tried to point it out.

Mr. SWEENEY. Maybe the gentleman misunderstands my question. Let me rephrase it.

Mr. ROGERS of Colorado. No. I said awhile ago and I say now, if you will read the report of the U.S. Commission on Civil Rights, of February, this year, and turn to page 35, under (b), it says:

FEAR, INTIMIDATION, AND HARASSMENT

Mr. SWEENEY. May I interject?

Mr. ROGERS of Colorado. Let me read:

> A substantial factor in the reluctance of Negro parents and children to select "white" schools is fear. Many Negro parents in Webster and Calhoun Counties, Mississippi, in Americus and Sumter County, Georgia, and in Anniston, Alabama, expressed such fear. In Anniston, the Negro parents were unable to cite any specific instance of intimidation, but referred to television and newspaper accounts of trouble in connection with school desegregation elsewhere.

If we are interested in knowing why the committee arrived at the conclusion to bring in this section, here is the proof of it.

Mr. HAYS. That is not proof.

Mr. ROGERS of Colorado. I will make the Civil Rights Commission survey of school desegregation available, and I will read various excerpts from it. I am sure that if the gentleman becomes attorney general of Ohio, he will give the same careful protection to the individual who may come into his office and say that certain people are violating the law. Sometimes the complainant does not want to be exposed for giving this information, and therefore, the Attorney General keeps it confidential. I am sure that the gentleman, as attorney general of Ohio, would keep the information confidential. Certainly he would not want to go into court and parade forth and say that "Joe Doakes came in and gave me this information."

Mr. SWEENEY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from Ohio.

Mr. SWEENEY. Mr. Chairman, what is the hazard we are going to encounter, or what is the period of slow-down we are going to encounter by first requiring that the complaining citizen make a complaint? I do not doubt the distinguished gentleman from Colorado and every Member of this House can well document a case where discrimination does exist. But what is the hazard in slow-down that we will encounter?

Mr. ROGERS of Colorado. The hazard is that if their names are known, then they are approached and they may no longer be available as witnesses to the Attorney General.

Mr. SWEENEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I am delighted to yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Chairman, I would like to try to put this in perspective. I believe the gentleman first of all must recognize what we are doing here is to eliminate this requirement that the Attorney General first have a written complaint before he can bring a suit to desegregate public education.

Mr. SWEENEY. What disturbs me, if the gentleman will allow me, more than the fact that we are eliminating the requirement and the necessity of a written complaint, is that we are also eliminating the requirement that the Attorney General produce the accuser in a court of law before he may proceed. This is the point that I believe is the particular hazard in eliminating this phraseology from the 1964 Civil Rights Act. We are eliminating the phraseology in the existing law, which I am contending has served the national interest well, and that is that as a condition precedent to the complaint, that the one accusing another of discriminatory practices file a meritorious complaint, one of substance, and a complaint that in the opinion of the Attorney General warrants his initiating a formal public action in the U.S. district court.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from Ohio.

Mr. HAYS. I should like to point out that the gentleman from Colorado [Mr. ROGERS] in my opinion destroyed his whole case when he read from that document, because when he read it—and he was quoting—he said that these people could cite no instance of intimidation—no instance of intimidation, but they had seen trouble portrayed on television and read about it in the newspapers.

Well, I have read about a lot of robberies in the newspapers, but I guarantee that if somebody holds me up on the way home tonight and I know who he is I am surely going to come in and file a charge and take my chances on intimidation.

The whole case fell when the gentleman read that paragraph.

Mr. SWEENEY. I should like to address a question to the gentleman from New Jersey on the point of the administration of the existing law as written.

What can the distinguished gentleman, in charge of the committee bill, tell me with reference to the problems of the Attorney General with reference to the prosecution of existing law as written, which warrants us now taking out of the language the line:

> He must first have a meritorious complaint and so certify such a complaint.

Mr. RODINO. There have been cases of intimidation and harassment, and the people who have been intimidated and harassed are afraid to come forward to make a written complaint.

Mr. SWEENEY. Is this not true in any court of the land in any criminal proceeding? Is there not a prospective possible intimidation and harassment that could follow the person of anyone swearing to an affidavit on any criminal act? Is this not also a potential risk which someone who appears in the office of any prosecutor in the land assumes?

Mr. RODINO. This is not a criminal matter.

Mr. SWEENEY. No, but we are talking about the possibility of following the registering of a complaint, and after-the-fact harassment.

Mr. RODINO. I might point out to the gentleman there are other areas, such as voting and public accommodations, where the Attorney General can now go in without a written complaint.

Mr. SWEENEY. Do we not indeed give assistance to and support publicly the cause of enforcement of civil rights by having the person of the Attorney General join hands with the American complainant in a court of law, rather than to come in and to veil the identification of the supposed accuser?

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I am delighted to yield for an answer to the gentleman from New York.

Mr. RYAN. Does not the gentleman believe that the Attorney General should do everything possible to desegregate the schools in the South?

Mr. SWEENEY. I certainly do agree but we must give the Attorney General encouragement along those lines without destruction of constitutional concepts.

Mr. RYAN. That is the purpose; to give the Attorney General the power to do it. The power of the Federal Government to desegregate schools and public facilities should not depend upon the bravery of an individual citizen.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The question was taken; and on a division (demanded by Mr. RODINO) there were—ayes 99, noes 75.

Mr. RODINO. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WHITENER and Mr. RODINO.

The Committee again divided, and the tellers reported that there were—ayes 132, noes 104.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Chairman, I offer an amendment and ask unanimous consent that the reference to the subtitle shall be changed to 305(a) instead of 601(a).

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. WHITTEN: On page 80, following line 3, add a new subsection 305(a) as follows:

"In any case where any official of the Department of Health, Education, and Welfare or other Federal employee shall demand of any school or school board or other school body having supervision of any local public school, that such school authorities take any action not required by the Civil Rights Act of 1964 or by this act or other Federal law as a condition precedent to the allocation of Federal funds, the Attorney General upon being notified shall institute in the name of the United States a civil action or other proceeding to enjoin such Federal official or other official or employee from continuing such demands and to require the release of all Federal funds withheld from such school."

Mr. WHITTEN. Mr. Chairman, this is the amendment I read to you a few moments ago. In a nutshell this amendment provides that if the Office of Education or any of its employees requires more than the law requires as a condition to the release of funds or, in other words, holds up funds because of demands which exceed the demands of the law, upon the Attorney General being notified, the Attorney General shall file suit against such Federal employee and seek an injunction against such demands and obtain such other order as may be necessary to make the Office of Education release the funds.

Mr. Chairman, let me repeat again, all this amendment does, is to grant relief if money is withheld because of the rules of the Office of Education which go beyond the law. The Attorney General, upon being notified, shall institute proceedings to see that the funds are released.

It is simple. It is plain. It will work.

Mr. Chairman, I say again as much as I oppose the law, this amendment does nothing to change the requirements of the existing law but it would prevent the Office of Education from making effective demands in excess of the law, and thereby deprive schools of funds to which they are entitled.

If you notify the Attorney General that such is the situation, under this amendment, he would be required to institute a suit to see that the money is allocated.

Mr. Chairman, I hope you will support the amendment.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield to me?

Mr. WHITTEN. I am glad to yield to my colleague.

Mr. ABERNETHY. Mr. Chairman, as I understand the amendment, it provides that the Attorney General represents whichever side the law is on.

Mr. WHITTEN. It might be said that way. Under existing law the Attorney General represents the complaining party where certain things are not carried out. Under my amendment, if the Office of Education is requiring more than the law requires, the Attorney General, upon being notified, would have to use his good office to correct a bad situation and see that the money is allocated and would thereby be representing the side which is in the right.

Mr. ABERNETHY. It just makes the Attorney General available to both sides when the circumstances are appropriate.

Mr. WHITTEN. That is correct. It stops the Office of Education from going beyond the law of the Congress and wrongfully withholding funds.

Mr. Chairman, again this amendment does not limit either this act or other acts and will apply only where some Federal employee requires as a condition precedent more than the law requires before he will release money due to schools.

Mr. Chairman, I hope the amendment is adopted.

Mr. RODINO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, evidently the intention of this amendment is really to gut the very purposes of title VI.

There are ample remedies already in the law which deal with the situation the gentleman refers to. I think it is clear now that the gentleman certainly does not intend by this amendment to preserve the right of the Attorney General to protect against certain areas of discrimination but would rather restrict the right of the Attorney General to do so.

Mr. Chairman, for that reason I urge the defeat of the amendment.

The CHAIRMAN pro tempore (Mr. KEOGH). The question is on the amendment offered by the gentleman from Mississippi.

Mr. POOL. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WHITTEN and Mr. RODINO.

The Committee divided, and the tellers reported that there were—ayes 81, noes 118.

So the amendment was rejected.

The CHAIRMAN pro tempore. The Clerk will read.

The Clerk read as follows:

TITLE VII—PRESERVATION OF ELECTION RECORDS

SEC. 701. Title III of the Civil Rights Act of 1960 (42 U.S.C. 1974–1974e) is amended by adding at the end thereof the following new section:

"SEC. 307. Any officer of election or custodian required under section 301 of this Act to retain and preserve records and papers may petition the Attorney General to permit the destruction, prior to the retention period specified in this Act, of ballots, tally sheets, or other materials relating to the casting or counting of votes. Such petition shall set forth the grounds on which destruction is sought and shall be supported by such additional information as the Attorney General may require. If in the judgment of the Attorney General the destruction of these materials will not hinder, prevent, or interfere with the accomplishment of the purposes of this Act and of the Civil Rights Acts of 1957 and 1964, and the Voting Rights Act of 1965, he may grant the petition in whole or in part, and upon such terms and conditions as he may prescribe."

AMENDMENT OFFERED BY MR. RODINO

Mr. RODINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RODINO: On page 80, line 18, strike "gorunds" and insert in lieu thereof "grounds on which destruction".

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. POFF. Mr. Chairman, I move to strike the last word.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Illinois.

Mr. COLLIER. Mr. Chairman, I thank the gentleman from Virginia.

We are reaching the end of the longest debate on this floor in the recent history of the Congress. Very shortly we will be voting on a bill which has consumed some 12 days of debate.

I would only bring to the attention of this House at this time the remarks of Dr. Martin Luther King. I suggest we mark them well, when we cast our vote

today. I quote verbatim what he said on an NBC broadcast at 9 a.m. on August 9, and on the 6 p.m. news on August 8. Referring to title IV, which I understand may be embraced in a recommittal motion, Dr. King said:

> I am very unhappy about the bill, and I do not think the bill is even worth passing like it is.

Then on another point, referring to the same section of the bill, Dr. King went on to say:

> It will increase the despair, it will increase the discontent, and at the same time it will increase the possibility of violence.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Washington.

Mr. PELLY. Mr. Chairman, in previous remarks during the consideration of this 1966 civil rights legislation, I addressed myself to the issue of racial discrimination in the sale or rental of housing. In other words, I expressed opposition to title IV, the open housing section.

Since then, Mr. Chairman, a so-called clarifying amendment to that title was adopted, dealing with housing.

As I understand, the language of the bill now provides that it is the policy of the United States to prevent discrimination on account of race or religion, and so forth, in the purchase, rental, leasing, financing, and use and occupancy of housing. This policy will apply to the sale or rental of private housing, with two exceptions: a person selling his house without a real estate agent would be excluded, except where he had within a period of 12 months, been involved in more than two house sales or rentals; or, secondly, where this person used a real estate agent, he could be excluded and his agent excluded, providing he gave express written instructions that he wished to discriminate—and, further, provided the written instructions to discriminate were not induced by the agent.

The point I want to make is—why have exceptions? If it is morally wrong to discriminate, why the compromise to allow two sales or rentals before banning discrimination?

The inclusion of the real estate agent's exemption is hardly protection against charges of discrimination. That hardly lets the real estate agent off the hook.

But, as I say, why any exemptions? Does that justify taking property rights, which this bill certainly does do?

The Constitution, which I, as a Member of this House, am sworn to uphold, guarantees property rights. I cannot see how the Congress can pass a law to take away the right of private property as an inherent and inalienable right. Exemptions make the issue more—not less—flagrant. You may sin twice under this title, but not three times. And a real estate agent cannot sin unless instructed in writing by a property owner; provided the agent does not encourage the owner to order him to discriminate.

I support civil rights and oppose discrimination. I favor the other sections of the bill, to further protect the constitutional rights of Negroes and other minority groups.

But, in protecting those rights, this Congress should not take away the other basic constitutional rights of all people in the name of civil rights.

I, for one, believe it is wrong to destroy one person's right—the right to own, enjoy, and dispose of private property—in order to protect the rights of others.

Mr. Chairman, once, in Seattle, the mayor's civic unity committee, trying to obtain housing for a minority group family, asked me if I would object if my neighbor rented or sold his home to a member of another race. The answer was "No." I told them I had no objection. That was my personal feeling.

Today, I live in an integrated residential district; and, incidentally, property values are not, as a result, depressed. So this is not a personal problem with me.

All I ask is that my neighbors live respectably, maintain neat yards, and keep up their property, whether they are white or black.

I say this only to point up that racial prejudice has no influence on my opinion, which is simply a deep conviction that no law should violate property rights.

But, I do emphasize that the Federal Government has a right and a solemn obligation to see that where Federal money is involved, there should be no discrimination on account of race, color, creed, or national origin.

That is a different matter. I hope that distinction is clear.

Where the Federal Government finances or guarantees any housing, there can be no exemptions or discrimination in buying or selling, or loaning, or of any nature whatsoever.

The Government may and, indeed, must require regulations to prohibit its money or credit from being used in transactions by owners or agents or by anyone in a discriminatory way. Please, Mr. Chairman, let me get that straight.

On the other hand, where a homeowner controls his own property and the Federal Government is not a party to a transaction, then I think he has a right to sell to anyone he pleases, and that is why I voted to strike title IV and why, in all conscience, I intend to cast my first vote against a civil rights bill—if title IV remains in this bill on final passage.

Mr. HUTCHINSON. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Michigan.

Mr. HUTCHINSON. Mr. Chairman, as we bring this historic debate to a close, and view the end-product of our labors, we will all agree that it is as complex as it is controversial. Made up of eight titles, the bill concerns itself with issues as diverse as the procedures for Federal jury selection and a prohibition against assignment of children to achieve a racial balance in the public schools. The bill creates a sizable list of new Federal crimes, but among them is an antirioting statute, so needed in this day of civil strife. The bill places in statute law additional tools for enforcement in a field where there is already an abundance of remedies available. They need only be pursued.

But complex and far-reaching as this bill is, the issue which has captured public attention is open housing. A man's home is his castle and he has the highest right to do with it and dispose of it as he chooses, doing no injury to his neighbor. The people are greatly disturbed, and race riots plague our cities because of a fear that right might be destroyed.

In the bill's amended form the right of a homeowner to sell his house to whom he pleases has been preserved. He may sell it to whomever he chooses, either directly or through a real estate agent. Not only may he sell one dwelling; he may sell two in a 12-month period without this bill's interference. Mrs. Murphy may operate her boardinghouse, renting to whom she will. Nor will the strictures of this bill affect a duplex or a three- or four-family dwelling.

The present unfortunate and explosive issue of racial integration in neighborhoods persuades me the better public policy would be to strike the housing provisions from this bill, and to remove the Federal Government from an area of at best doubtful constitutionality. I shall therefore vote to remove these housing provisions from the bill by supporting the motion to recommit. But if that motion to strike these provisions from the bill fails, I shall vote in favor of final passage, nevertheless, because the bill in its present form protects our traditional rights of the homeowner in real estate transactions involving his home.

Mr. WHITENER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as we come to the conclusion of this rather extended debate, as one who has occasionally participated in it, I would like to express to the Chairman of the Committee of the Whole House on the State of the Union my most earnest appreciation and admiration for the magnificent manner in which he has presided throughout our deliberation.

In my brief tenure here in the House of Representatives, I have never seen any greater display of patience, wisdom, and understanding than has been displayed by the distinguished gentleman from Missouri [Mr. BOLLING] as he has worked with us as Chairman of the Committee of the Whole House.

I would say to my good friend, the gentleman from New Jersey [Mr. RODINO], who has been our adversary from the time of the unfortunate illness of our distinguished chairman of the Judiciary Committee, that we appreciate his forbearance in giving to us an opportunity, generally, to have full debate on this bill.

I believe there was only one exception when perhaps we had a difference of opinion about that.

All in all, I am prouder of my membership in this body than I have even been, because of the caliber of the debate on the part of the lawyers and the Members of Congress, who, albeit their opinions may have differed, have approached this matter with earnestness and with

seriousness as they expressed their individual views.

I would hope that all of us would understand we cannot agree upon all of these matters, but certainly I can say to those who have been our adversaries from time to time, that you have been agreeable, and I hope it will always be that way.

(On request of Mr. ALBERT, and by unanimous consent, Mr. WHITENER was allowed to proceed for 5 additional minutes.)

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I appreciate what the distinguished gentleman has said.

The gentleman in the well of the House has been one of the most active participants in this debate. His debate has shown great wisdom and understanding. He has made important contributions to this legislation.

The debate on this bill has been on a very high plane and has been of high quality. The issues have been thoroughly and ably discussed.

I join the gentleman in what he has said about the distinguished gentleman from New Jersey [Mr. RODINO], who has managed this debate skillfully, and about his colleagues on the committee.

I joined all Members who were present just a few minutes ago when the distinguished chairman of the committee returned to this Chamber. His very presence cast a ray of happiness throughout the House. The great dean of the House is also the dean of all those who have advanced the cause of human rights in this country. We salute him and we wish him well. We have missed him. I also congratulate the distinguished gentleman from Ohio, who has always been fair, who has contributed greatly to this debate, and I congratulate his colleagues on the Republican side of the committee.

I certainly join in the tributes which have been paid today, as I did a few days ago, to the distinguished Presiding Officer, for the quality of his performance. The gentleman from Missouri has presided with fairness but with firmness. He has demonstrated great knowledge of the rules of the House, and this demonstration in turn has reemphasized the importance of the orderly conduct of legislative business.

I know that we are coming to the close of this debate. We are going to vote on an important bill. It may not be everything that everybody wants it to be, but I believe most people in this country will agree that it represents progress in an important area. Sometimes progress comes slower than some would wish, but I would think that most of us—and most of those who believe in human rights—would feel that this is a step forward and an important step forward in this area.

I appreciate the cooperation of the distinguished leader on the other side of the House. There has been a minimum of differences of opinion on procedural matters during the consideration of this bill.

I believe the whole Chamber can be proud of the performance of the House of Representatives on this occasion.

Mr. WHITENER. I thank the distinguished majority leader. May I join with him in the words of commendation which he expressed to our distinguished chairman of the Judiciary Committee, whom we welcome back so gladly today, and to the gentleman from Ohio [Mr. MCCULLOCH], the gentleman from Virginia [Mr. POFF], and others on the committee on the other side of the aisle.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. For the past 2½ weeks the House of Representatives has been doing a very commendable job in the consideration of a very controversial piece of legislation. The progress which we have made can be substantially attributed to the excellent performance of the gentleman who occupies the chair, the gentleman from Missouri [Mr. BOLLING].

I also wish to welcome back from the hospital the gentleman from New York [Mr. CELLER], the chairman of the Committee on the Judiciary. We have missed him. Most of all we are happy that he is back here on his feet and in the arena again as we come to a vote on this important legislation. He has been ably backed up in his absence by the gentleman from New Jersey [Mr. RODINO] and the others who have carried the ball for the committee bill.

Naturally, I am extremely proud of the tremendously effective job done by the gentleman from Ohio [Mr. MCCULLOCH] and the members of the Committee on the Judiciary on our side of the aisle.

There have been differences. These have been well expressed and ably put forth. I have mixed emotions about this bill. I expressed them concerning title IV. I feel that the motion to recommit should be supported. It will be the motion by the gentleman from West Virginia [Mr. MOORE]. It will seek to strike title IV. I think it should be supported for the reasons that I gave the other day during the debate. Certainly all of us have had an opportunity to say our piece, to express our views, and to vote our convictions.

In this controversial, complex piece of legislation, I hope we can leave the Chamber with a maximum of good feeling despite our differences. I wish to commend the House for the job that has been done even though I have reservations about certain portions of the bill. I hope the legislation will be constructive in the final analysis.

Mr. WHITENER. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. DORN].

Mr. DORN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Chairman, the ownership, sale, and use of private property is fundamental, basic, and essential for the preservation of the American way of life.

Section IV of this so-called Civil Rights Act even with the Mathias amendment will eventually deprive a real estate agency, a building and loan association, and even a homeowner the right to sell or build homes to and for whom he desires to contract with. The Supreme Court will interpret this act to cover every little property owner in the United States.

Mr. Chairman, I never thought I would live to see such a bold, brazen attempt to destroy property rights and individual freedom as is being proposed here in this bill.

The ownership of property has been the primary incentive for the fantastic growth of the United States of America. We have become the arsenal of democracy with the highest standard of living of any country in the history of the world because of our property rights, and free enterprise. It is the desire for property and a profit that motivated our forefathers in crossing the continent, exploring the wilderness, until today our gross national product is approaching a trillion dollars. This is proof to the world of the superiority of our system as fostered by the Constitution and its Bill of Rights. We dare not tamper with that system today.

The basic difference between our philosophy and the red Communist ideology with which we are clashing today in Vietnam is our belief in dignity of the individual, individual freedom, and property rights. We are clashing with this red Communist ideology on the road to Berlin, in Santo Domingo, and throughout the world.

Mr. Chairman, are we to undermine the efforts of our military in the field by the destruction of property rights here at home?

There is nothing more precious to the American citizen than his home. There is nothing of which he is more proud than his home. If we take away his right to sell that home to whomever he pleases then we destroy America and we destroy the individual.

The difference between socialism and totalitarianism and our way of life is that in America the private citizen has certain inalienable rights. High among these is the right to own property and trial by jury.

Mr. Chairman, the Constitution of the United States of America would never have been ratified by the necessary nine States without the assurance that a Bill of Rights would be adopted guaranteeing trial by jury, and ownership of property.

Again, Mr. Chairman, perhaps the major differences between the American dream and Red communism, fascism, and nazism is trial by jury, justice of our courts and judges who are learned and trained in the law. I could not imagine the United States continuing to lead the cause of freedom and continuing to progress with stacked juries, legal decrees

issued by bureaucrats and attorneys general here in Washington who imagine that something is "about to happen."

We hear a lot about the fifth amendment and the right of the accused not to incriminate himself. But the principal provision of the fifth amendment is: guarantee that "no citizen shall be deprived of life, liberty, or property, without due process of law."

This bill if passed will deny our people full use of their property. This bill is an unconstitutional usurpation of guaranteed rights and privileges of full citizenship.

It was these guarantees of property rights, and trial by jury that Madison and the Founding Fathers promised before even the Constitution could be adopted. Thus, in the first Congress Madison spoke for hours on the floor of the House pleading for adoption of the Bill of Rights. Madison was a man of integrity. He kept his word to those who ratified the Constitution with the assurance that a Bill of Rights would be forthcoming, and constitutional government, as we have known it, came into being. For that day we began to progress and grow.

This civil rights bill today follows the one last year. Last year's civil rights bill followed the 1964 bill. This is the third civil rights bill in 2 years. There will be another bill next year. This Congress must stop and refuse to legislate at the whim of the mob. Mr. Chairman, the demonstrators and the mobs are passing this legislation. We are only going through a mock parliamentary session. This act has been written, designed, and was instigated by demonstrators in the streets of America.

Mr. Chairman, I say that the fight here on the floor today is no less important than the struggle for freedom in Vietnam for which our young men are fighting and dying. Here we should legislate in a calm, cool, deliberate, and cautious manner or else this great institution could degenerate into a rubberstamp Reichstag.

We defeated Mussolini, the bombastic dictator, but I well remember that he was reported as having referred to the American Congress as a bunch of parliamentary charlatans. Mussolini's reference to this great body could well become a reality should we become subservient to the mobs in our streets.

I plead with my colleagues today to stand up and be counted. Freedom, liberty, property rights, and the Constitution hang in the balance.

Mr. WHITENER. Mr. Chairman, I yield to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Chairman, I join with my colleagues in expressing my pleasure that our able chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], is back with us. We look forward to having him with us through the completion of the consideration of this important bill on which he has worked untiringly and to which he has given so much of his strength and wisdom.

He has been in the vanguard for many, many years in the cause of civil rights, human rights, and equal justice under law. The warm acclaim accorded him today is well deserved.

Mr. CELLER. Mr. Chairman, I move to strike the last two words.

Mr. Chairman and Members of the Committee, it is very comforting indeed and heartwarming to hear the words expressed concerning my return to the well of the House. In that connection I am reminded of what happened on a very, very cold wintry day when a farmer at about 3 o'clock in the morning had to get up and milk his favorite cow Betsy. It was extremely cold and he went to the barn and pulled out the three-legged stool and he started to milk Betsy. Betsy turned to him and said, "Thank you for that warm hand." May I thank you all for the warm hand that you have offered me here.

I assure you that I missed in the last few days the usual gladiatorial display in this arena. I got a blow-by-blow description from my office, and it made me regretful that I was not present so that I could participate as chairman and floor leader. However, I was given to understand—and that understanding was reaffirmed when I returned here this afternoon—that my good friend, PETER RODINO, the distinguished gentleman from New Jersey, did an excellent job, assisted by BYRON ROGERS, the very fine gentleman from Colorado, and the gentleman from farther west, from California, JIM CORMAN, and other members of the Committee, even including the gentleman from North Carolina, BASIL WHITENER, who tried to row the boat backward a bit. But nevertheless we did make progress going forward.

I cannot let the occasion go by without paying tribute also to that redoubtable and splendid gentleman from Ohio [Mr. MCCULLOCH] who through weeks and weeks of arduous toil during the hearings and the fashioning of the bill gave very excellent service.

Mr. Chairman, I say the same of the gentleman from Maryland [Mr. MATHIAS] and the gentleman from Virginia [Mr. POFF] as well as the gentleman from Florida [Mr. CRAMER] who, likewise, started to row a bit backward but, nonetheless, the gentleman has made a contribution and I want to pay my respects to all of these gentlemen. Also the majority leader [Mr. ALBERT] has been most gracious and kind as has been the minority leadership [Mr. FORD].

Mr. Chairman, I assure the Members of the Committee of the Whole House on the State of the Union that it is very wonderful to get back amongst all of you good people in this House. The like of this House has never been seen in the world's history because as I read history, there has never been a more representative House—representation of the welfare of the Nation and of the rights and liberties of its people. There has never been a forum whose members were more dedicated, where more cordiality and hospitality prevailed than in this very Chamber.

Mr. MATHIAS. Mr. Chairman, I have an amendment at the desk. It adds a new title to the bill.

The CHAIRMAN. It is offered for the purpose of adding a new title?

Mr. MATHIAS. Title VIII.

The CHAIRMAN. The Clerk will report the amendment.

AMENDMENT OFFERED BY MR. MATHIAS

The Clerk read as follows:

Amendment offered by Mr. MATHIAS: On page 81, immediately after line 3, insert the following new section:

"Annual reports, section 801(a): The Attorney General shall submit to the Congress and to the President an annual report concerning the enforcement of any activities undertaken pursuant to this section."

The CHAIRMAN. As the Chair understands the reading of the amendment, this is, in fact, an amendment to title VIII, to add a new section, line 3, to title VIII?

Mr. MATHIAS. Mr. Chairman, this is a substitute for title VIII and renumbers the existing title VIII. Page 2 of the amendment says to renumber the following section accordingly.

The CHAIRMAN. The Chair believes that it should be offered after title VIII has been read.

Mr. MATHIAS. Mr. Chairman, I shall withhold the amendment.

The CHAIRMAN. The gentleman from Maryland withholds the amendment.

AMENDMENT OFFERED BY MR. RESNICK

Mr. RESNICK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RESNICK: On page 81, after line 2, insert the following:

"TITLE VIII—PROFESSIONAL SOCIETIES AND ASSOCIATIONS

"SEC. 801. Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000) is amended as follows:

"'(a) Section 701 (a) of 42 U.S.C. 2000e (a) is amended by inserting "professional societies or organizations," immediately after "labor unions,".

"'(b) Section 701 (b) of 42 U.S.C. 2000e (b) is amended by substituting for the phrase "other than a labor organization" the phrase "other than a labor organization or a professional society or organization."

"'(c) By inserting at the end of section 701 the following:

"'"(j) The term professional society or organization means any association of individuals engaged in the same vocation, occupation, business, or employment in the service of the public with the purpose of (1) governing the conduct of the members of the association in their public service, and/or (2) establishing or approving the standards of the education and training of those engaged in said vocation, occupation, business or employment, and/or (3) in cooperation with governmental agencies in determining the competency of those engaged in the same vocation, occupation, business, or employment to serve the public, and/or (4) in any manner tending either to encourage or discourage the pursuit of said vocation, occupation, business or employment by any individual."

"'(d) Subsection (c) of section 703 of the Act (42 U.S.C. 2000e–2) is amended by re-

designating paragraphs (1) through (3) as paragraphs "A" through "C", respectively, by inserting "(1) immediately after "C" and adding at the end thereof the following: "(2) It shall be an unlawful employment practice for a professional society or organization to exclude or expel from its membership or otherwise discriminate against any individual because of his race, color, religion, sex, or national origin".

"'(e) Subsection (f) of such section 703 is amended by inserting "professional society and organization," immediately after "labor organization,".

"'(f) Subsection (j) of such section 703 is amended by inserting "professional society or organization," immediately after "labor organization,".

"'(g) (1) Subsection (a) of section 704 is amended by inserting "or a professional society or organization" immediately after "labor organization".

"'(2) Subsection (b) of such section 704 is amended by inserting ", professional society or association" immediately after "labor organization" the first place where it appears and (B) by inserting "or professional society or association" immediately after "labor organization" the second place where it appears.

"'(h) Section 706(a) is amended by striking out "or labor organization" each place where it appears and inserting in lieu thereof "labor organization, or professional society or organization".

"'(i) (1) Subsection (c) of section 709 is amended by striking out "and labor organizations" the first place where it appears, and inserting "labor organization, and professional societies or associations"; by striking "and joint labor-management committee" the first time it appears and inserting immediately after "labor organization" the second time it appears "joint labor-management committee and professional societies or associations"; by striking "or joint labor-management committee" the first time it appears and inserting immediately after "labor organization" the third time it appears "joint labor-management committee and professional societies or associations"; by striking "or joint labor-management committee" the first time it appears and by inserting immediately after "labor organization" the third time it appears "joint labor-management committee or professional societies or associations;" by striking out "or labor organization" the first time it appears and by inserting immediately after "employment agency" the third time it appears "labor organization or professional societies or associations".

"'(2) Subsection (d) of section 709 is amended by striking out "labor organization or joint labor-management committee" each time it appears and by inserting "labor organization, joint labor-management committee or professional societies or associations" immediately after "employment agency" each time it appears.'"

Renumber the following title and sections accordingly.

Mr. RESNICK (during reading of amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. EDWARDS of Alabama. Mr. Chairman, I object.

The Clerk concluded the reading of the amendment.

Mr. EDWARDS of Alabama. Mr. Chairman, I reserve all points of order against the amendment.

The CHAIRMAN. The Chair would suggest that the gentleman make his point of order.

Mr. EDWARDS of Alabama. Mr. Chairman, I would like to reserve the point of order, if I may.

The CHAIRMAN. The gentleman from Alabama reserves all points of order against the amendment offered by the gentleman from New York.

The gentleman from New York is recognized in support of his amendment.

Mr. RESNICK. Mr. Chairman, this amendment would bring professional societies and associations—as defined in the amendment—under the broad umbrella of employment rights in title VII of the Civil Rights Act of 1964, the equal employment opportunity title. This would mean that in addition to the numerous persons and groups listed in title VII, professional associations would also be prohibited from discriminating because of race, color, religion, sex, or national origin.

Specifically, the amendment would make it an unlawful employment practice for a professional group to exclude or expel from its membership or otherwise discriminate against any individual because of his race, as is the current practice.

I want to make it very clear that this amendment does not affect the exemption, explicitly stated in the 1964 act, of a "bona fide private membership club." The "private club" exemption refers to things like golf clubs and fraternal organizations.

A professional association, on the other hand, stands in relationship to its profession as does a union to its trade. The Congress in its wisdom noted that a union which discriminated in its membership practices effectively prevented Negroes from working on an equal basis with whites who were union members. So, title VII was passed, prohibiting just such discrimination.

Today, in order for a young man or woman to make good his or her investment of education and money spent preparing for a professional career, he or she must be a member of the professional group which governs that profession. But the young Negro, encouraged by the passage of the equal employment opportunity title 2 years ago, finds the professional associations unwilling to give him membership.

The typical professional organization is not simply a private guild, dedicated to the furtherance of its members' interests. It accredits courses of training, sets standards for entry into the profession, and serves as the communications medium for the evolution and development of the profession. Also, through some sort of a county-State and national network the typical association handles transfer of certification from one place to another. The typical professional organization is not a private club, it is a public or at least quasi-public organization and as such cannot be permitted to discriminate.

The American Medical Association, a prime example, acknowledges that it and other professional associations are subject to the provisions of title VII.

Almost 1 week ago I took the floor to address myself to some of the products of discrimination by professional societies; the AMA, in particular, of discriminating against Negroes at the local, State, and county levels. I listed just a few of the terrifying statistics on Negro health care in the South, and I attributed this national scandal to the unwillingness of the AMA to take even the smallest action which might allow the influx of needed Negro physicians in the South.

Since I made these remarks I have been contacted by many, many doctors—both Negro and white—supporting the amendment I offer today. Many of these same doctors told me of their personal grievances, of the bigotry and harassment they faced trying to practice in the South. But in all this time there has not been one letter, or telegram, or telephone call—not, in fact, one syllable from the AMA denying the charges. In the past the AMA has never been noted for its silence on public matters. No one knows—or will ever know—how many millions of dollars the AMA spent fighting against decent medical care for our elderly. But strangely enough, on this issue the AMA remains silent. And that silence is the silence of the guilty when everyone knows the truth and nothing except a full confession will be believed.

I suggest that we spare the AMA and the other professional organizations the pain of a public confession. We know the truth. I respectfully urge the acceptance of this amendment as a necessary remedy to the inequality of opportunity still faced by far too many in this Nation.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I yield to the gentleman from Michigan.

Mr. CONYERS. I think we owe the gentleman from New York a debt of gratitude for offering an amendment which touches upon an area that has not previously been covered. In all fairness, the gentleman's amendment proposes to effectively eliminate the barrier of inequality which professional organizations have not removed. Is that correct?

Mr. RESNICK. That is correct.

The CHAIRMAN. The Chair will now entertain the point of order reserved by the gentleman from Alabama. Does the gentleman insist upon his point of order?

Mr. EDWARDS of Alabama. Mr. Chairman, I make the point of order that the amendment is not germane, that it seeks to inject private organizations into a bill, the title of which makes it clear that public organizations only are involved. I insist upon my point of order.

The CHAIRMAN. Does the gentleman from New York desire to be heard?

Mr. RESNICK. Yes; I desire to be heard at this time.

Mr. Chairman, this bill is an omnibus civil rights bill. It covers a wide variety of activities in the civil rights and human rights field. In addition, the bill in

many places would amend titles of the Civil Rights Act of 1964. It does not do it in 1 place; it does not do it in 2 places; it does it in 17 places. The amendment, very simply, would amend it in still another place. Therefore, I believe my amendment is germane and is not subject to a point of order.

The CHAIRMAN. The Chair is ready to rule.

The gentleman from New York [Mr. RESNICK] offers an amendment which proposes the addition of a new title VIII to the pending amendment in the nature of a substitute. The gentleman's proposal would further extend the writ of the Civil Rights Act of 1964, an act which is elsewhere amended in the proposal before the Committee, to prevent discrimination in the membership of certain professional societies and organizations. The Chair has examined the amendment and the provisions of existing law it amends. In view of the fact that the pending bill amends several laws dealing with the subject of civil rights, including the Civil Rights Act of 1964, and is comprehensive in its scope, touching on various aspects of civil rights, the Chair feels the amendment offered by the gentleman from New York is germane. He therefore overrules the point of order.

The question is on the amendment offered by the gentleman from New York [Mr. RESNICK].

The amendment was rejected.

Mr. HALL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Chairman, I have before me a copy of the amendment proposed by the gentleman from New York, regarding professional societies and associations, his remarks in the well of the House, and the context of the proposed amendment.

Were I not present for many facets of the debate on H.R. 14765, I could not bring myself to believe some of the fanciful dreams put forward in amendments thereto. Quite aside from the issue of civil rights, I am concerned deeply with what is apparently a hurriedly prepared amendment, attempting to define what a professional society or organization means. I am sure the Members of the Committee appreciate that a definition of this kind affects every professional society and organization in America, cutting across the entire spectrum of professional people, whether they be lawyers, physicians, architects, engineers, dentists, or others. Such an amendment certainly deserves full, open, and adequate hearings, with opportunity for all to examine the definition for the many consequences involved. Surely the leadership on both sides could not seriously recommend that this matter be so lightly treated, especially in view of the fact that nowhere else in the statutes, or the United States Code will be found a definition of professional society or professional organization.

Mr. Chairman, as to the context of the proposed amendment, it is obviously hastily drawn, there are many errors in the spelling, and I would like to ask why, on page 1, the definition of professional is totally incomprehensible as a proposed law because of the "ands/ors" so that it would be impossible to determine the meaning in a court of equity or justice.

It cannot be determined by reading the definition whether subsections (1), (2), (3), and (4) are to be read in the conjunctive or disjunctive.

Furthermore, I cannot help but wonder why the gentleman has made reference to title 42 of the United State Code in the first page, and sections of the amendment, including the top few lines of the second page, and omitted it in the others. This is why it was insisted that the entire proposal be read. Subsequent references to title 42 of the United State Code are omitted.

Mr. Chairman, where is section (G) (2) (A)? I might add, why are paragraphs (1) through (3) of section 703 redesignated as "A" through "C" by paragraph D of the amendment? The copy available to me does not designate that all subsequent title, sections, and paragraphs will be renumbered accordingly. There is considerable question as to whether or not the general statute should not be amended on the floor during the close of the legislative debate, such as we have had the past 3 weeks on the civil rights bill of 1966, instead of a specific code with confusion as to whether it is that from the civil rights bill of 1960 or 1964.

For all of these reasons, but principally, Mr. Speaker, because of the danger in defining professional societies in the section of the bill, I call for the defeat of the amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VIII—MISCELLANEOUS

Authorization for appropriations

SEC. 801. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 802. If any provision of this Act is held invalid, the remainder of the Act shall not be affected thereby.

AMENDMENT OFFERED BY MR. MATHIAS

Mr. MATHIAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATHIAS: On page 81, immediately after line 3, insert the following new section:

"ANNUAL REPORT

"SEC. 801. (a) The Attorney General shall submit to the Congress and to the President an annual report concerning enforcement of, and activities undertaken pursuant to, this Act and all other laws of the United States designed to prevent discrimination on account of race, color, religion, sex, or national origin. Such report shall contain information concerning the activities of all departments, agencies, boards, commissions, instrumentalities, and establishments of the United States, relating to the prevention of discrimination on account of race, color, religion, sex, or national origin, including complaints received and the disposition thereof.

"(b) Each department, agency, board, commission, instrumentality, and establishment of the United States shall cooperate with the Attorney General to effectuate and carry out the provisions of this section. Nothing in this section shall be deemed to preclude submission to the Congress of reports of activities under any other provision of law.

"(c) The Attorney General shall submit the report required by this section as soon as possible after the close of each fiscal year but no later than September 15 of each year. The first such report shall be due not later than September 15, 1967."

And renumber the following sections accordingly.

Mr. MATHIAS. Mr. Chairman, there has been no subject before the Congress in the last decade to which as much attention has been given, and in which as much achievement has been gained, as civil rights. Starting with the historic Civil Rights Act of 1957, we have enacted major, progressive legislation on an average of every 2 years. It is perhaps fitting that our discussion of the civil rights bill of 1966 has occupied more of our time in debate than any other measure in the last half century.

Civil rights legislation of the past 10 years has had wide impact on the operations of the Federal Government. Federal activities under title VI of the 1964 act alone involve most of the departments and agencies of the Federal Establishment. The powers given the Attorney General under a number of statutes to bring suit to secure or insure nondiscrimination have produced a large number of court actions. They have also produced many Government-initiated negotiations in which situations have been ameliorated short of litigation. They have produced, too, many appeals by private citizens of groups to the Attorney General to use his good offices to secure correction of racial injustices.

The Congress hears too little of the widespread activities undertaken under these statutes. Most pertinent data on civil rights is presented in hearings on the current year's legislative proposals. While the Civil Rights Commission is to be commended for its detailed and searching investigations and reports, the Commission's essential function is—and should continue to be—general studies and inquiries into anticipated problem areas, and the assessment of difficulties as they arise. Moreover, the Civil Rights Commission reports, although based on objective considerations, offer essentially subjective conclusions. The purely objective report, consisting largely of statistical data, which is contemplated by this amendment, is not a duplication of the Civil Rights Commission's work or that of any other existing agency.

This amendment is designed to achieve stability and continuity in the legislative consideration of civil rights. The amendment proposes that the Attorney General submit an annual report on enforcement activities under existing laws of the United States. Such a report would provide a vehicle through which the responsible committees—in particular in the House, the Committee on the Judiciary and the Committee on Education and Labor—might exercise the degree of legislative oversight which is, I

believe, essential to the solution of problems in the civil rights area.

The Department of Justice is clearly the proper department to coordinate such a report. In addition to having the major responsibility for enforcement of civil rights law, the Attorney General generally serves the Chief Executive as his principal adviser in civil rights matters. As the President stated in his message transmitting Reorganization Plan No. 1 of 1966 to the Congress on February 10, 1966:

> Among the heads of Cabinet departments the President looks principally to the Attorney General for advice and judgment on civil rights issues. The latter is expected to be familiar with civil rights problems in all parts of the nation and to make recommendations for executive and legislative action.

Congressional assent to Reorganization Plan No. 1, transferring the Community Relations Service from the Department of Commerce to the Department of Justice, reaffirmed the similar view of the legislative branch as to the duties, responsibilities, and coordinating function of the Attorney General in the field of civil rights.

Mr. Chairman, the debate on this year's bill has shown a need for increased continuity in congressional oversight of civil rights. If this amendment is adopted, we would no longer need to pinpoint acute civil rights problems and provoke discussion only by introducing legislation. By requiring the report toward the end of the legislative year, we could gain the factual background from which to anticipate more accurately the legislative and administrative needs of the following year. We would also gain an overall assessment of Federal accomplishments and experience in civil rights, enabling the Congress to review its enactments with a fuller awareness of their prospects and limitations.

Mr. RODINO. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS. I yield to the gentleman from New Jersey.

Mr. RODINO. Mr. Chairman, what is the purpose of the amendment; what will it accomplish?

Mr. MATHIAS. Mr. Chairman, I believe this amendment will provide for the Congress a statistical, objective report on essentially what is being done to effectuate the intent of the Congress in carrying out these acts. It will be statistical, objective, and factual, as opposed to the more subjective reports which will come from the Civil Rights Commission.

Mr. RODINO. Mr. Chairman, I have no objection to the amendment.

Mr. MATHIAS. Mr. Chairman, I believe there is no objection from the Department of Justice.

Mr. CORMAN. Mr. Chairman, I rise in support of this amendment. I also rise in support of the Mathias amendment, which was adopted to section 403, and to the Cramer amendment, which was adopted to section 502.

It was the clear intention of your Judiciary Committee, in adopting the Mathias compromise, that rights spelled out for homeowners would not be lost because of the homeowner's use of an agent. The record is clear on that point. I urge "yes" vote on this amendment.

The Cramer substitute to the Ashmore amendment, which amends title V, is poorly drafted, difficult to interpret and broader in scope than it should be. But its objective, to bring the power of the Federal Government to bear in curbing riots, is commendable and worthy of support. I hope the Senate will improve the language. I urge a "yes" vote if there is a rollcall on the amendment.

I urge defeat of the Republican leadership's announced motion to recommit with instructions to strike title IV.

I regret that the political party which, historically, has done so much for responsible civil rights legislation, whose very roots are embedded in concern for the plight of Negro Americans, should have taken such an irresponsible position at this point in American history.

First, let me say that without the tireless effort of the gentleman from Maryland [Mr. MATHIAS], and the persuasive and effective leadership of the gentleman from Ohio [Mr. MCCULLOCH], our committee would have been unable to reach a consensus. But we did reach one. We wrote a moderate, effective, badly needed housing section.

For the Republican leadership of the House to oppose that consensus is unfair to the hard-working Republicans on the committee, it is a betrayal of the founder of the Republican Party, and I fear it is an attempt by some to inject race relations into partisan political campaigns. If this be so, it can only add to racial disharmony and in the long run to loss of public support for those who have caused it. I would remind every Member on the other side of the aisle of the admonitions of the gentleman from Maryland [Mr. MATHIAS] and the gentleman from New York [Mr. KUPFERMAN] before he votes for the motion to recommit.

I urge every Member who believes in equal justice under law to vote against the motion to recommit.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. MATHIAS].

The amendment was agreed to.

Mr. HORTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Chairman, as we near the final vote on a bill which has consumed more time than any other bill since the start of my service in the House, I would like to commend my colleagues on a thorough and fair debate of this complex proposal. Having participated fully in the debate on every title of this bill, I have made my decision to vote in its favor.

Even before the administration proposed H.R. 14765 in its original form, I had introduced H.R. 13340, a comprehensive civil rights law enforcement bill with sections paralleling most of the titles in the bill now before us. Although some changes have been wrought by the Judiciary Committee and on the House floor, the compromises made are well within the scope of my support for legislation in this area. Some sections of H.R. 14765 contain improvements in present law which are urgently needed if we are to have order and justice in this Nation.

Subsequent to my introduction of H.R. 13340, I submitted H.R. 15530, the Civil Rights Crimes Act which constitutes a needed clarification and strengthening of the Federal law against interference with a citizen's exercise of his constitutional rights. I am pleased that a title of H.R. 14765 accomplishes this purpose in much the same way as my proposal.

Although the civil rights bill I submitted last winter did not contain a fair housing section, I was most attentive to our debate on title IV of H.R. 14765, and I feel that I can support this title as amended by the committee and on the floor.

I voted for the amendment to the fair housing section of the bill, which would permit a real estate agent acting at the instruction of a seller to employ the same standards as those available under law to the seller acting individually. It would be an economic injustice to the real estate industry, in my view, if the individual seller had an exemption not available to real estate agents working in his behalf.

When final action is taken on the fair housing section, I plan to vote for the provision as I did for the clarifying amendment. It respects individual property rights because it does not affect the rental or sale of an individual's home. Further, while its coverage is less than New York State law, and similar laws in some other States, I feel it can help assure housing for minorities in sections of the country which have no antidiscrimination law on the books.

This bill reflects congressional conviction that where States or localities have not acted to end housing discrimination, there should be a Federal remedy.

Mr. BOW. Mr. Chairman, I move to strike the requisite number of words.

I take this time, since we are on the title which provides for authorizations for appropriations, to make inquiry of the chairman of the committee or the distinguished ranking minority member as to whether they can give us some idea which will be helpful to us in regard to appropriations if this bill should pass, as to what the cost of the bill is going to be.

Mr. CELLER. Those figures have already been placed in the RECORD. The cost would run approximately $12 million.

Mr. BOW. Can the gentleman tell us how many additional assistant attorneys general we are going to need if the bill becomes law?

Mr. CELLER. I shall be glad to read the letter. The letter, however, does not specify the number.

The communication I received gives round figures as to the cost of the various titles. I shall be glad to read the entire letter.

Mr. BOW. I would appreciate it very much if the gentleman would do so.

Mr. CELLER. Very well:

U.S. DEPARTMENT OF JUSTICE,
OFFICE OF THE DEPUTY
ATTORNEY GENERAL,
Washington, D.C., July 29, 1966.

Hon. EMANUEL CELLER,
Chairman, Judiciary Committee,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for information concerning the cost to the United States of the various provisions of the proposed Civil Rights Act of 1966.

The preliminary cost estimates and estimates of the number of man-years to be expended in connection with the administration and enforcement of the various provisions of the Act were computed on the basis of the provisions of H.R. 14765 as reported out of your Committee on June 30, 1966.

That does not take into consideration, of course, whatever additional cost would be involved in any amendments that have been appended to the bill.

The Deputy Attorney General also says:

The total annual average cost is estimated to be about $12,769,725. Of this total, $7,250,000 will be for the increase in fees for witnesses ($2,250,000) and increases in fees for jurors and jury commissioners ($5,000,000) provided in Title I.

Of the remaining sum, $808,725 (56 man-years) is for the Department of Justice to perform its additional and increased enforcement responsibilities. The Department of Justice must act to assure non-discrimination in Federal and State jury selection and service under Titles I and II, to provide for the protection of constitutional rights under Title III, including the bringing of civil suits for injunctive relief; to end the practice of discrimination on account of race, color, religion, or national origin in the sale or rental of certain housing under Title IV; to provide for the further protection of persons participating in activities protected by the Constitution and Federal Law in Title V; and to further the desegregation of schools and public facilities under Title VI.

The sum of $2,601,000 is allocated to the Department of Housing and Urban Development to carry out its responsibilities under Title IV, Fair Housing. Of this, $2,101,000 (160 man-years) is for investigating and processing complaints; $500,000 is for studies and technical assistance. The remaining $2,110,000 (125 man-years) is for the Fair Housing Board created by Title IV.

These, then, are the components upon which the total estimate is based. In some instances it is anticipated that enforcement initially will require a larger commitment of personnel than is indicated by these averages. In others it is anticipated that the number of persons required will increase over time. We have endeavored to reflect these projections in the average figures discussed above. More detailed estimates projected for a five-year period as required by Public Law 84–801 will be provided to the Congress in due course.

Sincerely,

RAMSEY CLARK,
Deputy Attorney General.

Of course, the amendment just adopted, offered by the gentleman from Maryland, provides for additional studies. We do not know what that would cost.

The letter I have just read gives a fairly clear idea of what the total cost would be and the breakdown so far as they could evaluate it at that time.

Mr. BOW. I thank the distinguished gentleman from New York. May I say I am delighted the distinguished gentleman is here on the floor today to be able to respond to my question.

Mr. STRATTON. Mr. Chairman, I rise in support of this legislation, the Civil Rights Act of 1966. During the 8 years I have been privileged to serve in this House, I have consistently supported legislation to end discrimination by reason of race, religion, color, national origin, or sex. And I am pleased to support this bill before us here today as one more step in the direction of the full equality envisioned in the Declaration of Independence and specifically incorporated into the Constitution in the 14th and 15th amendments.

I am sure, Mr. Chairman, that this legislation is not perfect. It goes beyond what some people would like to see and it doesn't go as far as others would like to see us go. There was a time, Mr. Chairman, when I had the feeling that if we would just pass one more piece of legislation we would have pretty much licked our problem of civil rights. Many of us, I daresay, had that feeling last year, with the voting rights and public accommodations legislation—of which I was a cosponsor—that we had gone about as far as one could go legislatively in this field, and that from there on we would just have to let these bills work their way through the fabric of our society where discrimination had prevented some citizens from living up to their full opportunities.

But events demonstrated more quickly than any of us had realized, that even with the Civil Rights Act of 1965 we had not yet completed the basic legislative job that needed to be done. We discovered that there were still legal ways to avoid the changes the Congress had thought it had made. We found, for example, that crimes of violence against civil rights supporters, even clergymen, teachers, women, were going unpunished in local State courts of law in the South. We found that to some extent this result stemmed from a continuing practice of racial discrimination in local juries.

And so two of the major sections of this bill became necessary, titles I and II, to end discrimination in the selection of juries in both Federal and State courts, and title V, to make it a Federal crime to injure or to interfere with anyone because of his race, color, origin, or national origin, where he is exercising his rights as an American citizen.

In addition, this bill includes another title designed to eliminate discrimination in the sale or rental of housing. This is the title that has created the greatest controversy during debate on this bill. But as the title emerged from the committee, and as it has been amended here during our floor debate by the Mathias amendment, I believe it represents a fair and reasonable approach toward making our society truly free of inequality. I would point out to my colleagues that the present formulation of the open housing provision of this bill, title IV, is not even as strong as what has been the law in my home State of New York for many years. Yet, our experience in New York State has not in any way borne out the dire predictions of those who have opposed legislation in this particular field, any more than it has overnight eliminated the ghetto. In this field, as in too many others, we in New York State have led the way, and this bill will mainly have the effect of bringing other States up to the practices and procedures we in New York State have followed successfully for some time.

One cannot help but observe, Mr. Chairman, that this bill has been considered at the very time that racial riots were going on in a number of communities. Those of us who support civil rights legislation can only deplore such riots. They delay, not advance, the cause of civil rights. Those who incite to such riots harm the community and the basis of law on which our Nation and our society has been constructed. For this reason I supported the Cramer amendment to deal as effectively with those who would incite to racial riot as we propose to do with those who harm and even kill persons because of the color of their skins.

Mr. Chairman, we have worked long and hard on this bill. It will leave this Chamber as a truly bipartisan legislative product, particularly because of the efforts of the gentleman from Ohio [Mr. MCCULLOCH], the gentleman from Maryland [Mr. MATHIAS], and the gentleman from Florida [Mr. CRAMER]. Because of this strong bipartisan support I sincerely hope that we may look for early action, on a similar bipartisan basis, in the other body.

Mr. MACHEN. Mr. Chairman, I regret that I must vote against this bill in protest to the way this matter has been handled. My strong opposition to title IV leaves me no choice but to vote against any bill that incorporates it.

I have been an advocate all my life and as such I am sympathetic to those who have urged their cause upon the Congress. There certainly are many in the civil rights movement who have demonstrated their sincerity and sense of responsibility and thus have achieved much progress.

However, today, the threat of riots and violent rebellion hangs over the Congress should they not pass a bill including title IV. This is a particularly vicious type of blackmail and should the Congress yield under this pressure I do not believe that the dignity of this body can ever recover.

Furthermore, I have grave questions over the possible results of this legislation. I have listened with a great deal of interest to my colleagues from the great northern cities who have urged the passage of "the strongest possible" bill in order to eliminate ghettos. I find this an ironic observation since the largest ghetto in the United States exists in New York City in a State with a strong "open occupancy" law.

In all my correspondence and in many public statements I have indicated my support of the other titles of this bill but have steadfastly opposed title IV. I am still in support of the remainder of the bill as amended on the House floor and believe that it is a step in the right direction. However, it is my opinion that

sending the bill to the Senate with the inclusion of title IV will mean the certain death of the legislation. Unless, as I sincerely hope, the other body, in its wisdom, sees fit to strike the housing provision and thereby returns it to us. I would then take great pleasure in casting an "aye" vote for the remaining provisions of the Civil Rights Act of 1966.

Mr. SCHMIDHAUSER. Mr. Chairman, the current debate on the civil rights bill includes a number of basic issues that have been the subject of controversy in our American society for some time. Controversy over title IV has often been described as involving a conflict between the right to property and the great principle of equality under law which is basic to the American constitutional system. There is little question on a historical basis regarding the power of the Congress to act positively in this area. What is often overlooked in this debate is that the invocation of fundamental constitutional rights has on previous occasions been given priority in the constitutional scale of values although the road to equality has been long and difficult.

Supreme Court Justice Gabriel Duvall, the first Justice appointed by President Jefferson to the Supreme Court, invoked in 1813 one of the most eloquent arguments on this matter. The early case of *Mina Queen and Child* v. *Hepburn*, 7 Cranch 290 (1813) concerned a claim for freedom of a slave based on the contention that one of her ancestors possessed freedom. Given the climate of opinion at that time, the claim was rejected by a majority of the Supreme Court on the grounds that hearsay evidence is not admissible in proving the freedom of a slave's ancestor.

Justice Duvall pointed out in his dissent that—

> The reason for admitting hearsay evidence upon a question of freedom is much stronger than in cases of pedigree or in controversies relative to the boundaries of land. It will be universally admitted that the right to freedom is more important than the right of property. And people of color from their helpless condition under the uncontrolled authority of a master are entitled to all reasonable protection.
>
> A decision that hearsay evidence in such cases shall not be admitted, cuts up by the roots all claims of the kind, and put a final end to them, unless the claim should arise from a fact of recent date, and such a case will seldom, perhaps never, occur.

Duvall's courageous dissent underscored a principle accepted as part of our constitutional fabric with the adoption of the 13th, 14th, and 15th amendments to the Constitution of the United States. Duvall argued that the right to freedom supersedes the right to property. So here, in modern America in the mid-1960's, in fulfillment of our constitutional imperative of equality before the law, discrimination based upon race must give way to equality of opportunity in housing as well as in other fundamental areas of our social system.

Mr. HANSEN of Idaho. Mr. Chairman, I sincerely support the general objectives of H.R. 14765 and believe that many provisions of the bill, if administered in a judicious manner, would assist in achieving standards of fairness, justice, and nondiscrimination. I feel as deeply as anyone in this body that justice has no price, in either Federal or State courts. Humanity is precious and individual freedom to move about in society is an inherent right of every soul.

I just say that some provisions of this bill cause me grave concern—title IV, in particular, because it severely infringes upon basic property rights granted to us by the Constitution and alters our basic concept of legal procedure. However, if this specific title can be stricken from the bill or its objectionable features removed I shall support this legislation.

Mr. MOORE. Mr. Chairman, my position with respect to H.R. 14765 is well known to the Members of this body. I have attempted in the most constructive way to point out to my colleagues sound reasons for my position with respect to title IV of this legislation. I have expressed firmly my fears that in enacting title IV that we are invading a province via the legislative route which is secured to the people by the Constitution of the United States. I make no apology to anyone for this position that I have taken even though at times it seems old fashioned to argue that this legislation or any legislation is a violation of our Constitution.

Beyond my fears of the constitutionality of title IV of this bill are serious questions that I have concerning: First, its total effect if enacted on the problem that it seeks to resolve; second, its poor draftsmanship; third, its contradictory language; and fourth, above all, that in its enactment, no one individual in our society will be materially affected by its provisions. In total, it is an empty gesture and a step which I believe we in this Congress will regret. It invites further legislation for next year and the next year and the next year in the same area. Therefore, I feel the long-term consequences of what we do today will return again to us at future sessions of the Congress at which time we will be trying to again legislate in the area of title IV.

Mr. Chairman, more than anything else, those who support this legislation with title IV, I believe, have sacrificed a principle which in the future I feel they will find it difficult to return to and that is a principle that the Federal Government's rights to legislate in this field are very narrow indeed. Title IV in its present form gives away a principle which great numbers of individuals have been fighting to retain during most of their tenure in public life, and that is to prevent the ever mushrooming of the Federal Government, to the extent that what is in our Constitution means little or nothing, whereas by its terms, the people reserve for themselves and the States those matters not specifically granted to the Federal Government.

Mr. Chairman, I shall vote against my first civil rights bill. The parliamentary situation as it is presented to me in order to be eligible to make a motion to recommit and test the question of title IV made it necessary for me to indicate to the chairman that I was opposed to the bill in its present form which I so indicated. I shall for the first time be opposed to civil rights legislation—a legislative area in which all my past activities, and I believe present as well, have been constructive.

Mr. RANDALL. Mr. Chairman, since July 25 and for 12 legislative days thereafter, covering parts of 3 calendar weeks, this House has thoroughly debated H.R. 14765. No one could deny every provision of the bill has been fully and completely considered.

For Members not on the Judiciary Committee it is easy to avoid being on the record with a statement of reasons for their action on the bill. But for a bill so far reaching in its consequences to remain silent would justify an inquiry whether he had any feeling at all about the bill. The oft used expression that a vote speaks for itself, is stretched rather far where more than one vote precedes final passage. For such reasons I think a statement of position is necessary on the several titles of the bill.

Title I is an effort by Congress to legislate in the field of the judiciary. My objection to this and title II is that they tamper carelessly and even recklessly with the most just jury system the world has ever known, in an effort to correct a very limited few of alleged miscarriages of justice whose repetition will undoubtedly be avoided in the future through that strong force known as public opinion. As further objection, it seems to me noteworthy that there has been no expression of approval of this title by either the Judicial Conference or the American Bar Association. It is equally noteworthy that from the many U.S. district judges who have been asked their opinion on title I only a few have stated the title was acceptable.

If title I is not acceptable, then title II is much worse because it provides for Federal intervention in the State jury system by an unwarranted extension of centralized control. This section amounts to Federal control over State jury systems. Although of doubtful constitutionality, clever trial lawyers could obstruct criminal prosecution by alleging some type of discrimination, not merely race, but upon the basis of religion, sex, ethnic groups, economic status, and other bases. These obstructive tactics under title II could be used all over the breadth and width of the land, not just in one section. This day of increasing crime is no time to make it difficult for prosecuting attorneys by imposing procedural obstacles or burdens against the prosecution of crime in our State courts.

Title III, which permits the Attorney General to institute suits on his own without the direct complaint of a citizen who considers himself aggrieved, is a step toward the end of the historic right of the accused to be faced by his accuser. As a practical matter, this title gives far too vast power to the Attorney General. Can anyone, by the stretch of his imagination, see how any one man except the Almighty himself could be capable of discerning and determining when "any person is about to engage in any act or practice which would deprive another of any right"?

Is it possible that we are at last trying to enact into law a provision which makes certain subjective thoughts of a person or his feelings a Federal offense? Title III would call for increased surveillance by an investigator making innumerable investigations in person or else those who administer the act would seek to accomplish the same end by requiring an endless number of reports to be continuously filed waiting for some person to become careless and to be followed by prosecution because of an innocent mistake made in the preparation of a report.

There is enough that is objectionable in title IV to serve as the subject of a full length book. The efforts of those well-meaning Members to water it down do not reduce the basic objections to the title. If the title is unconstitutional the so-called Mathias amendment cannot escape the same judgment. The amendment after all is nothing more or less than title IV in smaller doses. The exemption provided in the Mathias amendment should only serve to emphasize the overall unconstitutionality of title IV. Surely a fewer number of housing units one owns or a lower frequency of sale will not improve constitutionality.

It is my opinion title IV is not constitutional. It violates the guarantee of free association provided in the first amendment. The U.S. Civil Rights Commission as far back as 1959 stated:

> The right of voluntary association is very important.

One can question the reasoning but it has even been suggested by opponents that title IV is in fact an ex post facto law, forbidden by article I of the Constitution because persons who have invested in real estate expecting to retain control over this property find themselves stripped by a subsequently enacted law of all freedom of choice over disposition of their property.

The real objection to title IV is the provision is unconstitutional. It is a frightening abridgment of the rights of the owners of private property. The announced purpose is to eliminate big city ghettos. Regardless of confusion of the terms "slums and ghettos," it is noteworthy that these continue to exist in many of our large cities that purport to enjoy State or city fair housing laws for many years. It is for this reason I suggest title IV may not be able to accomplish what it promises. Quite frankly, it is an effort to cure a particular social ill by moral legislation.

The efforts of proponents of this section to justify its legality is in my opinion pure sophistry. How can it be that a house already built and thereby immovable can be in interstate commerce? No, the constitutionality of title IV cannot be found in the commerce clause nor can it find a home under the 14th amendment. How can there be any violation of the 14th amendment when the protection of that provision of the Constitution does not cover private action unless it should be done under the color of some State statutes or city ordinances.

The opponents of title IV have a strong point when they argue it seeks to accomplish its objectives by the use of force. Perhaps the expression, "forced housing" is not an inaccurate description when in fact freedom of choice is denied in the contractual relations of sale or rental of property. The original proposal applied to every home, apartment, room in a home, and residential land. There followed a great public outcry. It was amended in the Judiciary Committee to exempt owners of four units of less if they live on the premises. This amendment was called compromise. I submit there should be no compromise with principle. Here is a principle at stake. How can it be an owner of a five-unit property is entitled to less protection from Federal harassment than an owner of four units or three or two or those who have only their own home? How is it possible to label a five-unit building as interstate commerce and subject thereby to Federal regulation? The very important question to ask is, How long will it be before the four unit, three unit, two unit, or your own home will no longer be exempted? Opponents of this compromise have referred to it as a "foot in the door," or the "camel's nose under the tent." These descriptions are justified if one takes a moment to consider the expense of defending complaints filed by the Federal Fair Housing Board with power similar to the National Labor Relations Board, as well as the expenses of defending suits brought by the Attorney General. In fact, innocent property owners may be put to the test of proving themselves innocent of thoughts which the bill would make unlawful.

Those who are sincerely concerned about the moral aspects of open occupancy and fair housing should recognize that these ends may be reached by voluntary efforts instead of by coercion. Private action should be used to do the job. Every State real estate association has a special committee on equal opportunity in housing and most of the States have been active in securing the moral aims outlined in this bill.

There have been some commendable attempts by local religious and citizen groups to obtain better housing for minority groups. This is precisely the place where these efforts should be left, in the realm of voluntary action in the various States and localities.

As a Member of Congress I have supported in every instance housing bills which would lead to the solution of the housing problems for minority groups. These cannot be accomplished by title IV. You cannot legislate morality nor economic status. Housing is an economic problem. I shall continue to support provisions for better public housing, and better low-income housing, but I cannot support a measure which converts everyone's own private housing into a sort of public utility with its massive invasion of individual rights. The right to own and freely dispose of ones home is an important bulwark of individual freedom.

Some progress has been made in the past few days in cleaning up the provisions of title V. This title originally provided some outrageous penalties for any act or attempt to deprive a person of his civil rights. But even with the Cramer amendment which is a wise addition there remains some serious reservations. In the hearings before the committee last year the Attorney General in testifying about a similar provision made it plain that "a national police force would be necessary to enforce such a law." Who can say that if this provision becomes law, the Attorney General would not ask for a national police force next year among his demands as a necessity to enforcement. Certainly, this should be one result we should all shrink from.

The foregoing remarks explain my objections to the provisions of H.R. 14765. Four civil rights bills have been passed by the Congress. Notwithstanding there seems to be an increasing multiplicity of racial disturbances in our large cities. Perhaps there are complex causes for these disturbances. But for how long can there fail to be a realization that legislation alone is not the answer for the betterment of these minorities.

I have supported every one of the four civil rights bills enacted into law. I firmly believe every American, regardless of his race, color, or creed should share in the rewards of our way of life but I also believe that everyone should share in the responsibilities of our national life. Let us not forget that the coercion and force that is provided for in the civil rights bill of 1966 may in time be turned against the minority it is now proposed to protect. Much of H.R. 14765 seems to be unconstitutional. Far too much of it violates plain ordinary commonsense. All of our people deserve better legislation than a bill drafted and considered in haste under the pressure of emotions. This is a bill which under the guise of protecting the rights of some Americans, unleashes forces that could well destroy the rights of all Americans.

Mr. DICKINSON. Mr. Chairman, passage of the Callaway amendment to this so-called civil rights bill should serve notice to the Federal courts and the executive department that it is against the law to bus students into other school districts to bring about racial homogenation, whether in Montgomery, Ala., or New York City.

This is the second time the House has so voted and language very similar to that of the Callaway amendment is actually in the previous Civil Rights Act. Yet the clear intent of Congress has been ignored or perverted by so-called guidelines issued by agencies and departments such as Health, Education, and Welfare, and the Justice Department as well as by the courts.

The Callaway amendment provides:

> Nothing shall be construed to authorize action by any department or agency to require the assignment of students to public schools in order to overcome racial imbalance.

It is highly significant that the House has twice passed such language, the meaning of which cannot be clearer. I hope that neither the courts nor the

executive branch flaunt the law and the will of the people's elected Representatives.

There is an old saying that a civil service advises, but a bureaucracy imposes. The bureaucrats have imposed in this matter. They cannot do so any longer now that this House, traditionally the closest to the people, has indicated its wishes a second time after due debate and consideration.

I hope that the self-appointed and presidentially anointed bleeding hearts who want to change our social structure without authority to do so will carefully note the language of this bill and cease laying down "guidelines" and other forms of what has politely come to be called "administrative law" that conflict with the real law.

The withholding of our tax dollars from our school systems, our welfare programs, our medicare programs, and other Federal Government sponsored programs because we do not comply with the ideas of some bureaucrat's idea of right and wrong is unconscionable.

I believe the Callaway amendment, which I have supported, and for which I have voted, will end bureaucratic encroachment and imposition in this vital field. From New York to Los Angeles, in the North even more than the South, it has been made clear the people do not want busing of outside students, students who live elsewhere, into their school districts to break down the level of education so vital to our Nation's future. One has only to look at studies made in Watts, Washington, D.C., New York, and other areas to see that a majority suffer a reduction in education quality as the percentage of an artificially induced minority has been added to the system.

The House of Representatives has spoken twice. Let those who act against the law and its will beware. For this House votes appropriations, too, and alone, can originate them. I certainly hope Attorney General Katzenbach, Commissioner of Education Howe, Secretary Gardner of HEW can understand the meaning and intent of this wording of the amendment.

Mr. SCHEUER. Mr. Chairman, I will vote for the 1966 Civil Rights Act although I am concerned and disappointed that title IV of the bill has been amended to eliminate large areas of housing from its provisions, and although I believe that the amendment to title V introduced by the gentlemen from Florida represents an unfortunate response to an unfortunate situation.

However, Mr. Chairman, this legislation, and particularly title IV, is of the greatest of significance for millions of Americans whose rights it assures and protects. And, importantly, it also protects the rights of those who follow us.

For, by 1975, the population of the United States will jump to almost 223 million, a rise from present levels of about 25 million citizens, equal to the entire U.S. population in the immediate pre-Civil War period. Between 1960 and 1975, the urban population alone will skyrocket from 125 to 171 million. In 1975, there will be roughly 9½ million more households in the United States than presently, and more than 20 million new housing units will be built in new suburban and exurban communities which will virtually double our Nation's metropolitan areas.

The great question then, Mr. Chairman, is whether a large portion of those new people in those new households, in addition to the current population, will face discrimination in housing merely because of their skin color, religion, or national origin? How many of those new people would have to face the stigma of living in a slum or a ghetto if we do not pass title IV of the 1966 Civil Rights Act—even in its weakened form as amended?

Mr. Chairman, it would be the greatest of tragedies if the new communities which will explode across the face of our Nation during the next decade are not open to all citizens on a free and equal basis, as their purses and their tastes lead them. This legislation mandates a national commitment to close the door once and for all on those backward few among us who would welcome only some Americans into these new cities, and who would exclude by group label millions of other American citizens.

At last we will have placed the majesty of our Federal Government behind the dream of an open society which welcomes all Americans into free and equal participation.

Mr. GRIDER. Mr. Chairman, I am glad to see the passage of the Civil Rights Act of 1966 by this overwhelming majority. I believe that the bill that the House has today passed is a better bill after the amendments that we have made to it. I received some complaints about title IV of this bill in its original form. Most of those who objected stated that they did not believe that it was proper to interfere with the right of the individual homeowner or resident apartment owner to sell or lease his property to whomever he chose.

Mr. Chairman, I am happy to say that every objection which my constituents offered to this bill in its original form has been met, and I did not hear a single complaint from the Ninth District of Tennessee concerning the bill as it passed.

I am also honored to join with my Democratic colleagues from other urban centers of the South. The gentleman from Tennessee [Mr. FULTON], who represents Nashville; the gentleman from Georgia [Mr. WELTNER], who represents Atlanta; the gentleman from Kentucky, [Mr. FARNSLEY], who represents Louisville; the gentlemen from Florida [Mr. PEPPER and Mr. FASCELL], who represent Miami; the gentleman from Florida [Mr. GIBBONS], who represents Tampa; the gentleman from Texas [Mr. BROOKS], who represents Beaumont, and the gentleman from Texas [Mr. GONZALEZ], who represents San Antonio.

I think it significant that each of these centers of urban population which I have mentioned have been markedly free in recent years from any large-scale racial disturbance. They are all progressive, expanding southern cities with their eyes on the future. I am happy to say that I number Memphis in this group. Memphis has not had racial violence or large-scale strife, and I am convinced that one of the reasons is because of constructive legislation such as this passed today.

The difference between this list of southern cities is underlined when it is compared with southern cities that are not on the list: Birmingham, Jackson, Selma, St. Petersburg, Little Rock, and many others.

Mr. Chairman, I do not think we gain anything by pretending that problems do not exist in the fields of jury selection, housing and violence against civil rights workers. It is simply unrealistic and unconstructive to ignore these problems, to believe that they will disappear or to fail to act against them.

There is another critical problem which this bill is designed to meet. That is the ever-growing violence which racks the great cities of the North, East, and West. This amended bill meets this threat in two ways. First there is the antirioting provision which makes it a Federal crime to use the facilities of interstate commerce to foment a riot. The second is the insertion of the word "lawfully" in title V. All races will benefit from these changes.

Similarly, an amendment has been adopted in the housing section to outlaw that practice wherein unscrupulous people who, by the technique known as "blockbusting," exploit both races, destroy real estate values and profit no one but the exploiter. Legislation in this field is long overdue.

Finally, Mr. Chairman, I believe that there is a principle involved in this legislation and that I have voted for what is right. I predict that, when this act becomes law, our Nation will gain from it. I believe that among the principal beneficiaries will be the large, progressive urban centers of the South.

Mr. PEPPER. Mr. Chairman, the dark spot upon the glorious history of America is the tardiness with which we have removed onerous discriminations from many millions of our fellow citizens. Rather than lamenting the past, however, it behooves us to see how far we have come and to dedicate our efforts to speeding the day when every American shall enjoy that equality of right and protection which Thomas Jefferson envisaged in the Declaration of Independence.

When Thomas Jefferson wrote into the Declaration of Independence the words "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these rights are life, liberty and the pursuit of happiness," none knew better than Jefferson that those words did not describe conditions as they then existed in the American colonies. Jefferson knew that all men's rights were not equally protected in the American colonies; Jefferson knew that what John Adams called the abominable institution of slavery existed in many of the colonies and some of the Members of the Continental Congress owned slaves; and Jefferson knew that the path to the pursuit of happiness was not equally open to all Americans.

Jefferson knew also that these principles would not become the policies and practices of an America which should burst full grown, like Minerva from the brow of Jove, from the Declaration of Independence. But Jefferson believed that those words would become the principles of the America which was to be; the America which should emerge from ensuing generations of Americans through bloody struggles, unremitting toils and dedicated sacrifices. But those words of equality were not idle or meaningless words. On the contrary they embodied in Jefferson's own immortal eloquence the promise and the challenge of the American dream.

And those words in that Declaration, "that to secure these rights governments are instituted among men," did not mean that Jefferson intended that the government aborning from this Declaration should have for its duty and function only the protection of the rights of citizens which existed at the time that government was formed. On the contrary, he contemplated that it should be the duty and the high purpose of that government to obtain additional rights to secure for the citizen ever a more perfect enjoyment of those rights which as a human being, a child of God, and an American, he was entitled to inherit and enjoy.

And so it has been for almost two centuries that that government which arose from Jefferson's Declaration, always tardily, sometimes faltering, but never failing, has continually stricken down laws, practices, and policies of discrimination against any American and approached nearer and nearer to Jefferson's goal of equality of rights and the enjoyment of such rights by all Americans.

The tragedy has been in the slowness of pace, at least until late years, which has characterized this struggle. It was nearly a hundred years and after a bloody war before the bonds of slavery were stricken from Negro Americans. It was nearly 150 years before women were emancipated to the full status of citizenship. It was nearly 175 years before Negro children were accorded equality of access to the public schools.

But, beginning with the administration of Franklin D. Roosevelt, the drive of the American Government for equal rights and equal opportunity for all Americans became more determined and the pace of progress toward this ancient aspiration rapidly accelerated. President Roosevelt set up a Fair Employment Practices Commission by Executive order to help win the war and to enable all men and women regardless of race, creed, or color to help gain the final victory.

President Truman sent to the Congress recommendations for the removal of many of the discriminations against our citizens on account of race, color, religion, or national origin. The fight for civil rights, for equal rights for all our people grew in momentum and in intensity in the Congress and throughout the country. America was awakening to the challenge and the necessity that every American be treated like an American.

The really exciting beginning of the dynamic program of the American Government and the American people to secure equality of rights for all Americans began with a decision of the U.S. Supreme Court in Brown against the Board of Education in 1954. Since 1954 the U.S. Supreme Court has decided in one way or another some 60 cases striking down discrimination against Americans on account of race, color, religion, or national origin in respect to voting, the enjoyment of public accommodations and facilities, access to educational institutions at all levels, housing, employment, the payment of a poll tax as a condition of voting, and other areas of activity.

Beginning with the administration of President Eisenhower, at least 12 Executive orders have been issued by Presidents removing discriminations against some Americans in respect to employment and housing. Beginning with 1957, the Congress has enacted four civil rights acts and the House has now by a great majority enacted a fifth and most meaningful one.

The bill we have been considering and have now enacted extends the protection of the fair and nondiscriminatory administration of justice to those who have previously been denied membership on grand juries and petit juries in many parts of America.

But the crowning glory of all civil rights legislation which the Congress has enacted is to be found, in my opinion, in title 4 of the act which we have just passed. This title provides that when a man goes into the marketplace to acquire a home—with all that a home means—the seat of the family altar, the sacred area where the family, the little unit blessed of God, stands together apart from the world to share its joys and sorrows large and small—that man's offer shall not be spurned nor fall upon deaf ears because of his race, color, religion, or national origin.

This is the American way—to establish the rights of men through law rather than through riots and violence. In this latest civil rights bill we have made this doubly clear by imposing severe penalties for those who would rob and pillage and assault under the cover of the struggle for human rights for all Americans.

However many challenges may lie ahead, how thrilling it is to see how far we have come, in spite of the long journey which has been involved, toward the realization of Jefferson's dream.

On July 4, 1826, John Adams lay upon his deathbed. He aroused himself to inquire if Thomas Jefferson were still alive. When informed that he was, this grand old patriot uttered his last words "Thank God, Jefferson still lives."

When we contemplate what the Government of our country has done in late years to insure equality of rights for every American and especially when we note the stirring significance of the measure the House has just passed, we, too, can say with a fervor comparable to that of old John Adams, "Thank God, Jefferson still lives."

The CHAIRMAN. The question recurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. BOLLING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 14765) to assure nondiscrimination in Federal and State jury selection and service, to facilitate the desegregation of public education and other public facilities, to provide judicial relief against discriminatory housing practices, to prescribe penalties for certain acts of violence or intimidation, and for other purposes, pursuant to House Resolution 910, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. ROGERS of Colorado. Mr. Speaker, I demand a separate vote on the Whitener amendment to title VI as it appears on page 78, line 8.

The SPEAKER. Is any other separate vote demanded?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the Cramer substitute for the Ashmore amendment on page 77 of the bill.

The SPEAKER. Is any other separate vote demanded?

Mr. HAYS. Mr. Speaker, I demand a separate vote on the so-called Mathias amendment to title IV, which amends section 403 by adding a new subsection.

The SPEAKER. Is any further separate vote demanded?

There was no response.

Mr. GERALD R. FORD. Mr. Speaker, is it proper to suggest that the amendments be read where a separate vote has been demanded?

The SPEAKER. The Clerk will read the amendments upon which a separate vote has been demanded.

The Clerk will report the Mathias amendment.

The Clerk read as follows:

Amendment offered by Mr. MATHIAS: On page 65, after line 14, insert the following: "(e) Nothing in this section shall prohibit, or be construed to prohibit, a real estate broker, agent, or salesman, or employee or agent of any real estate broker, agent, or salesman from complying with the express written instruction of any person not in the business of building, developing, selling, renting, or leasing dwellings, or otherwise not subject to the prohibitions of this section pursuant to subsection (b) or (c) hereof, with respect to the sale, rental, or lease of a dwelling owned by such person, if such instruction was not encouraged, solicited, or induced by such broker, agent, or salesman, or any employee or agent thereof."

The SPEAKER. For what purpose does the gentleman from Ohio [Mr. HAYS] rise?

Mr. HAYS. Mr. Chairman, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 237, nays 176, not voting 19, as follows:

[Roll No. 206]

YEAS—237

Adair	Fulton, Pa.	Mosher
Adams	Fulton, Tenn.	Moss
Addabbo	Gallagher	Multer
Albert	Giaimo	Murphy, Ill.
Anderson, Tenn.	Gibbons	Nedzi
Andrews, Glenn	Gilligan	O'Brien
Andrews, N. Dak.	Gonzalez	O'Hara, Ill.
Annunzio	Goodell	O'Hara, Mich.
Ashley	Grabowski	Olsen, Mont.
Ayres	Gray	Olson, Minn.
Bandstra	Green, Oreg.	Patten
Bates	Greigg	Pepper
Bell	Grider	Perkins
Boland	Griffiths	Philbin
Bolling	Grover	Pickle
Brademas	Hagen, Calif.	Pike
Bray	Halleck	Pirnie
Brooks	Halpern	Price
Broomfield	Hamilton	Pucinski
Brown, Calif.	Hanley	Redlin
Brown, Clarence J., Jr.	Hansen, Iowa	Rees
Broyhill, N.C.	Hansen, Wash.	Reid, Ill.
Burke	Harvey, Mich.	Reifel
Byrnes, Wis.	Hathaway	Resnick
Cahill	Hechler	Reuss
Callan	Helstoski	Rhodes, Pa.
Cameron	Hicks	Rivers, Alaska
Carey	Holifield	Rodino
Cederberg	Horton	Rogers, Colo.
Celler	Howard	Ronan
Clark	Hungate	Rooney, N.Y.
Cleveland	Huot	Rooney, Pa.
Clevenger	Hutchinson	Rostenkowski
Collier	Irwin	Roudebush
Conable	Jacobs	Roush
Conte	Johnson, Calif.	Roybal
Corbett	Johnson, Okla.	Rumsfeld
Corman	Johnson, Pa.	St Germain
Craley	Jonas	St. Onge
Culver	Karsten	Schisler
Cunningham	Karth	Schmidhauser
Curtin	Kee	Schneebeli
Curtis	Keith	Schweiker
Daddario	Kelly	Senner
Dague	Keogh	Shipley
Daniels	King, Calif.	Sickles
Davis, Wis.	King, Utah	Sisk
Dawson	Kirwan	Smith, Iowa
Delaney	Kluczynski	Smith, N.Y.
Denton	Krebs	Springer
Diggs	Kunkel	Stafford
Dingell	Kupferman	Staggers
Donohue	Leggett	Stanton
Dow	Long, Md.	Stratton
Dulski	Love	Sullivan
Duncan, Oreg.	McCarthy	Sweeney
Duncan, Tenn.	McClory	Tenzer
Dwyer	McCulloch	Thomas
Dyal	McDade	Thompson, N.J.
Edmondson	McDowell	Thompson, Tex.
Ellsworth	McFall	Todd
Erlenborn	McGrath	Tunney
Evans, Colo.	McVicker	Tupper
Farnsley	Macdonald	Udall
Farnum	Mackie	Vanik
Fascell	Madden	Vigorito
Feighan	Mailliard	Vivian
Findley	Martin, Mass.	Waldie
Fino	Mathias	Walker, N. Mex.
Flood	Matsunaga	Watson
Fogarty	Meeds	Weltner
Foley	Miller	Whalley
Ford, William D.	Minish	White, Idaho
Fraser	Minshall	White, Tex.
Frelinghuysen	Mize	Widnall
Friedel	Moeller	Wilson, Charles H.
	Monagan	Wolff
	Moorhead	Wydler
	Morgan	Yates
	Morris	Zablocki
	Morse	

NAYS—176

Abbitt	Bingham	Chamberlain
Abernethy	Boggs	Chelf
Anderson, Ill.	Bolton	Clancy
Arends	Bow	Clausen, Don H.
Ashbrook	Brock	Clawson, Del
Ashmore	Broyhill, Va.	Cohelan
Aspinall	Buchanan	Colmer
Baring	Burleson	Conyers
Barrett	Burton, Calif.	Cooley
Battin	Burton, Utah	Cramer
Beckworth	Byrne, Pa.	Davis, Ga.
Belcher	Cabell	de la Garza
Bennett	Callaway	Derwinski
Berry	Carter	Devine
Betts	Casey	Dickinson
	Kornegay	Rhodes, Ariz.
	Laird	Rivers, S.C.
	Landrum	Roberts
	Langen	Robison
	Latta	Rogers, Fla.
	Lennon	Roncalio
	Lipscomb	Rosenthal
	Long, La.	Ryan
	McEwen	Satterfield
	McMillan	Saylor
	MacGregor	Scheuer
	Machen	Scott
	Mackay	Secrest
	Mahon	Selden
	Marsh	Shriver
	Martin, Ala.	Sikes
	Martin, Nebr.	Skubitz
	Matthews	Slack
	May	Smith, Calif.
	Michel	Smith, Va.
	Mills	Stalbaum
	Mink	Steed
	Moore	Stephens
	Morton	Stubblefield
	Natcher	Talcott
	Nelsen	Taylor
	Nix	Teague, Calif.
	O'Konski	Teague, Tex.
	O'Neal, Ga.	Thomson, Wis.
	O'Neill, Mass.	Trimble
	Ottinger	Tuck
	Passman	Tuten
	Patman	Utt
	Pelly	Waggonner
	Poage	Walker, Miss.
	Poff	Watkins
	Pool	Watts
	Purcell	Whitener
	Quie	Whitten
	Quillen	Williams
	Race	Wilson, Bob
	Randall	Wright
	Reid, N.Y.	Wyatt
	Reinecke	Younger

NOT VOTING—19

Andrews, George W.	Hawkins	Rogers, Tex.
Blatnik	Holland	Toll
Dent	King, N.Y.	Ullman
Edwards, Calif.	Morrison	Van Deerlin
Edwards, La.	Murphy, N.Y.	Willis
Hanna	Murray	Young
	Powell	

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Dent for, with Mr. Willis against.

Mr. Holland for, with Mr. George W. Andrews against.

Mr. Blatnik for, with Mr. Edwards of Louisiana against.

Mr. Murphy of New York for, with Mr. Rogers of Texas against.

Until further notice:

Mr. Hanna with Mr. Hawkins.

Mr. Edwards of California with Mr. Young.

Mr. Van Deerlin with Mr. Ullman.

Mr. Powell with Mr. Toll.

Mr. FARBSTEIN changed his vote from "yea" to "nay."

Messrs. WATSON, ROUDEBUSH, HAGEN of California, and GLENN ANDREWS changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will now report the so-called Cramer-Ashmore amendment to title V.

The Clerk read as follows:

Amendment offered by Mr. CRAMER as a substitute for the amendment offered by Mr. ASHMORE: On page 77, immediately after line 12, insert the following new section:

"PROTECTION OF RIGHTS

"SEC. 502. Whoever moves or travels in interstate or foreign commerce or uses any facility in interstate or foreign commerce, including the mail, with intent to—

"(1) incite, promote, encourage, or carry on, or facilitate the incitement, promotion, encouragement, or carrying on of, a riot or other violent civil disturbance; or

"(2) commit any crime of violence, arson, bombing, or other act which is a felony or high misdemeanor under Federal or State law, in furtherance of, or during commission of, any act specified in paragraph (1); or

"(3) assist, encourage, or instruct any person to commit or perform any act specified in paragraphs (1) and (2);

and thereafter performs or attempts to perform any act specified in paragraphs (1), (2), and (3), shall be fined not more than $10,000 or imprisoned not more than five years, or both."

And renumber the following section accordingly.

The SPEAKER. For what purpose does the gentleman from Michigan [Mr. GERALD R. FORD] rise?

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 389, nays 25, not voting 18, as follows:

[Roll No. 207]

YEAS—389

Abbitt	Conte	Green, Oreg.
Abernethy	Cooley	Green, Pa.
Adair	Corbett	Greigg
Adams	Corman	Grider
Addabbo	Craley	Griffiths
Albert	Cramer	Gross
Anderson, Ill.	Culver	Grover
Anderson, Tenn.	Cunningham	Gubser
Andrews, Glenn	Curtin	Gurney
Andrews, N. Dak.	Curtis	Hagan, Ga.
Annunzio	Daddario	Hagen, Calif.
Arends	Dague	Haley
Ashbrook	Daniels	Hall
Ashley	Davis, Ga.	Halleck
Ashmore	Davis, Wis.	Halpern
Aspinall	Dawson	Hamilton
Ayres	de la Garza	Hanley
Bandstra	Delaney	Hanna
Baring	Denton	Hansen, Idaho
Bates	Derwinski	Hansen, Iowa
Battin	Devine	Hansen, Wash.
Beckworth	Dickinson	Hardy
Belcher	Dingell	Harsha
Bell	Dole	Harvey, Ind.
Bennett	Donohue	Harvey, Mich.
Berry	Dorn	Hathaway
Betts	Dowdy	Hays
Boggs	Downing	Hébert
Boland	Dulski	Hechler
Bolling	Duncan, Oreg.	Helstoski
Bolton	Duncan, Tenn.	Henderson
Bow	Dwyer	Herlong
Brademas	Dyal	Hicks
Bray	Edmondson	Holifield
Brock	Edwards, Ala.	Horton
Brooks	Ellsworth	Hosmer
Broomfield	Erlenborn	Howard
Brown, Clarence J., Jr.	Evans, Colo.	Hull
Broyhill, N.C.	Everett	Hungate
Broyhill, Va.	Evins, Tenn.	Huot
Buchanan	Fallon	Hutchinson
Burke	Farnum	Ichord
Burleson	Fascell	Irwin
Burton, Utah	Feighan	Jacobs
Byrne, Pa.	Findley	Jarman
Byrnes, Wis.	Fino	Jennings
Cabell	Flood	Joelson
Cahill	Flynt	Johnson, Calif.
Callan	Fogarty	Johnson, Okla.
Callaway	Foley	Johnson, Pa.
Carey	Ford, Gerald R.	Jonas
Carter	Ford, William D.	Jones, Ala.
Casey	Fountain	Jones, Mo.
Cederberg	Frelinghuysen	Jones, N.C.
Chamberlain	Friedel	Karsten
Chelf	Fulton, Pa.	Karth
Clancy	Fulton, Tenn.	Kee
Clark	Fuqua	Keith
Clausen, Don H.	Gallagher	Kelly
Clawson, Del	Garmatz	Keogh
Cleveland	Gathings	King, Calif.
Clevenger	Gettys	King, Utah
Collier	Giaimo	Kirwan
Colmer	Gibbons	Kluczynski
Conable	Gilligan	Kornegay
	Goodell	Krebs
	Grabowski	Kunkel
	Gray	Laird
		Landrum

Langen	Ottinger	Slack
Latta	Passman	Smith, Calif.
Leggett	Patman	Smith, Iowa
Lennon	Patten	Smith, N.Y.
Lipscomb	Pelly	Smith, Va.
Long, La.	Pepper	Springer
Long, Md.	Perkins	Stafford
Love	Philbin	Staggers
McCarthy	Pickle	Stalbaum
McClory	Pike	Stanton
McCulloch	Pirnie	Steed
McDade	Poage	Stephens
McDowell	Poff	Stratton
McEwen	Pool	Stubblefield
McFall	Price	Sullivan
McGrath	Pucinski	Sweeney
McMillan	Purcell	Talcott
McVicker	Quie	Taylor
Macdonald	Quillen	Teague, Calif.
MacGregor	Race	Teague, Tex.
Machen	Randall	Tenzer
Mackay	Redlin	Thomas
Mackie	Reid, Ill.	Thompson, N.J.
Madden	Reid, N.Y.	Thompson, Tex.
Mahon	Reifel	Thomson, Wis.
Mailliard	Reinecke	Todd
Marsh	Resnick	Trimble
Martin, Ala.	Reuss	Tuck
Martin, Mass.	Rhodes, Ariz.	Tunney
Martin, Nebr.	Rhodes, Pa.	Tupper
Mathias	Rivers, Alaska	Tuten
Matthews	Rivers, S.C.	Udall
May	Roberts	Utt
Meeds	Robison	Vanik
Michel	Rodino	Vigorito
Miller	Rogers, Colo.	Vivian
Mills	Rogers, Fla.	Waggonner
Minish	Ronan	Waldie
Minshall	Roncalio	Walker, Miss.
Mize	Rooney, Pa.	Walker, N. Mex.
Moeller	Rostenkowski	Watkins
Monagan	Roudebush	Watson
Moore	Roush	Watts
Moorhead	Rumsfeld	Weltner
Morgan	Satterfield	Whalley
Morris	St Germain	White, Idaho
Morse	St. Onge	White, Tex.
Morton	Saylor	Whitener
Mosher	Schisler	Whitten
Moss	Schmidhauser	Widnall
Multer	Schneebeli	Williams
Murphy, Ill.	Schweiker	Wilson, Bob
Natcher	Scott	Wilson,
Nedzi	Secrest	Charles H.
Nelsen	Selden	Wolff
O'Brien	Senner	Wright
O'Hara, Mich.	Shipley	Wyatt
O'Konski	Shriver	Wydler
Olsen, Mont.	Sickles	Yates
Olson, Minn.	Sikes	Young
O'Neal, Ga.	Sisk	Younger
O'Neill, Mass.	Skubitz	Zablocki

NAYS—25

Barrett	Dow	O'Hara, Ill.
Bingham	Farbstein	Rees
Brown, Calif.	Fraser	Rooney, N.Y.
Burton, Calif.	Gilbert	Rosenthal
Cameron	Gonzalez	Roybal
Celler	Kastenmeier	Ryan
Cohelan	Matsunaga	Scheuer
Conyers	Mink	
Diggs	Nix	

NOT VOTING—18

Andrews, George W.	Hawkins	Rogers, Tex.
Blatnik	Holland	Toll
Dent	King, N.Y.	Ullman
Edwards, Calif.	Morrison	Van Deerlin
Edwards, La.	Murphy, N.Y.	Willis
Farnsley	Murray	
	Powell	

So the amendment was agreed to.

The Clerk announced the following pairs:

Mr. Willis with Mr. Van Deerlin.

Mr. Dent with Mr. Hawkins.

Mr. Rogers of Texas with Mr. George W. Andrews.

Mr. Blatnik with Mr. Powell.

Mr. Edwards of Louisiana with Mr. Farnsley.

Mr. Edwards of California with Mr. Toll.

Mr. Murphy of New York with Mr. Ullman.

Mr. Holland with Mr. Murray.

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment: On page 78, line 8, after "United States" insert "when he has received a complaint in writing signed by an individual to the effect that he is being deprived of or threatened with the loss of his right to the equal protection of the laws".

The SPEAKER. The question is on the amendment.

For what purpose does the gentleman from Colorado rise?

Mr. ROGERS of Colorado. Mr. Speaker, on that amendment I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 214, nays 201, not voting 17, as follows:

[Roll No. 208]

YEAS—214

Abbitt	Flynt	Mosher
Abernethy	Ford, Gerald R.	Natcher
Adair	Fountain	Nelsen
Anderson, Ill.	Fulton, Pa.	O'Konski
Anderson, Tenn.	Fulton, Tenn.	O'Neal, Ga.
Andrews, Glenn	Fuqua	Passman
Andrews, N. Dak.	Garmatz	Patman
Arends	Gathings	Pelly
Ashbrook	Gettys	Perkins
Ashmore	Gray	Pickle
Baring	Gross	Pirnie
Bates	Grover	Poage
Battin	Gubser	Poff
Beckworth	Gurney	Pool
Belcher	Hagan, Ga.	Purcell
Bennett	Hagen, Calif.	Quillen
Berry	Haley	Randall
Betts	Hall	Reid, Ill.
Bolton	Halleck	Reifel
Bow	Hansen, Idaho	Reinecke
Bray	Hardy	Rhodes, Ariz.
Brock	Harsha	Rivers, S.C.
Broomfield	Harvey, Ind.	Roberts
Brown, Clarence J., Jr.	Hays	Rogers, Fla.
Broyhill, N.C.	Hébert	Roudebush
Broyhill, Va.	Hechler	Satterfield
Buchanan	Henderson	Saylor
Burleson	Herlong	Schneebeli
Burton, Utah	Hosmer	Scott
Byrnes, Wis.	Hull	Secrest
Cabell	Hungate	Selden
Callaway	Hutchinson	Shipley
Carter	Ichord	Sikes
Casey	Jarman	Sisk
Cederberg	Jennings	Skubitz
Chamberlain	Johnson, Pa.	Slack
Chelf	Jonas	Smith, Calif.
Clancy	Jones, Ala.	Smith, Va.
Clausen, Don H.	Jones, Mo.	Springer
Clawson, Del	Jones, N.C.	Stanton
Collier	Kee	Steed
Colmer	Keith	Stephens
Cooley	King, Utah	Stubblefield
Cramer	Kornegay	Sweeney
Cunningham	Kunkel	Talcott
Curtin	Laird	Taylor
Dague	Landrum	Teague, Calif.
Davis, Ga.	Langen	Teague, Tex.
Davis, Wis.	Latta	Thompson, Tex.
de la Garza	Lennon	Thomson, Wis.
Derwinski	Lipscomb	Trimble
Devine	Long, La.	Tuck
Dickinson	Long, Md.	Tuten
Dingell	Love	Utt
Dole	McEwen	Waggonner
Dorn	McMillan	Walker, Miss.
Dowdy	Machen	Walker, N. Mex.
Downing	Mackay	Watkins
Duncan, Tenn.	Mahon	Watson
Edmondson	Marsh	Watts
Edwards, Ala.	Martin, Ala.	Weltner
Erlenborn	Martin, Nebr.	Whalley
Everett	Matthews	White, Idaho
Evins, Tenn.	May	White, Tex.
Fallon	Michel	Whitener
Findley	Mills	Whitten
Fino	Minshall	Williams
Fisher	Mize	Wilson, Bob
	Moeller	Wright
	Monagan	Wyatt
	Moore	Young
	Morris	Younger
	Morton	Zablocki

NAYS—201

Adams	Ashley	Barrett
Addabbo	Aspinall	Bell
Albert	Ayres	Bingham
Annunzio	Bandstra	Boggs
Boland	Griffiths	O'Neill, Mass.
Bolling	Halpern	Ottinger
Brademas	Hamilton	Patten
Brooks	Hanley	Pepper
Brown, Calif.	Hanna	Philbin
Burke	Hansen, Iowa	Pike
Burton, Calif.	Hansen, Wash.	Price
Byrne, Pa.	Harvey, Mich.	Pucinski
Cahill	Hathaway	Quie
Callan	Helstoski	Race
Cameron	Hicks	Redlin
Carey	Holifield	Rees
Celler	Horton	Reid, N.Y.
Clark	Howard	Resnick
Cleveland	Huot	Reuss
Clevenger	Irwin	Rhodes, Pa.
Cohelan	Jacobs	Rivers, Alaska
Conable	Joelson	Robison
Conte	Johnson, Calif.	Rodino
Conyers	Johnson, Okla.	Rogers, Colo.
Corbett	Karsten	Ronan
Corman	Karth	Roncalio
Craley	Kastenmeier	Rooney, N.Y.
Culver	Kelly	Rooney, Pa.
Curtis	Keogh	Rosenthal
Daddario	King, Calif.	Rostenkowski
Daniels	Kirwan	Roush
Dawson	Kluczynski	Roybal
Delaney	Krebs	Rumsfeld
Denton	Kupferman	Ryan
Diggs	Leggett	St Germain
Donohue	McCarthy	St. Onge
Dow	McClory	Scheuer
Dulski	McCulloch	Schisler
Duncan, Oreg.	McDade	Schmidhauser
Dwyer	McDowell	Schweiker
Dyal	McFall	Senner
Ellsworth	McGrath	Shriver
Evans, Colo.	McVicker	Sickles
Farbstein	Macdonald	Smith, Iowa
Farnsley	MacGregor	Smith, N.Y.
Farnum	Mackie	Stafford
Fascell	Madden	Staggers
Feighan	Mailliard	Stalbaum
Flood	Martin, Mass.	Stratton
Fogarty	Mathias	Sullivan
Foley	Matsunaga	Tenzer
Ford, William D.	Meeds	Thomas
Fraser	Miller	Thompson, N.J.
Frelinghuysen	Minish	Todd
Friedel	Mink	Tunney
Gallagher	Moorhead	Tupper
Giaimo	Morgan	Udall
Gibbons	Morse	Vanik
Gilbert	Moss	Vigorito
Gilligan	Multer	Vivian
Gonzalez	Murphy, Ill.	Waldie
Goodell	Nedzi	Widnall
Grabowski	Nix	Wilson, Charles H.
Green, Oreg.	O'Brien	Wolff
Green, Pa.	O'Hara, Ill.	Wydler
Greigg	O'Hara, Mich.	Yates
Grider	Olsen, Mont.	
	Olson, Minn.	

NOT VOTING—17

Andrews, George W.	Hawkins	Powell
Blatnik	Holland	Rogers, Tex.
Dent	King, N.Y.	Toll
Edwards, Calif.	Morrison	Ullman
Edwards, La.	Murphy, N.Y.	Van Deerlin
	Murray	Willis

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Willis for, with Mr. Murphy of New York against.

Mr. George W. Andrews for, with Mr. Blatnik against.

Mr. Rogers of Texas for, with Mr. Edwards of California against.

Mr. Edwards of Louisiana for, with Mr. Van Deerlin against.

Mr. Murray for, with Mr. Dent against.

Until further notice:

Mr. Powell with Mr. Ullman.

Mr. Holland with Mr. Hawkins.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

MOTION TO RECOMMIT

Mr. MOORE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. MOORE. In its present form I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MOORE moves to recommit the bill, H.R. 14765, to the Committee on the Judiciary, with instruction to report the same back to the House forthwith, with the following amendment: "On page 61, line 19, strike out "TITLE IV" and all that follows from line 20, page 61, down through page 74, line 6."

And renumber the following titles and sections accordingly.

Mr. RODINO. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The Speaker. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 222, answered "present" 1, not voting 19, as follows:

[Roll No. 209]

YEAS—190

Abbitt	Dague	Jarman
Abernethy	Davis, Ga.	Jennings
Adair	de la Garza	Johnson, Pa.
Anderson, Ill.	Derwinski	Jonas
Anderson, Tenn.	Devine	Jones, Ala.
	Dickinson	Jones, Mo.
Andrews, Glenn	Dole	Jones, N.C.
	Dorn	Kornegay
Andrews, N. Dak.	Dowdy	Laird
	Downing	Landrum
Arends	Duncan, Tenn.	Langen
Ashbrook	Edmondson	Latta
Ashmore	Edwards, Ala.	Lennon
Aspinall	Ellsworth	Lipscomb
Baring	Everett	Long, La.
Battin	Evins, Tenn.	McEwen
Beckworth	Fallon	McMillan
Belcher	Fisher	Machen
Bennett	Flynt	Mackay
Berry	Foley	Mahon
Betts	Ford, Gerald R.	Marsh
Boggs	Fountain	Martin, Ala.
Bolton	Fuqua	Martin, Nebr.
Bow	Garmatz	Matthews
Bray	Gathings	Mills
Brock	Gettys	Minshall
Broomfield	Gray	Mize
Broyhill, N.C.	Gross	Moeller
Broyhill, Va.	Gubser	Moore
Buchanan	Gurney	Morris
Burleson	Hagan, Ga.	Morton
Burton, Utah	Hagen, Calif.	Natcher
Cabell	Haley	Nelsen
Callaway	Hall	O'Konski
Cameron	Halleck	O'Neal, Ga.
Carter	Hansen, Idaho	Passman
Casey	Hardy	Patman
Cederberg	Harsha	Pelly
Chamberlain	Harvey, Ind.	Pickle
Chelf	Hays	Poage
Clancy	Hébert	Poff
Clausen, Don H.	Hechler	Pool
	Henderson	Purcell
Clawson, Del	Herlong	Quillen
Collier	Hicks	Race
Colmer	Hosmer	Randall
Cooley	Hull	Reid, Ill.
Cramer	Hungate	Reinecke
Curtin	Hutchinson	Rhodes, Ariz.
Curtis	Ichord	Rivers, S.C.
Roberts	Steed	Walker, Miss.
Rogers, Fla.	Stephens	Walker, N. Mex.
Roudebush	Stubblefield	Watkins
Satterfield	Talcott	Watts
Saylor	Taylor	Whalley
Scott	Teague, Calif.	White, Tex.
Secrest	Teague, Tex.	Whitener
Selden	Thomas	Whitten
Shriver	Thompson, Tex.	Wilson, Bob
Sikes	Thomson, Wis.	Wright
Skubitz	Trimble	Wyatt
Slack	Tuck	Young
Smith, Calif.	Tuten	Younger
Smith, Va.	Utt	Zablocki
Stanton	Waggonner	

NAYS—222

Adams	Gonzalez	O'Brien
Addabbo	Goodell	O'Hara, Ill.
Albert	Grabowski	O'Hara, Mich.
Annunzio	Green, Oreg.	Olsen, Mont.
Ashley	Green, Pa.	Olson, Minn.
Ayres	Greigg	O'Neill, Mass.
Bandstra	Grider	Ottinger
Barrett	Griffiths	Patten
Bates	Grover	Pepper
Bell	Halpern	Perkins
Bingham	Hamilton	Philbin
Boland	Hanley	Pike
Bolling	Hansen, Iowa	Pirnie
Brademas	Hansen, Wash.	Price
Brooks	Harvey, Mich.	Pucinski
Brown, Calif.	Hathaway	Quie
Brown, Clarence J., Jr.	Helstoski	Redlin
	Holifield	Rees
Burke	Holland	Reid, N.Y.
Burton, Calif.	Horton	Reifel
Byrne, Pa.	Howard	Resnick
Byrnes, Wis.	Huot	Reuss
Cahill	Irwin	Rhodes, Pa.
Callan	Jacobs	Rivers, Alaska
Carey	Joelson	Robison
Celler	Johnson, Calif.	Rodino
Clark	Johnson, Okla.	Rogers, Colo.
Cleveland	Karsten	Ronan
Clevenger	Karth	Roncalio
Cohelan	Kastenmeier	Rooney, N.Y.
Conable	Kee	Rooney, Pa.
Conte	Keith	Rosenthal
Conyers	Kelly	Rostenkowski
Corbett	Keogh	Roush
Corman	King, Calif.	Roybal
Craley	King, Utah	Rumsfeld
Culver	Kirwan	Ryan
Cunningham	Kluczynski	St Germain
Daddario	Krebs	St. Onge
Daniels	Kunkel	Scheuer
Davis, Wis.	Kupferman	Schisler
Dawson	Leggett	Schmidhauser
Delaney	Long, Md.	Schneebeli
Dent	Love	Schweiker
Denton	McCarthy	Senner
Diggs	McClory	Shipley
Dingell	McCulloch	Sickles
Donohue	McDade	Sisk
Dow	McDowell	Smith, Iowa
Dulski	McFall	Smith, N.Y.
Duncan, Oreg.	McGrath	Springer
Dwyer	McVicker	Stafford
Dyal	Macdonald	Staggers
Erlenborn	MacGregor	Stalbaum
Evans, Colo.	Mackie	Stratton
Farbstein	Madden	Sullivan
Farnsley	Mailliard	Sweeney
Farnum	Martin, Mass.	Tenzer
Fascell	Mathias	Thompson, N.J.
Feighan	Matsunaga	Todd
Findley	Meeds	Tunney
Fino	Michel	Tupper
Flood	Miller	Udall
Fogarty	Minish	Vanik
Ford, William D.	Mink	Vigorito
	Monagan	Vivian
Frelinghuysen	Moorhead	Waldie
Friedel	Morgan	Weltner
Fulton, Pa.	Morse	White, Idaho
Fulton, Tenn.	Mosher	Widnall
Gallagher	Moss	Wilson, Charles H.
Giaimo	Multer	
Gibbons	Murphy, Ill.	Wolff
Gilbert	Nedzi	Wydler
Gilligan	Nix	Yates

ANSWERED "PRESENT"—1

Hanna

NOT VOTING—19

Andrews, George W.	King, N.Y.	Toll
	May	Ullman
Blatnik	Morrison	Van Deerlin
Edwards, Calif.	Murphy, N.Y.	Watson
Edwards, La.	Murray	Williams
Fraser	Powell	Willis
Hawkins	Rogers, Tex.	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hanna for, with Mr. Hawkins against.

Mr. Willis for, with Mr. Murphy of New York against.

Mr. George W. Andrews for, with Mr. Blatnik against.

Mr. Rogers of Texas for, with Mr. Edwards of California against.

Mr. Edwards of Louisiana for, with Mr. Van Deerlin against.

Mr. Murray for, with Mr. Powell against.

Mr. Williams for, with Mr. Toll against.

Mrs. May for, with Mr. Fraser against.

Mr. Watson for, with Mr. Ullman against.

Mr. HANNA. Mr. Speaker, I have a live pair with the gentleman from California [Mr. HAWKINS]. If he were present he would vote "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 259, nays 157, answered "present" 1, not voting 15, as follows:

[Roll No. 210]

YEAS—259

Adair	Dingell	Hutchinson
Adams	Donohue	Irwin
Addabbo	Dow	Jacobs
Albert	Dulski	Joelson
Andrews, N. Dak.	Duncan, Oreg.	Johnson, Calif.
	Dwyer	Johnson, Okla.
Annunzio	Dyal	Johnson, Pa.
Arends	Ellsworth	Karsten
Ashley	Erlenborn	Karth
Ayres	Evans, Colo.	Kastenmeier
Bandstra	Farbstein	Kee
Barrett	Farnsley	Keith
Bates	Farnum	Kelly
Bell	Fascell	Keogh
Bingham	Feighan	King, Calif.
Boland	Findley	King, Utah
Bolling	Fino	Kirwan
Bow	Flood	Kluczynski
Brademas	Fogarty	Krebs
Brooks	Ford, Gerald R.	Kunkel
Broomfield	Ford, William D.	Kupferman
Brown, Calif.		Laird
Brown, Clarence J., Jr.	Fraser	Langen
	Frelinghuysen	Leggett
Burke	Friedel	Long, Md.
Burton, Calif.	Fulton, Pa.	Love
Burton, Utah	Fulton, Tenn.	McCarthy
Byrne, Pa.	Gallagher	McClory
Byrnes, Wis.	Giaimo	McCulloch
Cahill	Gibbons	McDade
Callan	Gilbert	McDowell
Carey	Gilligan	McEwen
Cederberg	Gonzalez	McFall
Celler	Goodell	McGrath
Chamberlain	Grabowski	McVicker
Clark	Gray	Macdonald
Cleveland	Green, Oreg.	MacGregor
Clevenger	Green, Pa.	Mackie
Cohelan	Greigg	Madden
Conable	Grider	Mailliard
Conte	Griffiths	Martin, Mass.
Conyers	Grover	Mathias
Corbett	Halleck	Matsunaga
Corman	Halpern	Meeds
Craley	Hamilton	Michel
Culver	Hanley	Miller
Cunningham	Hansen, Iowa	Minish
Curtis	Hansen, Wash.	Mink
Daddario	Harvey, Mich.	Moeller
Dague	Hathaway	Monagan
Daniels	Hays	Moorhead
Davis, Wis.	Hechler	Morgan
Dawson	Helstoski	Morse
de la Garza	Hicks	Mosher
Delaney	Holifield	Moss
Dent	Holland	Multer
Denton	Horton	Murphy, Ill.
Derwinski	Howard	Murphy, N.Y.
Diggs	Huot	Nedzi

Nelsen	Rogers, Colo.	Staggers
Nix	Ronan	Stalbaum
O'Brien	Roncalio	Stanton
O'Hara, Ill.	Rooney, N.Y.	Stratton
O'Hara, Mich.	Rooney, Pa.	Sullivan
O'Konski	Rosenthal	Sweeney
Olsen, Mont.	Rostenkowski	Tenzer
Olson, Minn.	Roush	Thompson, N.J.
O'Neill, Mass.	Roybal	Thomson, Wis.
Ottinger	Rumsfeld	Todd
Patten	Ryan	Tunney
Pepper	St Germain	Tupper
Perkins	St. Onge	Udall
Philbin	Saylor	Vanik
Pike	Scheuer	Vigorito
Pirnie	Schisler	Vivian
Price	Schmidhauser	Waldie
Pucinski	Schneebeli	Weltner
Quie	Schweiker	Whalley
Redlin	Senner	White, Idaho
Rees	Shipley	Widnall
Reid, N.Y.	Shriver	Wilson,
Reifel	Sickles	Charles H.
Resnick	Sisk	Wolff
Reuss	Slack	Wydler
Rhodes, Pa.	Smith, Iowa	Yates
Rivers, Alaska	Smith, N.Y.	Young
Robison	Springer	Zablocki
Rodino	Stafford	

NAYS—157

Abbitt	Flynt	Passman
Abernethy	Foley	Patman
Anderson, Ill.	Fountain	Pelly
Anderson,	Fuqua	Pickle
Tenn.	Garmatz	Poage
Andrews,	Gathings	Poff
Glenn	Gettys	Pool
Ashbrook	Gross	Purcell
Ashmore	Gubser	Quillen
Aspinall	Gurney	Race
Baring	Hagan, Ga.	Randall
Battin	Hagen, Calif.	Reid, Ill.
Beckworth	Haley	Reinecke
Belcher	Hall	Rhodes, Ariz.
Bennett	Hansen, Idaho	Rivers, S.C.
Berry	Hardy	Roberts
Betts	Harsha	Rogers, Fla.
Boggs	Harvey, Ind.	Roudebush
Bolton	Hébert	Satterfield
Bray	Henderson	Scott
Brock	Herlong	Secrest
Broyhill, N.C.	Hosmer	Selden
Broyhill, Va.	Hull	Sikes
Buchanan	Hungate	Skubitz
Burleson	Ichord	Smith, Calif.
Cabell	Jarman	Smith, Va.
Callaway	Jennings	Steed
Cameron	Jonas	Stephens
Carter	Jones, Ala.	Stubblefield
Casey	Jones, Mo.	Talcott
Chelf	Jones, N.C.	Taylor
Clancy	Kornegay	Teague, Calif.
Clausen,	Landrum	Teague, Tex.
Don H.	Latta	Thompson, Tex.
Clawson, Del	Lennon	Trimble
Collier	Lipscomb	Tuck
Colmer	Long, La.	Tuten
Cooley	McMillan	Utt
Cramer	Machen	Waggonner
Curtin	Mackay	Walker, Miss.
Davis, Ga.	Mahon	Walker, N. Mex.
Devine	Marsh	Watkins
Dickinson	Martin, Ala.	Watson
Dole	Martin, Nebr.	Watts
Dorn	Matthews	White, Tex.
Dowdy	May	Whitener
Downing	Mills	Whitten
Duncan, Tenn.	Minshall	Williams
Edmondson	Mize	Wilson, Bob
Edwards, Ala.	Moore	Wright
Everett	Morris	Wyatt
Evins, Tenn.	Morton	Younger
Fallon	Natcher	
Fisher	O'Neal, Ga.	

ANSWERED "PRESENT"—1

Hanna

NOT VOTING—15

Andrews,	King, N.Y.	Toll
George W.	Morrison	Ullman
Blatnik	Murray	Van Deerlin
Edwards, Calif.	Powell	Willis
Edwards, La.	Rogers, Tex.	
Hawkins	Thomas	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hawkins for, with Mr. Hanna against.

Mr. Blatnik for, with Mr. Willis against.

Mr. Edwards of California for, with Mr. George W. Andrews against.

Mr. Powell for, with Mr. Rogers of Texas against.

Mr. Ullman for, with Mr. Murray against.

Mr. Van Deerlin for, with Mr. Edwards of Louisiana against.

Until further notice:

Mr. Toll with Mrs. Thomas.

Mr. DAGUE changed his vote from "nay" to "yea."

Mr. HANNA. Mr. Speaker, I have a live pair with the gentleman from California [Mr. HAWKINS]. If he were present, he would vote "yea." Therefore, I withdraw my vote of "nay" and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. RODINO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks in the RECORD on the bill, H.R. 14765, and include extraneous matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that on Wednesday, August 10, 1966, it may be in order to consider District of Columbia business under the provisions of clause 8, rule XXIV.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, did the gentleman say Wednesday? That is tomorrow that District of Columbia bills would be taken up?

Mr. ALBERT. Yes. Mr. Speaker, will the gentleman yield under his reservation of objection?

Mr. GROSS. Yes, of course, I yield to the gentleman from Oklahoma.

Mr. ALBERT. One of these bills the chairman of the committee, the distinguished gentleman from South Carolina [Mr. MCMILLAN], has asked several times to bring up as soon as possible. We missed two District Days because of the consideration of the Civil Rights Act. It is my understanding that consideration of the bills that are in order will require only a very short period of time.

Mr. GROSS. Will the bills include the picketing bill?

Mr. ALBERT. Such bills as are in order under the unanimous consent request which I have made may be called up by the gentleman from South Carolina.

Mr. GROSS. You have no knowledge of the bills that he proposes to call up tomorrow?

Mr. ALBERT. There are three, four, or five bills. I am not exactly sure. But the one in which there is the greatest interest is the teachers salary bill. It is one which has been reported out for some time. I do not see the distinguished gentleman on the floor, but he has assured me that it will take only a few moments. There will be no opposition to the bill.

Mr. HALL. Mr. Speaker, in view of the fact that this could have been heard on Monday, I will object.

The SPEAKER. Objection is heard.

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for the remainder of the week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the inquiry of the distinguished minority leader, we will proceed with the consideration of the bills on the schedule, including the Military Construction Authorization Act and the Highway Authorization Act. We are, of course, hopeful that the distinguished gentleman from Missouri will yield and let us consider at least part of these District bills between now and the end of the week.

UNIFORM RECORDKEEPING SYSTEM FOR RADIATION WORKERS

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, I am introducing for the consideration of the Congress today a bill which would authorize the Atomic Energy Commission to provide financial assistance in the form of grants to the States for the purpose of defraying the additional costs which a State may incur in adopting and maintaining a uniform recordkeeping system for the radiation worker. The system, as conceived, would provide a mechanism for the development of accurate and relevant statistical data useful in the conduct of scientific research and medical studies on the effects of radiation on man. In addition, such a system would provide useful information to the States in their review and adjudication of workmen's compensation claims and in furthering their radiation protection programs.

In order to make the recordkeeping system most effective, participation by the States in the grant program will be contingent upon the States' meeting minimum requirements for recordkeeping prescribed by the AEC. In addition to the need for a recordkeeping system, it is also desirable that States participating in the program have workmen's compensation laws which meet minimum standards for coverage of radiation workers. The inadequacies of workmen's compensation statutes generally, and

particularly for radiation workers, have been well established. Accordingly, the bill would provide that the standards established for participation in the grant program may also include minimum standards for workmen's compensation coverage of radiation.

Further, the bill would specifically authorize AEC to enter into contracts for studies of appropriate systems of recordkeeping and for studies of and reports on the various States' workmen's compensation laws, the administration of claims, and related matters.

In 1959 the Joint Committee on Atomic Energy held hearings on employee radiation hazards and workmen's compensation, looking to the problem of insuring the health and safety of workers employed in the radiation industry, the complex problem of compensation when a worker receives a radiation injury and the causal relationship between the two. One of the conclusions reached by the committee was that a review of the testimony indicated that there was practically universal agreement on the need for centralized records of individual exposures in order to know the amount of radiation which an individual had absorbed and also to prevent him from exposing himself unnecessarily to radiation.

The validity of this opinion has been borne out by studies and recommendations of both governmental and private organizations. The Council of State Governments, the International Association of Industrial Accident Boards and Commissions, the Atomic Energy Commission, and the Department of Labor have all recognized the need for a uniform and centralized system of recording individual radiation exposures and have recommended at various times that one be adopted.

The initial phase of the Commission's program leading to the adoption of a recordkeeping system and for the encouragement of States to improve their workmen's compensation laws was described by the AEC during hearings on its authorization legislation earlier this year. A number of States have already expressed their interest and desire to cooperate in the program. By authorizing this grant program, the Congress will provide an effective means to materially assist in accomplishing the objectives I have just described without unduly burdening the worker, employer, the State, or the Federal Government. As you know, most of the State legislatures will be in session in 1967. Many of the States may find it necessary to amend their workmen's compensation laws to meet the objectives of the Commission's program and to provide the legal authority for a recordkeeping system. Thus, it is important that you give, and I urge, your early and favorable consideration of this bill.

PROBLEMS OF THE OLDER WORKER

Mr. BURKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE. Mr. Speaker, once again I would like to bring to the attention of the Members of the House my bill, H.R. 11682, which I introduced October 20, 1965, to amend the Civil Rights Act of 1964, to make discrimination in employment because of age an unlawful employment practice.

After many years of being considered a youngster in the family of nations, the United States is now regarded as a senior member in that fellowship. The growth and appearance of new nations in Africa and elsewhere have added rapidly to our seniority. Yet while we have aged in relation to the new nations, we are still representative of youth and vitality. This is true not only because the zeal and enterprise of our many cultural, economic, and social pursuits is so typical of youth, but because the chronological age of our population is getting lower each year. It is interesting and surprising to note that, today, half of our people are under 29 and, by 1975, half will be under 26.

As a natural result of this shift in our population structure, more and more attention is being focused on the problems of youth—the challenges they are faced with, their attitudes and responses toward these challenges, and their preparation for meeting them. Yet problems arise from this shift of interests and concentration, which is also very natural. This is the problem of our older citizens. Even with our growing concern for the future and our young people, we have devoted considerable attention to the plight of the elderly—those over age 65 who have retired from the work force and whose reduced earning power and activity often serve to make their later years less full and happy than they ideally should be. These too are serious and growing problems.

But, the group I want to talk about today falls somewhere in between the young people just on the threshold of their life's work and their aspirations, and the aged Americans who have retired from the work force and ask merely a worry-free and dignified old age.

The middle-aged worker in the United States is chronologically sandwiched between the beginner and the retiree. And, although we rarely realize it, he is feeling the pressure of both groups in his effort to maintain his place in the labor force. The young are crowding in from behind and the trend to rigid retirement standards is mandatorily limiting his work span—this in spite of the fact that he can look forward to longer and healthier later years than his grandfather or his father.

The problem usually does not arise unless the older worker—generally considered to be age 40 and up—suddenly finds himself without a job. It is one of the cruel paradoxes of our time that older workers holding jobs are considered invaluable because of their experience and stability. But let that same worker become unemployed, and he is considered "too old" to be hired. Yet, once unemployed, the older worker can look forward—if that is not an improper term—to longer stretches between jobs.

A recent study by the National Association of Manufacturers and the chamber of commerce showed that 26 percent of 279 major firms did not hire any workers over 45. And, even more telling is a study conducted by the United States Employment Service in 1956. It took a survey of public employment offices in seven urban areas. The results showed that 41 percent of all job listings specified applicants under 45. That was almost 10 years ago, but we have no reason to expect that the trend has diminished in the intervening decade.

The problem is already severe and it is growing more so. The older worker who becomes unemployed, even though he may have a spotless and distinguished record of achievement and competence, is assailed by all kinds of slings and arrows of bad fortune.

For one, longrun occupational shifts work against the older worker. The jobs which are growing in importance today are concentrated more in white collar and highly technical occupations; they impose requirements that the older worker is less likely to possess than a younger competitor. This is especially true when the worker has become unemployed because his job—even perhaps the first and only job he ever held—has become obsolete.

Another reason, which I referred to briefly earlier, is the effect of the growth of private pension plans. This device to protect the worker against need and worry in old age has, paradoxically enough, brought on wider use of age restrictions. Because it is often not possible for an older entrant into these plans to earn enough credits for a pension and because often there is resentment against an older entrant for reaping the benefits that have been created by years of contributions by longtime employees, many employers refuse to hire such workers. Furthermore, pensions have encouraged the practice of automatic retirement at a fixed age, usually 65. And, such elements as recent union pressure for even earlier retirement as an alleviation for the unemployment problem only contribute more to the general reluctance to take on the older worker.

These, at least, are practical problems. They are the weeds that crop up in a fertile field of progress. Progress, as we are coming to see, is not an unmixed blessing. The techniques which relieve man from some of the most tedious, unpleasant, and time-consuming tasks also put many men—who know no other occupations—on the unemployment rolls.

For these problems, we must make adjustments and institute new programs for retraining those with obsolescent skills and for offsetting the disadvantages that better protection plans and earlier retirement ages pose for the older jobseeker.

But there is one problem confronting the older worker that is even more painful, more widespread than either of those previously mentioned. And that is discrimination.

Age discrimination is not the same as the insidious discrimination based on race or creed prejudices and bigotry. Racial or religious discrimination results in nonemployment because of feelings about a person entirely unrelated to his ability to do a job. This is hardly a problem for the older jobseeker. Discrimination arises for him because of assumptions that are made about the effects of age on performance. In some cases, of course, these assumptions are valid and are based on reason. One would not hire a 45-year-old woman to model teenage clothes. One probably would not hire an older man to work on placing girders in rising skyscrapers.

But, as a general rule, ability is ageless. A young man with capacities does not lose them with age, unless his capacities are dependent upon his physical characteristics or the speed of his reactions. In many instances, rather, a worker's skills are honed and sharpened by experience.

Studies have shown, in fact, that older workers bring qualities to a job that tend to make them very desirable employees indeed. For one, they rate high in dependability—they have a much lower rate of absenteeism than their young coworkers. They also have a high rate of job stability—they are less likely to move around from office to office, from place to place. And their rate of work injuries is lower than that of younger groups.

These qualities, which are prized by any employer, are the fruits of experience—experience gained through years in the labor force. Shakespeare once said:

> He cannot be a perfect man, not being tried and tutored in the world. Experience is by industry achieved, and perfected by the swift course of time.

Many employers are depriving themselves of a valuable source in rejecting older job applicants because of their misguided views about ability in older workers. The Secretary of Labor, Willard Wirtz, put it very succinctly when he said:

> It doesn't make sense that the doctors and scientists can do so much better about removing the physical aches and pains of old age than the rest of us are doing about ending the bitter bruises of discrimination against older people.

Of course, the only effective way to offset the disadvantages under which the older jobseeker labors—or, rather, fails to labor—is to take active measures to counteract them. A man's inability to qualify for a job he seeks because of obsolescent skills or shrinking labor markets can be handled by providing him with retraining programs. This is being done, through such Federal programs as the Manpower Development and Training Act and, in some cases, by industries themselves.

The more difficult problem is the one of discrimination. This will require a broad program of education and persistent vigilance to offset. The Federal Government sets a good example by its policy banning age discrimination. The Executive order which contains this ban, issued by President Johnson early in 1964, prohibits Federal contractors and subcontractors from discriminating on account of age with respect to hiring, advancement, discharge, conditions of employment, and advertising or other solicitation of employment. It backs up its stated policy to protect the older worker against unfair elimination from job searches through the efforts of the U.S. Employment Service. The USES was one of the first agencies, public or private, to recognize the special position of the unemployed worker and it actively seeks to place older workers—as well as other "disadvantaged" sectors of the labor force—by supporting and counseling the workers in their search for employment and by trying to encourage prospective employers to look more kindly on the older job applicant.

These are still small, if essential, efforts. This country needs to have its private industries and businesses follow the Federal example in their attitude toward the older worker. The advantages are manifold. Not only would business and industry gain skills, wisdom, and experience accumulated during long working years, but they would be doing the workers themselves a service by showing that they have not outlived their productivity when they are merely on the threshold of middle age.

Studies and experience have shown that the older worker possesses a stability and steadiness that is not as common as among the young. This is a vital quality for progress and productivity.

Our youth cult may have allowed some of us to lose sight of the value of anyone over the age 40. I propose that we all work to educate our communities to the fact that this is not so.

It is an old saying that "life begins at 40." It can be just as true that new work can begin at 40 as well.

I trust that the House Education and Labor Committee will see the imperative necessity for early enactment of this long-needed legislation, and will lose no time in scheduling consideration of this measure.

RESOURCE DEVELOPMENT BOOSTS ECONOMY IN NORTHWESTERN PENNSYLVANIA

Mr. VIGORITO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VIGORITO. Mr. Speaker, in northwestern Pennsylvania our countryside is rich in natural beauty and we have resources that hold great potential for development to serve new uses. People in the area are taking advantage of conservation legislation the Congress passed less than 4 years ago and, through joint local action in a resource conservation and development project, are developing land and water resources to improve their economy.

The Penn Soil Resource Conservation and Development project is one of the first in the Nation to be approved by the Secretary of Agriculture under the new legislation. It covers about 1½ million acres in Crawford, Mercer, and Venango Counties, most of which lies in the congressional district that I represent.

As planning got started about 2½ years ago, the project was considered an experimental approach to improved land use and development of natural resources. It was considered an approach whereby a large number of farmers, city people, communities, and organizations could join together to develop and use all resources of the area to improve the economy and offer more attractive opportunities to its young people. The accomplishments so far hold great promise for the success of the project.

Although this is a long-range program—with some measures not expected to be completed before 10 to 15 years—some effects can already be seen.

Important among the planned measures are the small watershed projects that are being developed for flood prevention and to provide new water impoundments for recreation and fish and wildlife development.

The Mill Run and Saul-Mathay watershed projects—which are both completed—are serving very effectively to control erosion and prevent flooding. And they are also providing a base for recreation developments.

Other project measures include industrial parks and other centers, the development of which is closely tied in with the R.C. & D. project plans and objectives. Six recreational developments and 15 multiple purpose water development are planned in addition to those in the small watershed projects.

In all, proposed project measures number 52. Sponsors estimate that after they are all completed, they will provide nearly 2,000 man-years of continuing employment. And the economy of the watershed community is expected to increase by nearly $10 million.

I have visited some of the watershed project activities in my congressional district and have observed the enthusiasm and the accomplishments attained by local group action. It is this same support of local people—multiplied several times over—that is the backbone of the resource conservation and development project. Its sponsors—the soil and water conservation districts and the county commissioners of the three counties covered by the project—are accomplishing their objectives with the active support of local, State, and Federal governments, and, most significant, the support of businessmen, civic organizations, industry, and the general public of the watershed.

This project has opened the door to social and economic benefits. I am glad to support the people in my congressional district in these worthwhile activities. They are leading the way for other communities.

SIERRA CLUB TWISTS FACTS ACCORDING TO DAM BACKER—WRITES LETTER TO BROWER

Mr. SENNER. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SENNER. Mr. Speaker, as you well know, Mr. David Brower, the executive secretary of the so-called conservation-oriented Sierra Club of California, has come under considerable criticism lately for distorting the facts in the controversy over the building of central Arizona project dams in northern Arizona.

Recently, Mr. Brower was quoted in a Phoenix newspaper article as saying that the tax-exempt status of his organization is being investigated because of the "Udall brothers and Arizona power interests."

In response to this uncalled for remark, Mr. Orren Beaty, a most knowledgeable person, particularly in regards to the facets of the Lower Colorado River Basin project, wrote a letter to Mr. Brower acquainting him with the facts, as many have attempted to do for months.

JULY 12, 1966.

Mr. DAVID D. BROWER,
Executive Director, Sierra Club,
San Francisco, Calif.

DEAR DAVE: I have been increasingly dismayed and appalled at the accelerating abandon with which you have been disregarding fact and embracing fancy in your campaign to prevent the construction of any additional dams in the Colorado River. It appears to me you are quite willing to destroy, if this is within your power, any friends the conservation movement may have in government—willingly sacrificing the need of their future help and cooperation in order to win your current dubious fight.

These are my own personal views, and in spite of them I would not have written but for the intemperate, unsubstantiated statements attributed to you by the Phoenix press after your appearance there some 10 days ago. While you said unnamed "other sources" had identified "the Udall brothers" as helping bring about Internal Revenue Service investigation of the tax-free status of the Sierra Club, your other statements made it clear you were accusing Stewart Udall of being responsible. I have waited since July 1 articles for you to correct the statements, but there have been no clarifications published.

You well know that one of your representatives in Washington was sent to ask Secretary Udall if he had any part in asking IRS to check the club's tax-free status. And you well know he was told flatly, with no equivocation, that published newspaper accounts of this action were the first that either the Secretary or I had heard of it, that we had not discussed it with anyone and that we would not have recommended it.

How can you ignore this while pressing your attack strains my powers of comprehension. It is in keeping with your false charge that he has prevented some of the Bureaus of this Department from making known their views on the Colorado River Basin Project. You cannot deny the outstanding gains which have been made for conservation under Secretary Udall. Given responsibilities you and your organization do not possess, he must balance dreams of preservation of wilderness, park and recreation values against practical realities. There exists no blank check authorization from Congress to draw on and no bottomless money bag to reach into for the myriad worthwhile projects yet to become reality.

A year ago I would have thought you understood these basic facts. Today I lack that faith in your understanding, so spell them out.

No reply is necessary, as I regard this to be a severance of relations.

In all candor and finality,

ORREN BEATY.

A CALL FOR THE REFORM OF THE FEDERAL CRIMINAL STATUTES

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I rise today to discuss a most formidable subject—crime in the United States. Although New Jersey's crime rate fortunately has not been rising as fast as that of the entire Nation, I am still deeply concerned about the mounting problem of crime, as are all Americans. In the past 8 years, this Nation has seen its crime rate increase six times as fast as the population, 19 percent in the last 2 years alone. We live in a nation where there is a robbery every 5 minutes, a burglary ever 28 seconds and five serious crimes every minute.

In a Gallup poll of May 1965, 41 percent of those polled felt that crime was the most important domestic issue, surpassed in importance only by education.

Of the more than 12,000 of my constituents in the Seventh Congressional District, who replied to my recent questionnaire, 10 percent rated crime as one of the three most important problems facing our country, and an additional 4 percent ranked the related problem of narcotics as crucial. They placed crime high on their list, just below such much-discussed issues as Vietnam, inflation, and civil rights. Though many consider crime a critical domestic issue, it is one to which the Federal Government has paid insufficient attention in the past.

As crime mounts alarmingly, so too does its costs. A study in State Government News estimated the costs of criminal justice in California in 1965 at over $600 million per year, and estimated that these costs would rise by 50 percent within the next decade. The cost to the Nation as a whole is estimated by the administration at $27 billion per year.

There exists a definite need for widespread action in this field, particularly by the State governments. However, as the President said in 1965:

> In some areas . . . the Federal Government has a special responsibility—organized crime, narcotic and drug control, regulation of gun sales, and law enforcement activities in the District of Columbia.

Earlier this year, the Department of Justice began its "war" on organized crime, and the President called for studies on the causes of crime to aid in its eradication. Yet the Federal Government, for all its well-publicized work in this field, has neglected a further responsibility—the updating of the entire Federal Criminal Code.

In our age of modern police technology, we need modern laws. No one can contend that the present patchwork criminal code is suitable for a society which may soon have policemen checking instrument panels to see if all the doors of merchants are locked for the night, or halting fleeing suspects with harmless tranquilizer darts.

We are all aware of the recent decisions of the Supreme Court which radically redefine the rights of the suspect and the accused before and during trials. As a result, the Federal Criminal Code, which has been thrown together over the past century, and revised but twice, is in urgent need of revision.

In light of this, it is not difficult to understand why President Johnson, in his crime message of March 1966, said:

> A number of our criminal laws are obsolete. Many are inconsistent in their efforts to make the penalty fit the crime. Many—which treat essentially the same crimes—are scattered in a crazy quilt patch-work throughout or criminal code.

The Federal Government has the responsibility to set an example for the State governments by updating and modernizing its criminal code to reflect the realities of urban society. There must be a carefully directed effort made by the Federal Government to revise and reform the revelant parts of the United States Code. In doing so, we shall provide leadership in a sphere which is uniquely Federal and thus encourage the States to assume their proper role and revise their own statutes.

Today, I am proud to join with my distinguished colleagues, the gentleman from Virginia [Mr. POFF] and the gentlemen from New York [Mr. KING and Mr. SMITH], in introducing legislation which would enable the Congress to begin the formidable but vital task of revising title 18 of the United States Code, the crime and criminal procedure statutes. It creates a bipartisan commission, made up of Members of the House and Senate, Federal judges and private citizens to formulate and recommend new legislation and also to recommend revision and recodification of title 18 of the United States Code.

One of the key features of this bill is the establishment of an advisory committee which is to be selected by the Chairman of the Commission and which will carry on the yeoman work required in such a substantial undertaking. This committee will enable us to take the administration's entire "crime package" and put its findings into usable form so that useful legislation and reforms will emerge. This will do much more than continuing patchwork repairs on a patchwork system.

The careful work which has gone into this bill is evident. It insures a commission of a bipartisan, professional nature, authorizes a closed appropriation, and sets a final date for the report of the commission, thus preventing the establishment of a continuing, constantly spending, never-reporting commission.

The necessity for Federal action in the Federal sphere is clear to us all. The

concept of a national commission to reform the Federal criminal statutes is already receiving strong support from Federal judges across the Nation. It now remains for us to act and have the Federal Government do its proper share in the war against crime.

THE EQUAL PROTECTION OF THE LAWS

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. WALKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, many of my colleagues have readily offered explanations for the race riots currently taking place over our Nation. However, in the August 1, 1966 issue of the U.S. News & World Report, Mr. David Lawrence in his column states that the demonstrations causing the riots are used "as a means of coercing Congress into the passage of stricter civil rights laws and the grant of more and more money to rebuild slum areas."

I have maintained since the Watts riots of 1965 that the Federal Government through the so-called Great Society administration has given these people a blank check with "no strings attached," and as a result the beneficiaries have come to expect a continued handout. When they do not get what they demand, they know exactly what to do—demonstrate and riot.

I urge my colleagues to read this column and to heed the challenge offered by Mr. Lawrence:

WHO IS TO BLAME

(By David Lawrence)

A wave of discontent is sweeping the country today.

People are asking why the Government at Washington is seemingly indifferent to the riots and crimes in the big cities of the North—the latest in Chicago, Cleveland and New York. The disturbances are due in part to racial friction, but are intensified by acts of violence resulting from an abuse of the concept of "demonstrations." This device has been openly espoused as a means of coercing Congress into the passage of stricter "civil rights" laws and the grant of more and more money to rebuild "slum" areas.

It is to be noted that, within the last few years, the Government has undertaken a massive program of education and assistance to the underprivileged. Anti-poverty legislation has been enacted. Appropriations have been made to improve conditions in many of our cities. Government departments and commissions have been active in endeavoring to enforce "equal rights" and to assure "equal opportunity" in employment.

Why, then, are the leaders of the civil-rights movement preaching "nonviolence" but, in effect, arousing passions and inciting people to violence?

Why are the police in the big cities interfered with by pressure groups and charged with "brutality" when they try to maintain law and order?

Why has it been found imperative for the National Guard to be called out in State after State to help the local police quell riots and preserve order?

Why was a "long, hot summer" of trouble predicted repeatedly last spring by some of the leaders of civil-rights groups as if to threaten Congress that it must immediately comply with their demands?

Are the outbreaks spontaneous or planned? Why the sudden appearance of the firebombs and shotguns in the crowds? Why all the arson?

What is the record and background of some of the top advisers who sit beside certain gullible leaders in the civil-rights movement and plan "targets" for the mobilization of demonstrators?

Why has the information about subversive activities been withheld? Why is this minimized as incidental? The Rerevend Billy Graham told a news conference the other day that the Government, including the FBI, knows the offenders and should identify them to the public. The testimony of police chiefs in Cleveland and other cities is that the recent assaults were apparently organized in advance.

Why, indeed, are street "demonstrations" of any kind deemed necessary in a democracy to secure passage of proposed legislation or enforcement of existing laws?

What has happened to the system of communication between the people and their Government? Is it really no longer effective?

These questions are being asked on every side because they touch the fundamentals of life in America today. Mob violence and vandalism are emerging on a wide scale in many a community. Day after day the newspapers carry reports of innocent citizens being killed or wounded, private property looted or destroyed, and residential neighborhoods terrorized.

The slogan "black power" is widely proclaimed but it can only stir up more race consciousness and a cry for retaliation by "white power."

Many of the pastors openly preach "civil disobedience." A member of the President's Cabinet, himself a Negro, excuses it all as follows:

"If the average white American put himself in the shoes of the average black American, he would be just as angry, just as prone to violence as the Negro is today. The thing that surprises me is that it hasn't happened before."

Discontent is increasing largely because of a feeling that persons elected to public office have failed to take the steps necessary to maintain law and order. Congress seems hesitant to enact corrective laws for fear of offending Negro voters.

The Administration argues that Congress has virtually unlimited power to protect "civil rights" by invoking the clause of the Constitution which authorizes it to regulate "interstate commerce." If so, there is a parallel obligation to insure the safety of all citizens, irrespective of race or color, in their homes and on the streets.

The rising discontent in America may reflect itself in the autumn elections. It would not be surprising if the American people showed their dissatisfaction with the party in power by voting for the opposition candidates, even though no alternative policy on the issue of law and order is being offered by the Republicans.

Meanwhile, a passive Administration looks on, claiming to be without authority to intervene, but actually unable to perceive as yet that the electorate is steadily becoming embittered.

Who is to blame for this inaction? Plainly, those who hold office today are to blame, as they have the responsibility to see to it that whites as well as Negroes are given 'the equal protection of the laws."

CRAMER AMENDMENT

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. WALKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, I feel that I should comment on the amendment offered today by Congressman BILL CRAMER, of Florida, which passed this House by a large majority. Congressman CRAMER who introduced the amendment, and Congressman JOHN ANDERSON, of Illinois, who laid the facts on the table concerning the civil rights unrest we have experienced recently, will both go down in history as being the great Republican representatives of our Nation who put a little foot in the door to keep the criminals and subversives from having more rights than the taxpaying, property-owning, hard working citizens.

I am most thankful, at long last, to see Members of Congress, by their votes, show that they are waking up to the real motivation behind the arson, stealing, murder, and general unrest that has resulted from the so-called civil rights demonstrations. It is gratifying to me to see it being admitted openly on the floor of the House, and certainly not by the leftwingers, that this is an organized conspiracy. The true facts have not been laid before the American public in such a manner for many years.

I do not deny that I am probably more conscious of all this unrest over our Nation than many of my northern colleagues. Up until this time, every civil rights bill that has been passed has been pointed directly at the Southland, and I am not arguing that there is not crime in the South, but the record will show that there is much more to the north, and that it has continuously grown with the appeasement and promotion of civil rights bills.

The burden of blame must be put on the demonstrators that are causing all of the unrest, and taken from the backs of the unprotected property owners. The Cramer amendment, passed today, might be known as the first small step back in the direction of giving some protection to the taxpayer. It is my observation that my northern colleagues are now waking up to some of the methods of these demonstrators now that they have these organizations actively stirring up trouble in their own backyards. One thing that has disturbed a lot of my northern colleagues about this civil rights bill is that it covers the Nation, and not just the Southland. Some of my dear liberal friends have reasoned with me that the civil rights bill of 1966 goes too far—and my observation is that the reason they agree so much is that it goes too far north.

One reason there has been so much crime, immorality, strife, bitterness and disrespect for law enforcement officers of our country, has been because of the sanction that has been given by the so-called Great Society and their keynote speakers such as Dr. Martin Luther King who said "Burn, baby, burn" while property was being destroyed by fire, and the black power screams by McKissick, Car-

michael, and the Harlem hoodlum. Just recently, two Atlanta civil rights leaders reported that after the Student Nonviolent Coordinating Committee prevented a traffic arrest its chairman, Stokely Carmichael declared:

This is what we mean by black power. If we organize, we can get what we want.

ZOO ANIMALS SAVED

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, because of the intense interest of the public and of my colleagues here in the Congress, I would like to address a few remarks to the fate of the 55 beautiful wild animals en route to the United States from Mombasa, Kenya.

Last week, the shipping company involved in the transportation of these rare animals, the Ned-Lloyd line, was informed by the Department of Agriculture that because of stops at unauthorized ports, the import permits for these animals had been cancelled. Consequently, these animals destined for 13 zoos across the country could not be unloaded at the Clifton Quarantine Station in New Jersey as had been planned. As the ship, the *Masslloyd,* had already sailed from Lisbon, the shipping company announced that unless the USDA would make alternative arrangements for the disposition of its cargo of giraffes, gazelle, hartebeest and other rare animals, it would have no alternative but to dump the entire load into the Atlantic Ocean.

At that time, I wrote the Secretary of Agriculture, Mr. Freeman, and asked that he intervene to prevent the senseless deaths of these lovely animals. Newspapers, magazines, and radio and television gave wide publicity to the plight of these unfortunate animals. Hundreds of letters and telegrams were sent to the Department of Agriculture asking that it take steps to prevent this tragedy from occurring.

I am now very pleased to report that these animals have been saved. On Friday, August 5, 1966, a meeting was held at the Department of Agriculture in which Congressmen, representatives of the shipping company, the animal importers, representatives of the zoological institutions, the Humane Society, and Department of Agriculture officials attended.

There it was announced that the Department of Agriculture had obtained from the Department of Defense, Fort Slocum, on Davids Island located off of Long Island Sound which would be suitable for the additional 60 days quarantine required to insure that these animals were free of any disease. Such arrangements were acceptable to all parties concerned. The only question left unanswered was who was to undertake the construction of pens for the housing of these animals at Fort Slocum.

Later that afternoon, Agriculture announced that it was sympathetic to the problems involved and that it would be willing to share in the additional expenses required by the agreed upon procedure.

Yesterday, Agriculture informed me that all arrangements had been made. Agriculture is to construct the required pens at Fort Slocum, the shipping company will pay for the transportation of these animals to that island, and the animal importers will pay for the costs of maintaining these animals for the quarantine period.

I am informed that the 13 zoos involved, including the Omaha Henry Doorly Zoo in my own district, may expect to receive their animals in about 3 months.

HIGHER RESALE PRICE WOULD ENCOURAGE WHEAT PRODUCTION

Mr. HANSEN of Idaho. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. FINDLEY. Mr. Speaker, Agriculture Secretary Orville Freeman's announcement of higher wheat acreage for the 1967 crop is viewed with concern by many farmers as likely to weaken market prices.

If this concern is widespread it may well not only hurt farm income, but prevent the higher production of wheat which Mr. Freeman sees as necessary to meet domestic and oversea needs.

In a letter August 8, I recommended to Mr. Freeman that he use his discretionary authority to price Government wheat stocks high enough to keep them out of normal market channels. This would not cause a buildup of Government holdings beyond levels desired by the administration. On the positive side, it would certainly give farmers the price confidence they need in order to boost wheat production.

Otherwise they may not increase plantings as desired. In most areas they have a choice of land uses and will naturally turn to the ones most promising from the profit standpoint. The ever-present danger that even today's limited Government wheat stocks will be dumped in price-depressing manner is a constant worry to farmers.

If the resale price of Government holdings is increased to $2 a bushel, as I suggest, this would give assurance that competitive marketplace disciplines would operate unemcumbered by Government sales, unless the market price of course should rise to $2.

Here is the text of my letter to Mr. Freeman:

DEAR MR. SECRETARY: I understand you are giving consideration to a further increase in wheat acreage allotments, in order to assure adequate supplies for domestic and overseas needs. Under present government sales policies, I question whether the simple act of increasing allotments will bring the desired increase in production.

To assure the increase, I urge that you raise to $2 a bushel—80 percent of parity—the minimum price at which government wheat stocks can be sold during the 1967 marketing year. This will give farmers confidence they will not have cutrate competition from the government's Commodity Credit Corporation when they market their crop.

By pegging the minimum government sale price at $2, you would, in effect, isolate government holdings from market channels and let competitive disciplines fix prices and balance supply and demand. Government wheat trading would be at a bare minimum. No longer would farmers and other grain merchants have to reckon constantly with unpredictable government sales policies, because the market price would undoubtedly remain below $2.

I feel confident that this insurance against government dumping would inspire farmers to increase production to the desired level.

The new policy on sales would seem to conform ideally with Administration objectives.

It would help to assure the desired wheat production. It would meet the President's stated requirement that Commodity Credit Corporation be operated so as to enable farmers to get maximum income from the private market.

An undesired buildup of government stocks would not occur, because official estimates put the maximum carryover the increased acreage would produce at a level within the minimum stockpile objectives. Government costs would not be materially affected.

Sincerely yours,

PAUL FINDLEY.

A BILL TO COMBAT AND CONTROL WATER POLLUTION FROM BOATS, VESSELS, AND MARINAS

The SPEAKER pro tempore (Mr. GALLAGHER). Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, this country has experienced such a growth of pleasure boating in the last decade that today, in terms of dollar volume, this is the most important form of recreation in America.

According to Thomas F. Kelleher, programing officer for boats and marinas within the Federal Water Pollution Control Administration, in 1950 there were 3.5 million registered pleasure craft in the United States. By 1965 there were 45 million people enjoying pleasure boating in more than 8 million boats, indicating a ratio of 1 boat for every 25 people in the United States.

A similar rapid expansion has been witnessed in the related industries which serve the needs of the boats and boaters. Over 5,200 marinas now serve the American boating public on our lakes, rivers, and coastlines. Moreover, the boating industry was reported as doing a $2.7 billion annual business as of 1965.

The problem is, that while the American people are spending millions of dollars each year to enjoy the water, they are at the same time causing millions of dollars to be spent to clean the water which they use. The fun is taken out of pleasure boating when sewage and

other wastes are expelled into the water, thereby polluting our rivers, draining our natural resources, and endangering our health.

Most small recreational craft have no waste treatment facilities, and thus, the water becomes the receptacle for the boat users' waste. About 90 percent of the larger covered boats being manufactured today have galley or toilet facilities or both and the waste collected is also discharged directly into our waterways. In addition, thoughtless users of all size boats bombard our waters with every conceivable variety of trash. Floating cans, bottles, cartons, boxes, paper, shoes, mattresses, and tires are all too frequently a part of our water environment.

Communities in the United States have invested nearly $3 billion since 1956 to build new and improved plants to treat sewage and other wastes. Industry to a large extent has joined in the fight for clean water. Every State in the United States has an active clean water program, which in turn is receiving support from the ambitious Federal water pollution control program. I have heretofore introduced on March 15, 1966, a bill, H.R. 13627 to assist the States in their water pollution programs. See the CONGRESSIONAL RECORD of March 15, 1966, page 5839, for my statement on this.

We must not allow boat owners and users and related industries, such as marinas, to impede the substantial progress being made in the general area of water pollution control. It makes little sense to spend millions of dollars and time and effort only to have the pleasure of boating destroyed by thoughtless pollution and our lives endangered by littered and contaminated waters.

It is with pleasure that I note that the Senate included in this year's water pollution control bill (S. 2947), which recently passed the Senate, a provision authorizing an investigation of water pollution from boats and marinas. Section 18 of S. 2947 would authorize the Secretary of Interior to make a thorough study of water pollution from boats and vessels and to submit recommendations to the Congress by July 1, 1967. Unfortunately, however, the situation with respect to the pollution to our lakes, rivers and waterways has presently reached the critical stage.

Several interested citizens, including one of my constituents, Mr. Howard A. Zeimer, have suggested that concrete steps be taken now to reduce the tremendous volume of pollution being injected into our Nation's rivers, lakes, and waterways by boats and marinas.

From a practical standpoint, there are three principal types of antipollution treatment devices to control water pollution from boats: First, chlorinators are devices designed to hold sewage for at least a nominal period to permit introduced dosages of disinfectants to kill bacteria contained in them. Second, incinerators are units designed to trap the waste material, usually a previously inserted bag, and to hold the materials until the device is activated and the sewage materials burned. Third, the third type of treatment device, known as a holding tank, is simply a waste tank placed on board the vessel and attached to the main toilet so that materials are pumped from the toilet into the tank. The holding tank seems to have the greatest appeal to health officials, most likely because they are thought of as the next best thing to actually sealing a toilet. All three types have some advantages and certain disadvantages. The important thing to note is that there are presently treatment devices which can and should be used by boats to protect water presently being polluted.

At this very moment States are in the process of formulating regulations in their attempts to comply with section 10(C) of the Federal Water Pollution Control Act—Public Law 89-234. The States have a right to know what is expected of them in their efforts to cooperate with the Federal program.

Accordingly, I have introduced today a bill which would amend section 10(C) of the Federal Water Pollution Control Act to provide that the criteria and plans to be established for the States in compliance with section 10(C) of the act shall specifically include provisions and standards for the control of water pollution from boats and vessels and marinas.

This legislation, similar to that introduced in the Senate by Senator JOSEPH D. TYDINGS, would go a long way to reduce the serious proportions which the problem of water pollution from recreational craft has reached.

The Pollution Study Committee of the National Association of State Boating Law Administrators has requested the Outboard Boating Club of America to prepare a model law dealing with the general subject of pollution from recreational craft.

Mr. Speaker, I include this model law at the end of my statement and following a copy of my bill, with the hope that the States will be provided with some guidelines which may be helpful in preparing their own regulations and insuring some degree of uniformity from State to State.

The time has come, Mr. Speaker, for the millions of Americans who look to the beautiful waterways of America for their fun and relaxation to accept their sober responsibility in seeing to it that the water they use remains clean. I strongly urge cooperation between all segments of the population and the Federal, State, and local governments in the effort to retard the advance of pollution of our lakes, rivers, and waterways.

As a member of the Committee on Interior and Insular Affairs, and because of my continuing interest in water pollution control, I hope that this legislation will receive the enthusiastic support of the House.

Mr. Speaker, a copy of my bill and the model bill, entitled "To prohibit littering and the disposal of untreated sewage from boats" follows:

H.R. 16938

A bill to provide that plans and regulations established pursuant to section 10 of the Federal Water Pollution Control Act for the control of water pollution shall apply to vessels (including boats) and marinas

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That section 10(c) of the Federal Water Pollution Control Act is amended by inserting at the end thereof a new paragraph as follows:

"(8) State criteria and plans for the purpose of paragraph (1) of this subsection and standards established by the Secretary pursuant to paragraph (2) shall include such provisions for the control of pollution of any kind from buildings, vessels, boats, or marinas including, but not limited to the discharge of any organic or inorganic matter which is injurious to edible fish and shellfish or the culture thereof, or from the dumping or release of garbage, oils, excrement, sludge or refuse of any kind into the water."

COLORADO RIVER BASIN PROJECT ESSENTIAL TO MEET THE WATER NEEDS OF THE EXPANDING WEST'S SPIRALING POPULATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 30 minutes.

Mr. HOSMER. Mr. Speaker, America's population is rapidly increasing, particularly in the arid West. The basic need of future generations for water as a necessity of life must be met. The Colorado River Basin project, embodied in H.R. 4671 with its Hualapai—formerly Bridge Canyon—and Marble Canyon Dams, is essential for this purpose. Under the flag of conservation, the Sierra Club has mounted a vast national lobbying effort against these dams, alleging they will ruin Grand Canyon National Park and flood one of the great scenic wonders of the world. Many people have been taken in by these extravagant and completely erroneous charges. The Washington Post on July 14 put it succinctly and correctly by describing these claims as "plain nonsense."

The truth is that Marble Canyon Dam would be built 13 miles upstream from Grand Canyon National Park and nearly four times that distance—around 50 miles—from the traditional south rim observation points.

Hualapai Dam would be built 80.3 miles downstream from the western border of the park and 149.5 river miles from the south rim. Even the recreation lake created by Hualapai Dam would be 55.5 miles from the south rim.

No dams or lakes would be visible from any easily accessible public observation point anywhere in Grand Canyon National Park. The Colorado River would flow exactly as it does now through the 104 miles of the interior of the Grand Canyon National Park. The only effect would be a very narrow lake 13 miles along the park's western boundary, deep in a canyon the general public never sees or visits.

The park will not be flooded. It will not be inundated. It will not be ruined.

The very act of Congress in 1919, which created Grand Canyon National Park, provides specifically for hydroelectric developments in or along its borders. The act did not mention Marble Canyon for the simple reason it is not even part of the park.

The Sierra Club, having lost all perspective in a frenzy of exaggerated charges and with complete intolerance for any views but its own, has decided

that it will accomplish its goal by the strategy of destroying one of the most delicately structured compromises ever placed before Congress. Its target is H.R. 4671, a bill which recognizes the needs for life-giving water of 30 million people now living in the seven States of Wyoming, Colorado, New Mexico, Utah, Arizona, Nevada, and California, and the double and treble times that many people who will be living there in generations to come.

And what is that goal? Time and again the Sierra Club and its allies have admittedly tacitly that the Grand Canyon is in no danger of ruination by this project. They have done so by saying, in effect, "we are taking on this project because it will set a precedent for building dams in national parks; we will beat this one and it will save the others." Now that is a piece of rationale that has more holes than a piece of old Swiss cheese.

Apparently they have forgotten, conveniently as usual, about beautiful Jackson Lake and dam in Grand Teton National Park, and beautiful Sherburne Lake and dam in Glacier National Park. And then there is Fontana Lake and dam that abuts Great Smoky National Park in the same manner which the proposed Hualapai Lake will abut the far northwest boundary of Grand Canyon National Park. All of these lakes have been visited by millions, who can tell you that these waters have enhanced—not ruined—the scenic surroundings.

Precedent having already been established, let us move on. I would remind my colleagues that the project will only be that contemplated by the act of 1919 establishing the park and providing in explicit terms for hydroelectric development. As a matter of fact, I seem to recall that the Sierra Club, as noted in its December 1949 bulletin, conditionally endorsed this very dam—the project its irresponsible leaders are now seeking to drown in a torrent of scare slogans, despite the fact its conditions have substantially been met.

And what other parks are they going to save? We now have almost 200 million Americans and not one of them—in public office or out—has proposed building any new dams in any other national park. There simply is no threat whatever of doing so.

The Sierra Club repeats its baseless charges at every opportunity despite the fact that reckless defeat of this project will relegate a major region of America to permanent drought and water shortage.

The Sierra Club and its madcap allies wantonly plunge toward their goal totally and unconscionably heedless of the catastrophic consequences and irresponsibly unmindful of the basic issue at stake. The issue is not conservation. It is water. The issue is not a place for man to play. It is a place for man to live.

The project opponents' tactics are to slander the dams by statements, speeches, newspaper ads, press releases, letters, articles, radio and television and almost every other means of communication known to man. Their primary objective is complete defeat of the bill. Failing that, they aim to lull the uninformed into supporting a substitute bill which would authorize only one of the many features of the basin project—the central Arizona project—with the remarkable allegation that this is the sole reason for the basin project anyway. I need only refer to the many statements of my Arizona colleagues, including former Senator Barry Goldwater, to demonstrate the falsity of this charge. I also remind the Sierra Club that when the central Arizona project was introduced as a separate project for the first time in 1947, it contained one of these dams—Hualapai Bridge—as a necessary part of that project and it has always been so considered. How much more necessary now is Hualapai, if needs in addition to Arizona's are to be met.

DROUGHT OR PLENTY?

H.R. 4671 realistically recognizes that the meager water supplies of the Colorado River are inadequate to meet the needs of our seven States, future growth and populations. Our starting point is the realization that we are dealing with a bankrupt river. The bill provides both for studies to determine feasible means of augmenting the regional water supply and the means to help pay for it; namely, the two dams. Without these dams seven States with an insufficient water supply are relegated to a certain future of deprivation, distress, and economic stagnation. Without these dams, and therefore without water augmentation, even the Sierra Club substiiute containing only the central Arizona project would have only a 20-year life simply because increased water uses upstream in the years to come will consume the water otherwise available to it.

There are but two alternative results from this battle. If good sense prevails we will have the bill and we will have water. If the Sierra Club wins out there will be disastrous and lasting drought. Irrelevantly, in either event the Grand Canyon National Park remains essentially unchanged. With the dams the canyon will remain as it now is with this exception only: a narrow lake, about the width of a football field, running 13 miles along the northwest border of the park. Just how this could ruin the park, which is about the same size as the State of Rhode Island, is wholly inexplicable. However pure the motives of the Sierra Club may be, they do not excuse the perpetration of this ridiculous hoax on the American public about ruination of the Grand Canyon.

As a Californian I am particularly concerned that this irresponsible position of a usually responsible private club does not defeat H.R. 4671. Down the drain with the wreckage will go the water future of my own State and six neighboring States, simply because funds will not be available to augment the Colorado River's inadequate water supply. As a Californian I am also particularly concerned that the Sierra Club's fall back position of gutting the bill and its dams and building only the central Arizona project be rejected. California's stake in this bill is greater than many residents of my own State realize. Its present language is the result of months of hard-fought bargaining. The "central Arizona only" tack ignores the needs and rights of the six other States, each of which has a vital stake in this critically overtaxed river. It also dumps sound provisions of the bill which give my State basic and vital safeguards relative to the river.

These safeguards essential to California are:

BURDEN OF SHORTAGES

First. The burden of water shortage must be borne by the new central Arizona project. Diversions by that project must be reduced to the extent necessary to protect existing, long-operating projects in Arizona, California, and Nevada. However, California's protection also is restricted, necessarily, to 4.4 million acre-feet, because we agreed to that in the 1929 Limitation Act. We stand by our bargain with Arizona that this protection shall continue until, but only until, it is made unnecessary by the completion of works to import 2.5 million acre-feet annually into the Colorado. The Sierra Club substitute strikes out this protection for California, but authorizes the central Arizona project anyhow, thus imposing a surer shortage on the river while relieving Arizona from her already expressed willingness to bear the consequences. And to what gain? Practically nothing, as upstream water users will exercise their water rights, increasingly drain the river, and in doing so cut back the amount available to Arizona within about 20 years. Beyond then the shortages will be so severe that her project must be restricted in any event. No Californian can vote for giving away our hard-won agreement, which is in strict accord with the Supreme Court's 1964 decree. No other States' Congressmen should vote for a water project whose life may be foreshortened drastically while at the same time voting against the means of relieving that shortage. But this is just what the Sierra Club is asking Congressmen to do.

REALISTIC WATER AUGMENTATION INVESTIGATION

Second. There must be a realistic and immediate investigation of water augmentation projects to avoid shortages in the Colorado, coupled with fair and adequate protection for areas of origin. Shortage of water in the Colorado River Basin is inevitable unless the Basin's water budget is rebalanced. The water budget can be balanced either by increasing the supply, or decreasing the demands; that is, by reducing existing uses. The first creates new assets; the latter destroys existing ones.

Eighty percent of the water used in southern California comes from the Colorado River and our homes, farms, and factories are heavily dependent upon it. With more and more new residents arriving every day, it is obvious that more water is necessary, not less; yet again, this is what the Sierra Club is asking us to do. They tell us to build the central Arizona project which we know will reduce the water available to California—and we recognize Arizona's right to do this—yet in the same breath they erase even our investigation of sources to increase our supply. The bill as written calls for full investigation of means to

augment the water supply by importation, by weather modification, by desalting or any other feasible means.

As water becomes more dear, the basin's five other States inevitably will feel the pinch. They are the club's secondary targets. Arizona does not ask for the reduction of the bill to a parochial central Arizona promotion by the elimination of those features of H.R. 4671 which make it a regional plan valuable to all seven States. Since Arizona does not ask that California or her other sister States commit hari-kari, why should any one else, or why should we volunteer?

DAMS MUST HELP FINANCE AUGMENTATION

Third. Hualapai and Marble Canyon Dams must be in this bill for two reasons: First, to provide power for pumping central Arizona project water, a function which does not concern California particularly. Second, and more important from California's viewpoint, to provide revenues from power sales to be used for two purposes: First, to assist in the repayment of the costs of the central Arizona project to the extent that the water users cannot pay for it; and, second, to help finance whatever augmentation program or programs found feasible for balancing the Colorado's water budget.

Consider these two revenue functions in the same order. The two dams, in 75 years, are expected to produce a net income of about $1.2 billion to finance augmentation in addition to helping pay for the central Arizona project. The Sierra Club's plan to delete both dams would leave no money for augmentation. It would cast the whole burden of subsidizing the central Arizona aqueduct on Hoover, Davis, and Parker Dams—that is, on the users of power produced by these dams, who would have to pay higher power rates to replace the lost Hualapai-Marble revenues. Who are these power users? Metropolitan Water District of Southern California, Los Angeles Department of Water & Power, Southern California Edison Co., Imperial Irrigation District—these, among others pick up the tab. Metropolitan is the biggest single billpayer at Hoover Dam, paying as much as Arizona and Nevada combined. The Sierra Club simply commands California's power users to pay higher rates to subsidize a project which would take water away from them. We cannot buy it.

Next, if Hualapai and Marble are not to help us pay for augmentation, what will? There are only two prospects: the Federal Treasury, or California and Arizona water and power users. And just to rub it in, the Sierra Club wipes out our hard-won agreement with the Bureau of the Budget that the cost of the water import works necessary to meet the Nation's obligation to Mexico under our 1944 treaty shall be nonreimbursable. Scuttling this agreement casts an added burden, perhaps more than a billion dollars, on the water and power users of California and Arizona while depriving them of Hualapai and Marble revenues to help carry any of the burden. Attractive, is it not? Or is it?

GRAND CANYON'S "RUIN" A HOAX

The Sierra Club's agitation against Hualapai and Marble is the most outrageous demagoguery to hit town since Barnum left. Marble Canyon Dam, not in the Grand Canyon National Park at all but 13 miles above it, will not affect the "wild river" below it. The river ceased to be "wild" when Glen Canyon Dam, upstream from Marble, began storing water, as much water as Lake Mead. Marble will simply generate power with the water that Glen regulates and releases.

Hualapai is 80 and a fraction miles below the downstream park boundary. True, it will create a lake large enough to border, but not enter, the park for 13 miles. This lake will be 89 feet deep within a narrow inner gorge where it first touches the side of the park, dwindling to nothing 13 miles upstream. The canyon walls here are over 3,000 feet high. The ratio of 89 to 3,000 is about that of the thickness of a brief case, lying flat on the floor to the height of the ceiling. In length, the 13 miles of the canyon bottom, now inaccessible, that would be made visible from the new lake, bears about the ratio to the length of the river in the park as the length of a brief case, there on the floor, bears to the length of an average living room. As to relative volume, the ratio of the lake's little puddle to the vast emptiness of the canyon overlying it is too small to be calculated, a minuscule fraction of 1 percent. To say that this will "ruin," "inundate," and "flood" the Grand Canyon National Park, as the Sierra Club said in its paid advertisements in the New York Times and the Washington Post, deserves the reply made in the Post's editorial of July 14:

> It is plain nonsense to speak of this proposed minor change in the Park as ruining the Grand Canyon.

Do not fall for it.

Not only will the Grand Canyon not be ruined, but a beautiful new lake stretching many miles up from Hoover Dam's Lake Mead will be created, accessible for the enjoyment of all Americans, not just a few hardier and wealthier Sierra Club types. It will be as lovely as Lake Powell, offering the area's beauty and inspiration to at least as many visitors as the 3.5 million people annually who visit Lake Mead—the beauty of a little fragment of the canyon bed now denied to all. Better than Lake Mead and Lake Powell, Lake Hualapai must be held to fluctuations of less than 10 feet by the terms of H.R. 4671. There will never be exposed mudflats.

The National Geographic magazine for July 1966, contains an article by the Director of the National Park Service about the population pressures on the national parks. See that article's breathtaking pictures of Lake Powell, being enjoyed by non-Sierra Club members, and of Rainbow Bridge, accessible now by a gentle hike from the lake that the Sierra Club so despises. Secretary Udall is quoted as predicting that in few years reservations, months ahead, may be necessary for overnight visitors to stay in Grand Canyon National Park. More recreational areas, like Lake Mead, Lake Powell, and Lake Hualapai, must be created to relieve the population pressure on national parks like Grand Canyon. It is a fine thing to be pronature, but to do so it is not necessary to be antipeople and antiwater. That is about the stance to which the Sierra Club's hysterical campaign has reduced that once respected organization.

STRIKE LEGISLATION NEEDED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ROBISON], is recognized for 30 minutes.

Mr. ROBISON. Mr. Speaker, on the evening of January 12 of this year we convened here in this Chamber, in joint session, to listen to the annual state of the Union message of the President.

On that occasion, President Johnson—in his address—touched upon many things, and among those we find this statement of intention:

> I also intend to ask the Congress to consider measures which, without improperly invading State and local authority, will enable us effectively to deal with strikes which threaten irreparable damage to the national interest.

That Presidential request has yet to be received by this Congress.

Subsequently, in his annual Economic Report as transmitted by President Johnson to the Congress in January of this year, we find this passage:

> The recent transit strike in New York City illustrates our helplessness in preventing extreme disruption to the lives and livelihoods of a city of 8 million people. I intend to ask the Congress to consider measures that, without improperly invading State and local authority, will enable us to deal effectively with strikes that may cause irreparable damage to the national interest.

And that Presidential request has yet to be received by this Congress.

Mr. Speaker, why has the President not followed through on his promise?

And it should also be asked for—contrary to what has seemed to be a developing trend whereunder Congress awaits executive initiative—Congress, itself, does indeed have a responsibility, too: Why has Congress not acted on its own?

This legislative area is one where action must perforce come slowly, for it is a most difficult and complex problem we face.

And, though it is not my intention to point the finger of political timidity at any one, I do state, unequivocally, that the public interest is not served by our continued improvisation in dealing with such disruptive strikes as the airline strike under which the Nation now suffers.

What is needed—and needed badly—is new, permanent legislation adding new tools to those now at hand for dealing with labor disputes of the type that—in the words of the President: "may cause irreparable damage to the national interest."

It is not my purpose here, today, to go into the issues involved in the airline strike—nor to discuss the provisions of the stopgap measure so recently passed in the other body and which may, or may not, eventually come before us for con-

sideration as one method to use to produce a settlement of that strike.

Nor is it my purpose—since I am not well enough experienced in this area to try to do so—to even suggest what new, permanent legislation may now be needed.

What I would like to discuss is a method under which—the political pressures of an election year being what they are—the next Congress may be enabled to consider this national problem in the objective, responsible fashion it demands.

Mr. Speaker, I say "the next Congress" because I have no hope that this Congress can or will rise to the occasion. The buckpassing of the past several weeks which has reflected no credit on either the President or this Congress—the evident unhappiness in the other body with the stopgap measure they did finally manage to put together—the equally evident caution with which our Committee on Interstate and Foreign Commerce is approaching that measure, which seems to be unwanted by anyone—all these things have convinced me that, if anything useful is to be done, the next Congress will have to do it.

How can we now help it to act?

Let us look at that problem while we wait for some break in the present impasse.

Last Friday's lead editorial in the Evening Star—here in Washington—had this to say among other things:

> The Senate's strike bill now goes to the House, where its fate is uncertain. It contains one provision, however, which should stay in any bill that may finally emerge. It directs the Secretary of Labor to send recommendations to Congress by next January 15 for "improved permanent procedures for the settlement of emergency labor disputes." Unless something of this sort is written into law, the American people can look forward to one strike after another in which they will be the real sufferers.

So far so good—for I would certainly agree that this is or could be one way toward obtaining the kind of action the next Congress will have to come up with.

But, it is the best or only way?

It seems to me it is not and, basically so, because this only puts us back more or less to the position we have been in since last January when such a recommendation was promised by no less a personage than the President.

It is also my understanding—though I have no proof of this—that the Secretary of Labor, Mr. Wirtz, now tends to feel that the existing machinery is adequate.

It is also my understanding that, though Executive Order 10198—which is the charter for the top-level Presidential Advisory Committee on Labor-Management Policy—lists collective bargaining procedures as first among its concerns, this Committee has not issued a report on this subject since May of 1962 and that no further reports are planned.

Though I dislike dealing in rumors, there is also a rumor to the effect that the President did, indeed, produce the promised administration draft bill sometime this past winter; that this was based on the Advisory Committee's 4-year-old report, and that the bill was then quietly circulated at the AFL–CIO convention at Bal Harbor in February where it did not receive a favorable reaction and that, since then, Secretary Wirtz has lost whatever initiative he may formerly have had in this direction.

Well, be all this as it may, what alternative source for legislative recommendations are there?

Permit me, Mr. Speaker, to go back to the editorial page for an alternative.

In the Washington Post for last Friday, I also find this editorial comment on the airline problem and the need, again, for amending the Taft-Hartley Act and the Railway Labor Act so as to provide "improved permanent procedures for the settlement of emergency labor disputes":

> We hope—
>
> Says the Post—
>
> that the Administration will have constructive advice to give in regard to this problem by next January or before. But the truth of the matter is that the President and many of his aides have been studying the problem since last January without coming up with anything satisfactory. Nor has Congress produced any acceptable formula. In these circumstances it might be more useful to create a joint executive-legislative body to work out some feasible program than simply to kick the football to the White House end of the avenue.

Thus, the Post's suggestion—even though it overlooked the strong probability that, if the present "Alphonse and Gaston" act continues, anything we might kick to the White House end of the avenue would be kicked right back up to Capitol Hill.

And that, Mr. Speaker, is precisely what I think is wrong in this idea—for it, again, would leave us in somewhat the same situation as we now find ourselves with neither the Executive nor the Congress willing to grasp the initiative.

All right, then, where now?

Well, back to the editorial pages once more, and now, in the August 1 issue of the Christian Science Monitor, we find still another discussion of the universally agreed need for permanent legislation and this suggestion:

> Perhaps Congress, with the help of the Department of Labor, should draft the legislation. But we wonder if a broader viewpoint might not be needed. Would it not be worthwhile for the White House to appoint a national committee of scholars on labor questions to come up with recommendations? Such a committee would, or should, be free from political fear. It would, we hope, be free from either a pro-business or pro-labor bias.
>
> What are needed are recommendations which the American people can believe are drafted without fear or favor and solely in the broad national interest. We think that a non-partisan scholars' committee might provide an answer. Politics must not be allowed to hamper or delay early action from whatever source.

Mr. Speaker, this suggestion makes eminently good sense to me—and I hope it does to my colleagues for I have, today, introduced legislation to create just such a Commission on Labor Relations, to be composed of 15 members of the academic community who are particularly qualified not only in the theory but in the practice of labor relations.

The members of the Commission—which would be a temporary body similar in nature and in power to others created to serve comparable purposes—would be chosen and appointed by the President on a nonpartisan basis, by and with the advice and consent of the Senate, and would be required to report back to both the President and the Congress with their recommendations for legislation within 6 months after creation of the Commission.

If we so reach outside the confines of official, politically hamstrung Washington for help in finding a solution to our problem, can we find, Mr. Speaker, qualified "scholars" in the labor relations field—as the "Monitor" describes them?

We most certainly can, and I need look no further in my own particular case for proof than to the campus of Cornell University, in my congressional district, where we find—as a contract college of the State University of New York—the New York State School of Industrial and Labor Relations. This school, created in 1944 with the Honorable Irving M. Ives, later a distinguished Senator from my State of New York, as its first dean, has become one of our country's outstanding centers for the study of industrial and labor relations. On its present faculty it now numbers several highly qualified and experienced individuals who would be outstanding candidates for Presidential consideration as appointees to serve on the Commission I suggest, and would, by virtue of their training, background, and experience, be capable of making a valuable contribution to the successful completion of its contemplated task.

There are other academic sources from which such "labor relations scholars" could be drawn. In fact, there are a surprising amount of such sources, having broad geographic-representative possibilities, and I would like to point out that many of the individuals who do serve, now, on the faculties of these schools have had, prior to such service, years of practical experience on either the labor side or the management side of labor relations, or on State mediation boards or on temporary fact-finding commissions involved with the settlement of labor disputes, prior to choosing an academic life, and that, since doing so, many of the same individuals continue to perform valuable services on such mediation boards, fact-finding commissions, and so on, in addition to their teaching duties.

So to those, Mr. Speaker, who might be inclined to say: "But why academicians only on your proposed Commission," with the thought in mind that those who might serve thereon were versed in the theory of labor relations but not experienced in the practical day-to-day application of that theory, I believe it could be answered that—if the members of my proposed Commission were picked with the care I know would accompany that requirement—these 15 individuals would be highly qualified for the difficult assignment we intend to hand them and, moreover, would carry the weight and respect required by both the public and the Congress to produce the progress toward new, permanent legislation now so badly needed in the public interest.

To those who might be interested in this suggestion—and obviously it is my hope that this includes the members of the Interstate and Foreign Commerce Committee now considering the Senate bill—the following is a partial list of some of the schools similar to that at Cornell from which members of my proposed Commission could be drawn:

Industrial Relations Center, California Institute of Technology, Pasadena.
Institute of Industrial Relations, University of California, Berkeley.
Industrial Relations Institute, University of California, Los Angeles.
Industrial Relations Center, University of Chicago, Chicago.
Department of Industrial Administration, University of Connecticut, Storrs.
New York State School of Industrial & Labor Relations, Cornell University, Ithaca.
Industrial Relations Division, Duquesne University, Pittsburgh, Pennsylvania.
Harvard University Trade Union Program, Cambridge, Massachusetts.
Industrial Relations Center, College of Business Administration, Univ. of Hawaii.
Institute of Labor & Industrial Relations, University of Illinois, Urbana.
Personnel & Organizational Behavior, School of Industrial Relations, Univ. of Indiana, Bloomington, Indiana.
Bureau of Labor Management, University of Iowa, Iowa City.
Industrial Relations Center, Loyola University, Los Angeles.
Industrial Management Department, College of Business Administration, Marquette University, Milwaukee, Wisconsin.
Industrial Relations Section, MIT, Cambridge.
School of Labor & Industrial Relations, Michigan State, East Lansing.
Bureau of Industrial Relations, Graduate School of Business Administration, Univ. of Michigan, Ann Arbor, Michigan.
Institute of Labor and Industrial Relations, Wayne State University, Detroit.
Industrial Relations Center, University of Minnesota, Minneapolis.
Institute of Labor Relations, New York University, New York City.
Bureau of Business and Economic Research, Northeastern University, Boston.
Industrial Relations Section, University of Notre Dame, Notre Dame, Indiana.
Industrial Relations Section, Princeton University, Princeton, New Jersey.
Labor Relations Institute, University of Puerto Rico, Rio Piedras.
Labor Education Division, Roosevelt University, Chicago.
Institute of Management & Labor Relations, Rutgers University, New Brunswick.
Institute of Industrial Relations, St. Joseph's College, Philadelphia.
Industrial Relations Bureau, San Diego State College, San Diego.
Labor Management School, University of San Francisco.
Institute of Industrial Relations, San Jose State College, San Jose, California.
Division of Industrial Relations, Stanford University, Stanford, California.
Institute of Industrial Relations, University of Utah, Salt Lake City.
Institute of Industrial Relations, West Virginia University, Morgantown.
Industrial Relation Research Center, University of Wisconsin, Madison.
Labor & Management Center, Yale University, New Haven, Connecticut.

Mr. Speaker, as earlier noted, it is my thought that the members of the proposed Commission should render their report within a 6-month period following its creation. That period may not be long enough, in view of the complexity of the problem. Perhaps a 9-month period, or even a full year would be better—and perhaps my feeling of urgency about the need to get at this problem has colored my judgment, here. But I am not wedded to any particular time period—nor for that matter, to any of the other provisions of my bill, if someone believes they can be improved upon.

I do believe, however, that this is a constructive suggestion—that it deserves early consideration by this Congress in the context of today's specific problem and in the light of tomorrow's certain need.

I trust, and hope, it will receive such consideration.

OUR CRUMBLING FOREIGN POLICY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. GUBSER], is recognized for 30 minutes.

Mr. GUBSER. Mr. Speaker, U.S. foreign policy is crumbling and breaking up in failure. With each passing year the map of the free world shrinks and the territory of this planet which is exclusively dedicated to freedom diminishes. In 1917, 10.1 percent of the world's population lived in 8,603,000 square miles of Communist territory. In 1963, 34.99 percent of the world's population lived in a Communist world which includes 13,761,000 square miles.

The world map is a seething blot of Communist-inspired trouble and stands as convincing proof that dollar-sign diplomacy has failed.

The time has come when Congress, along with the executive branch of our Government, must take stock of our foreign policy failures, determine what caused them, and consider constructive suggestions for correcting what is wrong.

I address the House today in pursuit of these purposes.

An intelligent critique of our foreign policy must begin with an understanding of certain axioms. Communism does not take firm root in an affluent society but only where human beings are oppressed, hungry, and in need. And the shifting of power toward the political left usually follows inertia and indifference on the right.

It was the sweatshop and the exploitation of human labor by the industrial barons of the 19th century which paved the way for labor unions and the great control which they now exercise over national affairs.

It was the failure of organized medicine and private insurance companies to squarely face up to the fact that medical care for the aged was a serious problem, which finally led to medicare.

The failure of the automobile industry to do something about safety has led to the certainty of regulation by the Federal Government.

The failure of the South to recognize the inevitability of integration led to the violent upheavals of the civil rights movement.

An understanding of this point is crucial to an evaluation of American foreign policy since we find many of these same forces operating in foreign affairs.

For example, French colonialism and exploitation in Indochina gave communism its foothold. There, human problems were ignored by the French until it was too late and communism had won.

History has not been kind to exploitation and indifference. All too often the change which follows neglect and indifference to human problems is drastic and turbulent. Frequently the power structure shifts from one extreme to the other. And when it does, the uneducated, those unpracticed in the proper exercise of power, and those most susceptible to the promises of the Communists, are the ones who assume power.

Our foreign policy has never squarely faced these realities.

First, we held tenaciously to the principle of isolationism at a time when improving transportation and communication facilities were bringing us so close to the rest of the world that to ignore its existence was naive and impossible. Then we rushed to the opposite extreme to adopt an internationalist attitude, become the world's policeman, and carry most of the burden in the military containment of communism. In support of this policy we have handed out $100 billion to over 100 nations since World War II.

Our containment policy has failed miserably. Instead of being confined within Russia, communism has spread to China and is now creeping down all of Asia. It has made rapid inroads in India, all across the Middle East and particularly in Africa. It has been exported to Cuba in this hemisphere and is growing by leaps and bounds in South America. Since the Second World War communism has enveloped an additional 950 million human beings.

Lest we be overly disparaging of ourselves, let us not forget that when originally postulated in the late 1940's containment did represent an intelligent policy. Then the problem was precise and clear cut and it was simple enough to create military bastions against expansion of the Communist world by military force as we did in South Korea and in Europe. It was possible to maintain the independence of countries like Greece, Turkey, and Thailand, that were threatened by Communist insurgency. Our Marshall plan goal of preventing Communist exploitation of the economic chaos that prevailed in Europe after World War II was realized admirably. Because of our aid, much of Europe was saved from Communist takeover and to this day is free and prosperous.

Today, the nature of the challenge we face has changed, while our response to that challenge has not. With the exception of the Peace Corps, nothing new and imaginative in foreign policy has evolved in almost a generation.

Our aid to Europe following World War II was immediately successful because the skilled and energetic populations, good leadership, ideologies, and institutions needed for the rebuilding of Europe were already on hand. Our dollars alone were sufficient to push these countries back over the top. Today's

critical areas—Asia, Africa, Latin America—almost totally lack such assets. In these new arenas of conflict, the struggle between the Communist and free world has thus been vastly complicated by the entrance of a new force—that of the submerged envy, hostility, and bitterness of the underdeveloped world. Here fancy technological projects are meaningless—and acceptance of communism is probable—because human beings are exploited, their basic needs are unmet, and their awakening human aspirations are unfulfilled.

The reasons for the success of communism and our failure to contain it in these new areas are, therefore, somewhat similar to those which have always produced violent and perhaps undesirable change—indifference to, and reluctance to actively seek new solutions to new challenges. Our recent aid programs have not been planned with an awareness that the source of power in any country must eventually be the people, and if they are exploited by the existing power structure, revolution or a violent swing to the left is likely.

Because of our reluctance to meddle in internal political affairs and influence foreign governments along democratic lines, we have accepted and worked with all kinds of leadership. As a result our aid has often gone to personal bank accounts and pet prestige projects of the exploiting and corrupt ruling classes, and has lost the trust of the very people we hoped to aid.

Under the naive assumption that dollars in sufficient quantity would buy friends, our aid has been misdirected and carelessly proliferated over one-half of the world's population. We have never stopped spending long enough to catch our breath and formulate realistic goals aimed squarely at the human problems of underdeveloped countries—overpopulation, disease, and the frustrated aspirations of exploited people.

This shotgun approach has spread our foreign aid too thinly to produce tangible change in the everyday lives of poor and oppressed peoples. The Communists by contrast have counteracted our aid on a selective basis with the pinpoint accuracy of a rifle. Their gains have been made by concentrating on one piece of geography while sowing the seeds of discontent among disadvantaged peoples in the next target area.

Clearly, the time has come for a serious reevaluation of our crumbling foreign policy and the development of a new and imaginative approach.

First, Americans must accept the reality, as President Kennedy suggested, that we alone cannot right every wrong, nor reverse every adversity. There cannot be an American solution to every world problem for the simple reason that we have neither the capacity nor should we have the desire to become the world's conscience or its police force.

It is essential that we show by word and deed that we favor and insist upon free elections in Vietnam, and serve notice that we will abide by the outcome of such free elections even to the point of withdrawing from our position there. If our national administration is to justify its position in Vietnam as opposition to the use of force by Communists in imposing their political system on the South Vietnamese, then we must be certain that we are not guilty of the same offense. Strict adherence to the principle of self-determination would eliminate much of the seeming inconsistency in our present position in Vietnam and elsewhere.

Further, plans should be made for a conference of the United States, Australia, and all free Asian nations which have demonstrated a desire for self-determination and to oppose Communist aggression. The purpose of this meeting would be to arrive at a free Asian policy on Vietnam, to formulate a plan for resistance to Communist aggression and for each country to make the necessary economic, financial, and military commitments to implement the plan agreed upon. The Asian nations under the Communist gun must decide for themselves if they truly want to resist Communist aggression. If the United States cannot achieve the clear-cut approval and support, including military, of free Asia, then it is time to reappraise our military commitment.

Another major effort in a new national strategy should be directed toward a reevaluation of international organizations and regional agreements with an aim to revitalizing them.

The United Nations must be preserved and strengthened as a social action agency and international forum. Unfortunately, with its tremendously increased membership, the U.N. is now numerically dominated by countries which do not consider the difference between democracy and communism as significant in keeping the peace. To new nations inexperienced in either system, communism is not necessarily to be dreaded or democracy to be cherished. As a result these nations avoid a philosophical confrontation of the two systems.

So, the United Nations is completely shackled whenever the issue of communism is involved. It is undoubtedly useful as a forum for the discussion of international differences, but the free world needs a forum where communism and the international Communist conspiracy is recognized for what it is—as a force dedicated to aggression and in conflict with the spirit of the U.N. Charter. To this end I have introduced legislation which would be a first step toward the creation of a Council of Free Nations, as suggested by former President Herbert Hoover. The Council would not replace the United Nations but would supplement it. Because opposition to communism would be a requirement for membership, it would not be important, as the U.N. presently is, whenever the best interests of communism conflict with the best interest of peace.

It is urgently necessary that the unity of the 40 Western nations be revitalized to avoid contrary policies which defy a common interest. Atlantic Union envisions bringing these nations together under an effective international agency to coordinate efforts, and equalize responsibilities.

Such a Union is worthy of our earnest study and thought. We should not shrink from such study in the face of a doctrinaire assumption that Atlantic Union would dilute our sovereignty and freedom. The freedoms supposedly lost would be those which no citizenry should expect in today's world—the freedom to undercut, to work at cross purposes, to involve others in a crisis which they had no voice in making, and perhaps the freedom to shirk responsibilities in defense of freedom while throwing the burden on others.

If the free will seize the initiative and act together, we, not our adversaries, may determine how history is to be written. This is why I have joined with a large bipartisan group of both conservatives and liberals in introducing a resolution to form an Atlantic Union delegation of 18 eminent citizens including former Presidents Truman and Eisenhower to explore the possibility of Atlantic Union with other free Western nations.

In the meantime and of great urgency is the strengthening of NATO which is so deeply in difficulty at present. It would be folly of the highest order to misinterpret recent Russian actions as a lessening of her aggressive instincts and as justification for letting NATO collapse. A look at military reality shows clearly that such a policy would be wishful and foolish thinking. The U.S.S.R. still has 95 divisions west of the Urals, 20 of which are capable of launching a surprise attack. There are 800 missiles trained on every target in Europe, and despite claims to the contrary, Russia has never cut her defense budget and is actually increasing the strength she can throw against Europe. She is stronger today than when the NATO treaty was first signed in 1949.

The Southeast Asia Treaty Organization—SEATO—was critically weakened and failed its first test in 1961 when the United States, acceding to French and British wishes, did not support SEATO members who wanted to meet the Communist threat in Laos. SEATO must be given stronger U.S. support so that its membership can be enlarged to maintain an effective military force capable of maintaining peace. SEATO must, of course, be charged with the responsibility of carrying out policies agreed upon in a Free Asian Conference. It is also vital that SEATO nations commence common funding for an enlarged and soundly based program of social and economic development. This aspect of SEATO was stressed in the original treaty but has been largely ignored.

As previously indicated we need a complete change in our approach to foreign aid. It is essential that we discard notions based on emotion or outmoded policies which were successful in another and different era. We must update, modernize our thinking, and determine what will work in 1966, not what worked under the circumstances of 1945.

Perhaps we have forgotten to press our natural advantage; the proven fact that a free society will always outstrip one which is regimented. If given the right kind of aid in sufficient volume to overcome economic inertia, a new nation

which can use the full resources of a free people will do the best job of satisfying its people's needs.

Our aid should be strictly limited to places where it can do tangible good and to countries whose institutional structures are dedicated to the maximum well-being of their own citizens. The value of our aid dollars would be immeasurably enhanced by concentrating them on countries which are effectively pursuing self-help policies and working to combat their own social problems. Under these circumstances our foreign aid expenditures would yield identifiable improvements in the life of the average citizen, and provide a concrete answer to the deceptive claims and false promises of communism. Under no circumstances should we delude ourselves that aid to Communist countries through Communist leaders may wean those leaders from their beliefs. American aid must never again be given at the sacrifice of principle.

By focusing our aid upon selected areas of the world where we know we can do a good job, we could create "islands" of freedom surrounded by seas of communism. The contrast between the two ideologies or systems would be spotlighted and featured "front and center" on the international stage.

Berlin, for example, has provided a true showcase of what freedom can do. Even after the concentrated effort of the Communists for more than a dozen years, the stark contrast between East and West Berlin is obvious the moment one crosses to the East at Checkpoint Charlie.

Japan with its thriving free economy and great prosperity stands in striking contrast to Red China and Communist-dominated countries.

Formosa, which got its start from American foreign aid and is now self-sufficient, is increasing its gross national product at fantastic rates and is fast pulling itself out of poverty.

These countries stand as examples of what freedom can achieve if it is assisted in an effective manner by the free world.

By selecting what we feel we can afford and doing a forceful job of seeing that freedom works in those spots, we can do more toward containing communism than all of the billions of dollars in foreign aid and our widespread military involvements of the past 15 years.

In each island of freedom, exploitation of human beings must be eliminated as a condition for our aid. And we must rigidly require that no recipient of aid may "play both sides of the street."

Our islands of freedom, like oil spots, would expand outwardly to envelop ever-increasing areas and groups of people who would crave a taste of the success they see at the center. They could be the key factor in our effort to foster a world of strong and independent nations in which peace is maintained by the cooperation of free men.

Finally we must not forget the psychological lessons we should have learned in the last 20 years of the cold and hot war against communism. In the battle for men's minds the initial advantage is frequently decisive, particularly in backward and impoverished areas. It should be obvious by now that the Communist system of propaganda and subversion is working and that our response has been of the wrong kind and too late.

In view of our consistent failure to match Communist propaganda, does it not seem wise that we take stock of what has produced the success of our enemies and meet it on the ground of that success?

After Lenin and his followers assumed power in Russia, they established a training system that has grown to 6,000 special schools which teach the tactics of espionage, subversion, infiltration, agitation, and propaganda. Admittedly, this is not a proper free world tactic, nor would we want it to become our practice. The basis of freedom is freedom of choice, and we do not wish to impose our choice upon others. To do so would be to defile the essence of freedom. But to allow a vacuum into which Communist propaganda can move is to create an environment where the Communist way can win without opposition. This is not freedom of choice.

Our State Department employs the cliche "indoctrination" to indict any suggestion from non-State Department sources for a propaganda effort to influence people in behalf of freedom as opposed to communism. This reaction is a carryover from the modern intellectual's proper and justified respect for academic freedom. But it employs a basic fallacy.

Academic freedom exists in an academic environment where knowledge is freely available. But in the target areas for Communist propaganda, only Communist knowledge is available unless we present the other side. It is not indoctrination when one side presents its case, knowing full well that the other side will do likewise. To reject our propaganda mission, then, is to promote indoctrination rather than renounce it.

Our long and consistent record of failures to meet the Communist propaganda offensive proves that it is time to break the diplomatic monopoly which seems to consider any public relations or educational program that the State Department does not suggest and control as "indoctrination."

Psychological warfare, public relations, propaganda, or whatever you choose to call it, is a science and a definite technique which must be learned through specialized instruction. Our diplomats have often failed because they have not been trained in a highly skilled technique. It is time we recognized that Communist propagandists have filled the vacuum caused by the inactivity of freedom's proponents and are winning the war for men's minds.

To fill this vacuum, I have introduced legislation to create a Freedom Academy. If enacted it would give our overseas personnel the training which will enable them to recognize Communist propaganda for what it is and resist it on the spot. It will train them to act instead of react.

To summarize, Mr. Speaker, if the Gospel according to St. Luke is ever to be realized, if mankind is ever to know "On earth peace, good will toward men," then the United States of America must lead the way.

As a nation which proudly claims "In God we trust," we cannot shirk the responsibilities of world leadership which history has thrust upon us. We can do nothing less than take up the burden and lead mankind in the continuing quest for peace.

We must recognize our failures.

We must candidly assess the strength of the forces which work against us.

We must review our mistakes and determine to correct them.

We must abandon the false premise that enough American dollars carelessly spread across the globe will buy peace.

We must dampen the fervor of those who say that military force alone can stop Communist aggression.

We must resist the urging of those who would concede principles bit by bit and appease an aggressor.

We cannot isolate ourselves and hope to contain the forces of aggression.

Nor can we adulterate our leadership by attempting the impractical and impossible.

The time has come when this Nation must embark upon a consistent foreign policy based upon principles which do not vary from Rhodesia to Vietnam, and which recognizes individual human beings, their hopes and legitimate aspirations.

Mr. Speaker, throughout these remarks I have tried to deal in specifics, but it may be best to conclude with a generality which should form the basis of every specific in our national strategy. Money and force, admittedly useful tools in the building of peace, are secondary to human considerations. And any foreign policy which does not recognize this fact is doomed to failure.

As John Milton wrote:

> Who overcomes force, hath overcome but half his foe.

HOFFMANN-LA ROCHE MEDICARE REIMBURSEMENT PLAN

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RODINO. Mr. Speaker, I am very proud to announce that Hoffmann-La Roche Inc., a pharmaceutical firm of Nutley, N.J., has taken the initiative to inaugurate a medicare reimbursement plan. This program is offered to the Nation's 10,000 hospitals and provides a 25-percent discount on all Roche prescription drugs used by medicare patients during their hospitalization.

The medicare reimbursement plan is designed to ease the financial burden of medicare to the public and is in accordance with President Johnson's plea to prevent spiraling costs. It is a supplement to the Roche indigent patient program and is another example of the humanitarian spirit of this company promoted by its president, Dr. V. D. Mattia.

The latter program permits physicians in private practice to obtain any Roche drug for needy patients without charge.

I am indeed privileged to represent this forward-moving company within my district and wish to commend Hoffmann-La Roche for being the leader in establishing such a worthy program. I wish to include in the RECORD an article which appeared in the Newark Star-Ledger on August 7, 1966, citing this public-spirited program.

DRUG PRICES REDUCED FOR MEDICARE

(By John Soloway)

A multi-million dollar program to ease the financial burden of Medicare to the public—the first in the nation—was inaugurated yesterday by a New Jersey pharmaceutical company.

Details of the plan, characterized by drug industry figures as "bold" and "public-spirited," were revealed by Dr. V. D. Mattia, president of Hoffmann-La Roche Inc, of Nutley.

The program, lauched by Roche Laboratories division of the worldwide drug firm, offers the nation's 10,000 hospitals a 25 per cent discount on all Roche prescription drugs used by hospitalized Medicare patients.

SAVINGS PASSED ON

The hospitals, in turn, woud pass on the savings from the "Roche Medicare Reimbursement Plan" to the federal government.

The discount plan, it was noted, supplements the Roche Indigent Patient Program, instituted in 1962, through which physicians can obtain any Roche product without charge for the treatment of needy patients, regardless of age.

In announcing the discount program in behalf of Medicare, Dr. Mattia, a Newark-born physician, said in letters to the nation's 300,000 doctors:

"We initiate the Roche Medicare Reimbursement Plan with deep conviction in an effort to help ease the financial burden of Medicare to the public, and with an abiding awareness of our civic responsibilities.

"It is another way in which we seek," added Hoffmann-La Roche's president, "to strengthen traditional physician-patient relationships. We welcome widespread hospital participation."

Under the new Roche plan, hospitals need only to complete a simple four-by-six inch agreement of participation form to obtain the 25 per cent discount on Roche drugs used by hospitalized Medicare patients.

The reimbursement to hospitals will be made quarterly by Roche Laboratories, according to Dr. Mattia's letter to hospital administrators and pharmacists, copies of which were scheduled for mailing tomorrow to physicians as well.

Hospitals will be required to furnish a patient's Medicare number, the name and quantity of the Roche prescription drugs dispensed and the purchase price of the medicine.

A Roche company spokesman said Medicare authorities and other government officials had been advised of the Nutley firm's plan, and the reactions were "quite gratifying."

Inauguration of the Medicare discount plan is the second major program in two months announced by Roche since Dr. Mattia became the company's president last Jan. 1.

In May of this year, Hoffmann-La Roche's chief executive developed a joint research venture with the Radio Corporation of America under which RCA will manufacture and Roche will market medical devices stemming from the project.

Meanwhile, Warner-Chilcott Laboratories in Morris Plains announced a 15 per cent reimbursement to state governments on its products prescribed for patients under welfare medical assistance programs.

Under the programs, retail pharmacists supply medication to the medical assistance patients and are then reimbursed by the state.

According to Robert B. Clark, Warner-Chilcott president, "The plan assures the welfare patient the same freedom of choice in selecting his pharmacy as enjoyed by the private patient. It also gives the physician wider latitude in prescribing medicines consistent with the highest quality of medical care.

Warner-Chilcott's program was developed over the past few months after consultations with Dr. Joseph Pesare of Rhode Island and other state medical officers.

Under terms of the plan, Warner-Chilcott will reimburse the state 15 per cent of the actual cost to the pharmacy for medicines dispensed under the program on all products in its line except Coly-Mycin, an antibiotic used almost exclusively in hospital practice.

To receive this monthly reimbursement, a participating state must simply furnish Warner-Chilcott with a monthly total of all company drugs dispensed by retail pharmacies under the medical assistance program.

LEGISLATION TO PROVIDE FOR STRIKING OF ELLIS ISLAND COMMEMORATIVE MEDAL "LIBERTY SERIES" ISSUE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, I would like to introduce today a bill to provide for the striking of a fourth medal in the Liberty series of commemorative historic medallions. In the Senate, Senators JAVITS and KENNEDY of New York are today sponsoring identical legislation.

On January 13, 1964, President Johnson approved an act authorizing and directing the Secretary of the Treasury to strike and furnish to the New York City National Shrines Advisory Board, a series of three medals. These medals, authorized by Congress, and created by the Department of the Treasury, were in commemoration of the Federal Hall National Memorial, the Castle Clinton National Monument, and the Statue of Liberty National Monument American Museum of Immigration. It was my honor, as the Representative wherein these landmarks lie, to have introduced this legislation.

On May 11, 1965, President Johnson signed a proclamation making Ellis Island a historic landmark as an adjacent part of the Statue of Liberty National Monument in New York Harbor. Ellis Island is also part of my congressional district; hence my desire to introduce this legislation to commemorate the new historic landmark.

This fourth medal, if authorized, will be designed in the Philadelphia Mint to conform with the previously issued medals. The face will be identical in design with the others, presenting the Statue of Liberty National Monument as "Liberty Enlightening the World." The reverse side will depict the main immigration depot buildings still standing on Ellis Island through which passed some 16 million immigrants who came to this country in the late 19th and early 20th centuries to find freedom.

The new bill calls for a total issue of no more than 255,000 medals to be struck over a period ending December 31, 1968. This conforms to the number of each of the medals previously authorized by Congress for creation by the Department of the Treasury. The New York City National Shrines Board will continue, as previously authorized, to supervise the sale of the Ellis Island commemorative medals, as well as the others in the series remaining unsold.

The gross sale of the Liberty series of medallions thus far issued has exceeded a total sum slightly in excess of $129,500 since the first medal was placed on sale at Federal Hall National Memorial on Constitution Day, September 17, 1964. Through the continued sale of the three previously authorized medallions and the sale of this fourth Ellis Island medallion it is hoped that sufficient funds will be obtained from the general public, to be turned over to the National Park Service, to pay—together with a contribution from the Federal Government—for the construction and maintenance of the shrines.

I believe the enactment of this bill will be of material aid in achieving completion of these great historic landmarks.

A bill to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York City, New York

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the designation by the President of the United States of Ellis Island as a part of the Statue of Liberty National Monument in New York City, New York, the Secretary of the Treasury is authorized and directed to strike and furnish to the New York City National Shrines Advisory Board a fourth medallion in the Liberty Series of no more than two hundred and fifty-five thousand medals with suitable emblems, devices, and inscriptions to be determined by the New York City National Shrines Advisory Board and subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by the advisory board in quantities of not less than two thousand. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes.

SEC. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses; and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such cost.

SEC. 3. The medals authorized to be issued pursuant to this bill shall be of such size or sizes and of such metals as shall be determined by the Secretary of the Treasury in consultation with such advisory board.

SEC. 4. After December 31, 1968, no further medals shall be struck under the authority of this Act.

VIETNAM WAR'S IMPACT: ECONOMY IS HARDLY HURT

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CRALEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CRALEY. Mr. Speaker, I should like to include in the RECORD a very perceptive article from the New York Times for August 8, 1966, on the impact of the Vietnam conflict upon the American economy. Presented against the historical background of the effect of earlier 20th century military engagements on the economy, the author concludes that our present economy has hardly been hurt, inflation has been minimal. His article is an excellent analysis. It is also a factual response to those allegations about impending inflation and the importance of military spending in causing inflation. Even more, the article is a tribute to the general health and viability of the American economy today, particularly in comparison with foreign countries now and our own economic picture of the past.

The article follows:

VIETNAM WAR'S IMPACT: ECONOMY IS HARDLY HURT

(NOTE.—This is the first of four articles in which correspondents of The New York Times have attemped to estimate the impact of the Vietnam war on the American economy, the nation's politics, the lives of its citizens and foreign policy.)

(By Edwin L. Dale, Jr., special to the New York Times)

WASHINGTON, August 7.—In the first six months of this year sportsmen and business executives bought more than 8,000 private airplanes, easily a record and nearly half again as many as those purchased last year.

This footnote to the American economy in 1966 illustrates a major truth about the war in Vietnam.

The war has had distinct effects on the economy and on the people and businesses that make it up, but the effects have been far less than in any other war in modern times.

Figuratively speaking, the extraordinary American economy is carrying the war on its little finger, although the finger hurts a bit.

Guitar strings have been reported in short supply in some music stores around the nation, and some retailers of men's suits complain that there have been delays in deliveries of a few sizes and models of fall suits because of the Government's demand for military uniforms.

As everyone knows, however, there has been nothing remotely resembling a shortage of consumer goods, as has occurred in past wars. From air-conditioners to gasoline, from swimsuits to rugs, the effort has been to sell rather than to turn customers away. Automobile dealers have the biggest unsold stocks of cars in history.

Prices have gone up—housewives are conscious of paying about 8 per cent more for meat than a year ago—and the costs of medical care have soared. Last week President Johnson lost a battle with the steel industry over a price increase, and investigators sprouted over higher prices for the consumer staples, bread and milk.

However, the inflation has been very small by comparison with the zooming price increases of the Korean War, World War II or even World War I.

For example, measured by the Government's Consumer Price Index, the rise in prices of the last 12 months of 2.5 per cent was only one-fourth as great as in the first year of the Korean War. Some items, such as automobiles, are cheaper now than they were a year ago.

FOOD PRICES CITED

Much of the price increase, and the hurt for the consumer, has been in food, where overall prices are up nearly 4 percent from a year ago. However, a reduced baby pig crop, drought and a smaller number of dairy cows have had far more to do with this rise than the war.

As for steel, prices have gone up much less than in the last peacetime inflation, in 1956–58.

Over-all, wholesale and retail prices have risen in the first half of this year at an annual pace of 3.5 per cent, enough to worry seriously both consumers and the Government, but less than in nearly all other industrial countries, which are not a war.

Taxes have gone up. The Government took away in April the reduction in the excise tax on telephone bills it had given in January, and it did the same for a 1 per cent tax on automobiles, amounting to from $20 to $35 a car.

These increases, however, are minor by comparison with the big cuts in income and excise taxes of 1964 and 1965, and by comparison with the tax increases of previous wars. The main change has been merely a speed-up in tax collections, including graduated withholding taxes that had long been advocated on their own merit.

TAX CUT CONJECTURED

What is more, there are reputable economists who think the Government will be considering another tax cut next year, with the war still going strong.

Interest rates have gone up—indeed, one of the steepest increases on record. Many individuals trying to buy a home have found a mortgage difficult to obtain, and new homebuilding has slowed.

This "tight money" situation, not altogether caused by the war, has not, however, prevented a record expansion of total lending in the economy. The individual with a reasonable credit standing who could not get a personal loan has yet to turn up, and one personal finance company is drawing up business by sponsoring the Washington Senators' baseball games.

Business loans by banks have grown more rapidly in the last six months than in all but one or two years in the last 20. Even mortgage financing has only slowed, not stopped.

The war has worsened supply troubles in a few metals, such as copper and molybdenum. Some types of aluminum are on a delayed delivery basis and electric wire has been hard to acquire in the quantities manufacturers have wanted. As noted, textile and apparel mills have been hard put to fill Government orders at a time of booming civilian business, and some use of direct priority orders has been required.

There is a severe shortage of skilled manpower in the precision machining industry. As an example of how the problem can be made worse, nine out of the 23 apprentices in Muskegon, Mich., being especially trained to fill the gap, with Federal training funds, have been taken away by the local draft board.

CONTROLS SYSTEM LACKING

Despite these and other examples, and in sharp contrast to prior wars, there is no system of general allocations controls over materials or manpower, simply because one is not needed. In contrast with World War II and the Korean War, when every pound of the key metals and other materials was allocated by the Government, this time there is only a system of priorities for defense and one or two nondefense purposes, limited to steel, copper, aluminum and nickel. The "set-aside" of steel production for military purposes is only 6 per cent of total production, of copper and aluminum 13 per cent. Autos, highway bridges, color television sets and pleasure boats are jointly consuming far more of these metals than the war.

Moreover, in a telling illustration of the total picture, a spokesman for the precision machining industry, after describing the desperate labor shortage, recently told a House subcommittee on small businesses that was investigating problems of related industries that if the war should "dry up" tomorrow, the machine tool industry would still have nearly as great a problem.

The war has cost the Government money, and thus has reduced the availability of funds for domestic purposes. The President's budget last January cut $1.6 billion from the amount authorized in about 25 new Great Society programs in health, education, antipollution and the like.

In addition, only minor increases were permitted in two of the most important new programs—antipoverty and aid for elementary and secondary education. Such promising new ideas as automatic sharing of part of the Federal income tax with the states and direct income transfers to the poor were pigeonholed because of the $10.5-billion war cost estimated for the fiscal year 1967, which began on July 1.

The new welfare programs are not the only ones affected. Government public works starts were cut in half in the new budget, and the space agency, although still given the sizeable sum of $5-billion, was denied a few glamorous items, such as an advanced orbiting solar observatory, and suffered a reduction of planning funds for what comes after the first landing on the moon.

SOCIETY PROJECTS ON INCREASE

This is only part of the picture, however. In dramatic contrast with the past, spending on the new Great Society programs, although less than the full amount authorized by Congress is actually increasing in this fiscal year by more than $3-billion—and this does not take into account the start of the expensive new Medicare program.

In the last fiscal year, with defense outlays building up, total domestic spending, including Social Security, far from declining, rose $7.5-billion from the previous year.

Also in contrast with the past, the budget deficit has declined despite the war, and there is a chance that the budget will have a surplus in the current fiscal year.

Prices, taxes, credit, Government spending, shortages—all tell the same story. The war has had an effect, but an astonishingly small one.

TWO REASONS GIVEN

The explanation for this picture is agreed to by most economic analysts in and out of of the Government. It has two parts. Both are in a sense obvious, but they do not appear to be altogether appreciated by the public.

One is that this is the first time the United States has entered a major war with a very large existing defense establishment. This means, simply, that the needed build-up has been comparatively small.

When the Korean war broke out, total military personnel numbered only 1.5 million and this jumped to 3.3 million in a year, or a rise of more than 100 percent. Equipment and weapons requirements increased proportionately.

This time the build-up in a year has been from 2.7 million men to 3.1 million, or about 15 per cent increase. No conceivable increase will equal or approach the Korean experience.

The defense budget more than doubled the first year of the Korean War from $12.5-billion to $30.5-billion, and it rose to $47-billion

in the next 12 months. This time the increase in the first year was about $7-billion, to $54-billion, or only 15 per cent, and the next year's increase is likely to be about the same.

A MATTER OF SIZE

The second reason given for the relatively small impact of the war on the economy is the size of the American economy.

In the first year of the war since the major commitment began last July the gross national product—the total output of goods and services, and the best measure of the over-all output of the economy—has averaged $711-billion. The $6-billion cost of the war in that period represents the amazingly small amount of eight-tenths of 1 per cent.

The entire defense outlay, war costs included, ran less than 8 per cent of the gross national product by the second quarter of this year, less than some recent peacetime years when the gross national product was smaller.

By contrast in the Korean War this proportion zoomed from 4.5 per cent before the war started to 11.3 per cent a year later and eventually to 13.6 per cent.

This single figure—a war cost of less than 1 per cent of the gross national product up to now—tells why the impact of the war, relatively speaking, has been so slight on the normal life of the economy. A $6-billion war in any other economy would have a far greater effect.

The cost of the war, of course, is still rising. At present it is probably running at an annual rate of about $12-billion or a little more, with total defense outlays now at a rate of about $60-billion.

However, the gross national product is also rising—hence the capacity to absorb the war with little strain. Unless the nature of the war changes—to an all-out conflict with Communist China, for example—the cost of the war above "normal" defense spending is unlikely ever to rise above 2 percent of the gross national product. It is now about 1.5 per cent.

EFFECT ON EMPLOYMENT

The relatively small impact of the war as measured against the total size of the economy has had its counterpart in unemployment figures.

In past wars the economy quickly moved to full employment—and a manpower shortage. This time, too, the war has spurred an economy already nearing full employment and added to the number working.

However, the improvement seen in perspective, has not been spectacular.

In the 12 months from June 1964, to June 1965, as the economy was roaring ahead under the impetus of the big tax cut of 1964, the unemployment rate was reduced from 5.4 percent of the labor force to 4.7 per cent.

In the next 12 months, with the war providing the additional stimulus, the rate dropped from 4.7 per cent to 4 per cent—exactly the same decline. There were still 3.1 million persons out of work in June, even after allowing for the normal rise at the end of the school year.

A DRAIN ON GOLD

In specific communities, of course, defense spending has had a much bigger impact than in the nation as a whole. For example, unemployment has been sharply reduced in the Eastern Panhandle of West Virginia because of expanded helicopter production by the Fairchild Aircraft Company at nearby Hagerstown, Md.

Jobs attributable to defense, however, remain less than 10 per cent of the total, and the increase in jobs because of additional defense spending caused by the war appears to be no more than 2 per cent of the total. This does not count the 400,000 additional men in uniform.

Despite the relatively small impact of the war at home, it has had one serious economic cost not felt by the ordinary citizen: It is directly responsible for sharply worsening the deficit in the balance of international payments after a heartening improvement in 1965.

The direct foreign exchange cost of the operations in Vietnam will be an estimated total of $750-million this year. What is more serious, an unknown number of these dollars are finding their way to France, which now converts every dollar it receives into gold at the United States Treasury.

The worsening of the balance of payments has not brought on any financial crisis, nor does it threaten to do so, but it has delayed the day when the gold outflow will be stopped.

What if the war should end? What then for the economy?

James R. Hoffa, the president of the international brotherhood of Teamsters, has forecast a sharp jump in unemployment and, among other things, a consequent weakening in union bargaining power. There can be little doubt that millions of citizens instinctively fear that the present boom is a result of the war and that peace would bring economic trouble.

Once again, however, most experts disagree.

Defense spending, to begin with, would not decline abruptly but would taper off, they say. Some part of the reduction, they explain, would be replaced by the economic cost of reconstruction in Vietnam, possibly in both north and south, which could run $1-billion a year or even more.

Regardless of how much or how little defense outlays—and defense manpower—decline, the economic impact can be readily offset in either or both of two ways.

One is a tax reduction, which in effect simply replaces Government spending with private spending. The total demand of goods and services is unimpaired, although some individual businesses gain orders and others lose them.

The other offsetting factor is an expansion of Federal domestic spending. There is no lack of ideas for enormous expansion of outlays on the home front, ranging from direct transfer of income to the poor to a huge assault on the educational deficiencies of Northern slum areas. Spending on a number of Federal programs has been curtailed, although not reduced, by the war, and expansion could come quickly.

"I am convinced," said one respected Wall Street analyst the other day, "that peace would be bullish—bullish for the economy and bullish for the stock market."

Many economists agree.

FUTURE IS WEIGHED

Assuming no early peace, is the strain on the economy likely to increase as spending on the war continues to rise?

The strain might become a little more noticeable, depending on the place at which defense spending increases. However, although the Government has refused to divulge its latest estimates on defense outlays, officials are now assuming a rate of increase no greater than in the last 12 months.

This would mean some further rise in defense costs in relation to the national economy, with the "add-on" caused by the war coming to about 2 per cent of the gross national product in the first half of next year. Budget expenditures for defense will clearly be larger than the $58.3-billion estimated in the budget last January for the current fiscal year—probably about $5-billion higher.

Revenues, however, are growing, too, and faster than estimated. The best evidence that the war is not causing a drastic change in the Government's financial situation is in the magnitude of the Treasury's planned borrowing, which is actually a little less in the last half of this year than had been estimated several months ago.

Meanwhile, industry is adding to its plant and equipment at the record rate of $60.8-billion this year. This means that the capacity of the economy to meet the demands of defense without cutting back on the civilian economy is growing in line with the expanding defense expenditures, and possibly faster.

NO SHORTAGES FORESEEN

In any event, almost no one foresees what has been associated with war in the past—shortages of consumer goods, raging inflation, enormous Government budget deficits and the like.

Some economists, such as Oscar Gass of Washington, believe that economic capacity from now on will grow faster than total demand, including demand from war spending. In this picture, unemployment would be rising a little by the end of the year, with the war going full blast, and the Government might well be considering a tax cut to stimulate the economy.

If this happened, or if the President felt called upon to propose an increase of from $5-billion to $10-billion in domestic spending, it would be the most dramatic evidence yet of how readily a three-quarter-trillion dollar economy can cope with what is, after all, a sizable war.

REPORT OF THE BOARD OF VISITORS TO THE U.S. MERCHANT MARINE ACADEMY, KINGS POINT, N.Y.

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GARMATZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GARMATZ. Mr. Speaker, the 19th meeting of the Board of Visitors of the U.S. Merchant Marine Academy was held at the administration building at the Academy in Kings Point, N.Y., on January 14, 1966. Present were Senator HARRISON A. WILLIAMS, JR., of New Jersey, Representative LESTER L. WOLFF, of New York, HUGH L. CAREY, of New York, THOMAS N. DOWNING, of Virginia, JOHN M. MURPHY of New York, and CHARLES A. MOSHER, of Ohio. Senator WILLIAMS acted as chairman of the meeting. The Maritime Administrator, Mr. Nicholas Johnson, by invitation of the Board, was present during the meeting. The meeting was opened by the Superintendent of the Academy, Rear Adm. Gordon McLintock, USMS, who stated that he would submit his report substantially in the order of his statement to the Advisory Board of the Academy.

Admiral McLintock reported that on June 25, 1965, he had been advised that the continued accreditation of the Academy by the Middle Atlantic States Association of Colleges and Secondary Schools had been approved. The Academy received its regional accreditation in November 1949 and subsequently it had been approved and registered by the New York State Department of Education. Many prominent mideastern colleges and universities are accredited by the Middle States Association.

In connection with the Academy's reaccreditation, the Board unanimously passed the following resolution:

The re-accreditation by the Middle States Association, the raising of the standards of the Academy, and the continuing progress of the Academy are due to the ability, diligence and devotion of the Superintendent, and his faculty and staff, and are deserving of commendation by the Board.

The admiral stated that some of the laboratory facilities at the Academy had been modernized thanks to somewhat larger appropriations during recent years but that a number required substantial improvement. He stated that the analog computers installed in connection with the NS *Savannah* simulators were being utilized for the conduct of courses for the students but that no digital computers were available. The latter are required in general engineering courses and also by reason of the fact that digital computers are increasing in use on vessels at sea. He stated that such a computer could be rented from IBM but that it would entail the expenditure of some $250,000 a year for the next 5 years. He also pointed out that various other laboratories were operating with equipment secured from World War II vessels and that it was essential that these laboratories be updated in view of developments since their creation.

Congressman CAREY inquired why National Science Foundation support for such items as computers could not be secured. Congressman MOSHER pointed out that the National Science Foundation was prohibited from subsidizing other Federal agencies and suggested that an attempt be made to secure direct appropriations.

The Maritime Administrator, Hon. Nicholas Johnson, pointed out that the lag between the conception of a program and the availability of funds was some 18 months and that on various occasions mandatory salary increases had intervened and that by reason of these increases it had been necessary on occasions to divert money for the payment of salaries from other uses, such as upgrading laboratories. He pointed out that no automatic provision is made for reimbursement of such diversions and that in consequence the development program of the Academy suffered from such loss of funds.

Admiral McLintock reported that at the present time the positions of Dean, Assistant Dean, Regimental Officer, and Academy Training Representative in New Orleans were vacant. He stated that all four of the positions were filled by qualified officers of the Academy on a temporary basis.

Mr. Carey inquired why if the acting incumbents in the positions were satisfactory, they had not received permanent appointments. Mr. Johnson stated that there was presently a search underway to secure a Dean for the institution but that selection of a Dean must necessarily await the determination of the mission of the Academy. He stated that at the present time the Academy is under the direction of the Office of Personnel Management although matters of importance were discussed by the Superintendent directly with him without reference to channels of communication. He pointed out that the Academy represented the expenditure of but $4.5 million per year out of $350 million handled by him and that his major attention had to be devoted to the areas of greatest expenditures, although he believed that he had given more attention to the Academy problems that many of his predecessors.

At this point, after discussion, the Board felt that the Superintendent should report directly to the Maritime Administrator and not to the Office of Personnel Management, or any other office of the Maritime Administration.

Prof. Preble Stolz was then called upon to present details of the report he had submitted to the Maritime Administrator on the Merchant Marine Academy. Mr. Johnson stated that the intent of the report was to focus more attention on the Academy and that the purpose of the report was only to promote discussions to this end that the mission of the Academy could be more specifically determined.

Discussion was had with respect to specific items contained in the report but it was agreed that any action would be deferred pending a meeting with the Advisory Board.

It was stated that at present the Academy functions basically through the Superintendent and that under the law the Maritime Administrator had the authority to appoint an Advisory Board of not more than seven members. Such an Advisory Board presently functions but Mr. CAREY suggested that the aims of the Academy and their effectuation could better be achieved through a Board of Trustees that would have the basic responsibility for the policy of the institution. Mr. Johnson stated that this could be achieved through the present Advisory Board and that any attempt to establish a Board of Trustees with full power over the institution would require legislation, possibly divorcing the Academy from the control of the Department of Commerce.

Mr. Johnson referred to Gallaudet College as a possible model but it was pointed out that this was a private institution supported by Government funds. It was then suggested that the legislation establishing the National Technical Institution for the Deaf might present a working model for this institution.

Discussion was had with respect to the present manpower shortage as evidenced by the difficulty in securing crews for shipments to Vietnam and inquiry was made with respect to what steps could be taken either by the Maritime Administrator or by the Academy to increase the production of licensed officers and men for this service. The Maritime Administrator stated that in his opinion there was no problem with respect to manpower at the present time but that difficulty was being encountered in inducing trained men to return to the sea. He stated that the cost of any crash program would be substantial and that he felt that the alternative of a campaign to induce trained men to return to man the vessels would be cheaper and more productive, and certainly faster than any program to train new people.

Mr. MURPHY pointed out that the House Committee on Merchant Marine and Fisheries had in being a Special Subcommittee charged with the responsibility of evaluating the State maritime academies, the Coast Guard Academy, and the U.S. Merchant Marine Academy and that it was very likely that this committee would be in a position to submit a report by the end of the year. Meantime, it was anticipated that the Board of Visitors would make arrangements to meet with the Advisory Board at its next meeting to be held in Washington on February 15, at which time it was hoped that further discussion could be had with respect to strengthening the position of the Advisory Board.

Prior to adjournment, the Board approved the following statement by Congressman JOHN M. MURPHY:

I think it should be said for the record that it is fortunate that Admiral McLintock has been here for the last dozen and a half years and it is he who has kept the Academy at its consistent high level in spite of less than sympathetic (Maritime) Administrators. I think that more emphasis should be given to the Academy and its leader's recommendations. We owe the Academy a debt of gratitude. Probably, without too much assistance from the top, it has carried on splendidly.

The Maritime Administrator, Mr. Nicholas Johnson, concurred in the Board's statement.

The meeting adjourned at 2:30 p.m.

WHITE HOUSE HONORS PRESIDENT OF ISRAEL

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, on August 2 a historic event took place at the White House here in Washington, when President and Mrs. Johnson gave a dinner honoring President Zalman Shazar, of Israel, and his wife, who were visitors in our country.

For 18 years we have nourished and admired the heroic achievements of this land of Israel. In less than two decades, this small country has become a bastion of democracy, dedicated to the principles we ourselves hold most dear—peace, freedom, and the dignity of man.

It gives me great pleasure to be able to insert at this point in the RECORD a copy of the remarks made by President Johnson in welcoming President and Mrs. Shazar to our shores; and the toast made by President Shazar in return.

The texts of these remarks follow:

TEXT OF THE PRESIDENT'S TOAST AT THE WHITE HOUSE DINNER HONORING THE PRESIDENT OF ISRAEL

In the traditional Hebrew greeting I welcome our esteemed guest: *baruch hab ah* . . . blessed is he who comes to our shores as the leader of a people for whom we hold the greatest admiration.

Mr. President, as a renowned scholar and educator, and as a pioneer in the new Israel,

you are deeply versed in the teachings of the Bible.

And you know that our Republic, like yours, was nurtured by the philosophy of the ancient Hebrew teachers who taught mankind the principles of morality, of social justice, and of universal peace.

This is our heritage, and it is yours.

The message inscribed on the Liberty Bell in Philadelphia is the clarion call of Leviticus: "Proclaim ye liberty in the land to all the inhabitants thereof."

It is a message not only for America, or for Israel, but for the whole world.

We cannot proclaim today that all men have liberty, that all men are moral, that all men are just. We do not have universal peace.

But those of good will continue their work to liberate the human spirit from the degradation of poverty and pestilence, of hunger and oppression. As spiritual heirs of the Biblical tradition we recognize that no society anywhere can be more secure unless it is also just.

Israel today carries forward its pursuit of spiritual values, and is sharing its own experience with other countries.

We in America are keenly aware that God showered our land with abundance. The sharing of our blessings with others is a value we hold in common with Israel.

Above all, Mr. President, we share in common the vision of peace you call shalom.

The Prophet Micah described it in this way: That every man sit under his vine and fig tree and "none shall make him afraid."

We are deeply committed to this ancient ideal of peace among Nations. As President Kennedy said on May 8, 1963: "We support the security of both Israel and her neighbors . . . We strongly oppose the use of force or the threat of force in the Near East . . ."

We shall continue that policy.

This I say in friendship for all the peoples of that region. We extend to all the hand of friendship, and offer to help all in meeting the challenges of fear and pestilence and poverty.

We look toward the happy and peaceful pursuits that can bring tranquillity and the blessings of knowledge and understanding to all, without fear of war.

We welcome you tonight, Mr. President, in friendship and in respect for you and your people.

I ask all gathered here to join me in the traditional Hebrew toast in honor of our distinguished guest . . . to life, to peace, to blessing for all mankind.

TEXT OF REMARKS BY PRESIDENT ZALMAN SHAZAR OF ISRAEL AT THE DINNER GIVEN BY PRESIDENT AND MRS. LYNDON B. JOHNSON, WASHINGTON, D.C., TUESDAY, AUGUST 2, 1966

Mr. President and Mrs. Johnson, before I respond to your gracious words of friendship, Mr. President, may I, on behalf of Mrs. Shazar and myself, express to you and Mrs. Johnson our heartfelt congratulations on the occasion of the marriage of your daughter, four days from now. May she and her husband enjoy a long life of happiness.

I would like to give voice tonight to the deep appreciation which I feel and which, I believe, is shared by men and women in many lands for your leadership in the effort to achieve a world in which every nation would be left alone to lead its life in accordance with its own free choice, with its independence and integrity respected.

You name will always be associated with the concept that the only real enemies of men are ignorance, poverty and disease and the degradation of man by his fellow man.

Under your leadership the American people has been foremost not only in projecting this vision but in helping to realize it. Many are the countries which have reason to be grateful to the United States for the help they have received in tackling these enemies and maintaining their freedom.

Mr. President, I bring you a cordial message of greeting from Prime Minister Levi Eshkol and from all the people of my country. On behalf of the government and people of my country, I wish to record our appreciation of the understanding which has marked your approach to our problems and my satisfaction at the continuous growth of the friendship between our two countries.

It is a great honor for me to ask this distinguished gathering to join me in wishing you long life and continued success in moving mankind towards the goals of peace and greatness. With the greetings of L'Chayim uL'Shalom, to life and peace, I raise my glass to the President of the United States and Mrs. Johnson.

TO PRESERVE PRIVACY

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, just recently the Government Operations Committee's Special Subcommittee on Invasion of Privacy, chaired by our colleague from New Jersey [Mr. GALLAGHER] held hearings on a proposed National Data Center.

There has been much opposition to the establishment of such a device, and the proposal has been the subject of many articles, editorials, and cartoons.

The New York Times carried an editorial in today's issue, which is especially timely, and which should be read by all those who are concerned about the possibility of having such a computer developed and put into operation. The editorial, entitled "To Preserve Privacy," is set forth in the CONGRESSIONAL RECORD at this point, and I hope that its message will be carried home to all who read it.

As a member of the above-mentioned subcommittee, I am and have been very much disturbed over current and proposed invasions of privacy, and feel that the trend toward complete surveillance, particularly on the part of the Federal Government, must be reversed. Personal privacy is, and must remain, one of the basic rights of all our American citizens. We must work to preserve that right.

The editorial follows:

[From the New York Times, Aug. 9, 1966]

TO PRESERVE PRIVACY

Can personal privacy survive the ceaseless advances of the technological juggernaut? Many in public and private life now fear to use telephones for conservations they would keep confidential, while the variety of electronic "bugs" available to eavesdrop on even whispered communications staggers the imagination. And young lovers would be well-advised to remember that the skies are increasingly full of sputniks equipped with cameras capable of taking extraordinarily detailed pictures of what transpires under the moon as well as on it. George Orwell foresaw the logical end of this trend in a device that would enable "Big Brother" to keep an eye on everyone anywhere.

The Orwellian nightmare would be brought very close indeed if Congress permits the proposed computer National Data Center to come into being. We already live with the fact that from birth to grave Federal agencies keep tabs on each of us, recording our individual puny existence, monitoring our incomes and claimed deductions, noting when we are employed or jobless, and—through the F.B.I. and similar agencies—keeping all too close watch on what we think or say, what we read and what organizations we belong to.

If this situation is still somewhat tolerable, it is because each agency keeps separate files and it takes some considerable effort to find and bring together all that is known about a particular individual. What is now proposed is the amalgamation of these files, and the creation of a situation in which the push of a button would promptly dredge up all that is known about anyone.

Understandably, this idea has brought vigorous protest, in which we join. Aside from the opportunities for blackmail and from the likelihood that the record of any single past transgression might damage one for life, this proposed device would approach the effective end of privacy. Those Government officials who insist that the all-knowing computer could be provided with safeguards against unauthorized access are no doubt of the same breed as their brethren who "guaranteed" that last November's Northeast electric blackout could never occur. Even the Swiss banks have learned to their own and their clients' sorrow that the device of numbered accounts is inadequate to frustrate determined would-be blackmailers.

Perhaps in the long run the fight to preserve privacy is a vain one. But, like the struggle to preserve life, it must be continued while any shred of privacy remains.

SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN REVIEWS OPPORTUNITIES IN RURAL AMERICA FOR COLUMBUS, IND., GROUP

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HAMILTON. Mr. Speaker, it was my privilege last month to have Secretary of Argiculture Orville L. Freeman visit in the Ninth Congressional District of Indiana on one his "report and review" sessions.

Secretary Freeman made two appearances in the Ninth District, the first, a luncheon address at a meeting sponsored by the Columbus, Ind., Chamber of Commerce. At a second meeting, at the Seymour, Ind., high school auditorium, he met with ninth district farmers in an open session.

At the Columbus meeting, Secretary Freeman reviewed for business, professional, and civic leaders from across the district this Nation's advances in agriculture and the promise of new rural development programs.

There are many signs of progress in the ninth district, and Secretary Freeman took note of them.

Mr. Speaker, because of the significance of the Secretary's remarks, I ask

unanimous consent that they be included in the RECORD as follows:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN BEFORE THE CHAMBER OF COMMERCE, COLUMBUS, IND., JULY 22, 1966

I have just returned from Japan, and I'm struck by the thought that many Americans consider that country one of the most densely populated on earth.

Japan *is* crowded, but I wonder how many of you realize that within a generation 4 of every 5 Americans may be living in cities with population densities far in excess of present day Japan.

By the year 2000, the average population density of the urban areas of this country will be 774 people per square mile. Crowded as it is, Japan today has only 672 people per square mile.

Within 35 years, if the present trend continues, 240 millions Americans will be jammed onto only 8.7 percent of the land, while only 60 million will occupy the remaining 91.3 percent.

Now 35 years may seem a long time away. It isn't. And, it's already later than some of you may think.

Right at this moment, my friends, no less than 70 percent of your fellow Americans are living on only 1 percent of the land area of this great and spacious nation!

Some say this concentration of people in the cities is desirable. Many others say it is inevitable.

I say it is neither.

I say it is national folly. I say it is cultural and economic idiocy. And I want to tell you why.

But first let me briefly outline how this all came about . . . how our once agrarian society adopted, in a relatively short span of history, an industrial, commercial, and urban-oriented culture.

This nation was born as a nation of farmers, but it was, in fact, the very genius of these farmers which spurred the ensuing exodus from the land to the cities.

As the farmer began to produce more than enough for his own needs, some were freed for other pursuits. The technological advances later made in agriculture made it possible for fewer and fewer farmers to feed more and more people.

Until well into this century, this trend presented no great economic or social problems. Indeed, it was a healthy trend, for the growth of the great urban centers was undoubtedly a key factor in the phenomenal economic development of this Nation.

The cities remain important. They always will be. But to be important . . . to make a positive contribution to the economy and to society . . . they must be healthy. And too many of them are sick today!

There are many reasons why so many of our cities are sick. But behind each of the specific causes is the broad cause of simply too many people for too little space.

This, in turn, means too many problems for too few solutions. It means too many demands for services and too few tax dollars to pay for them. It means too many pupils and not enough classrooms. It means smog in the air and filth in the water. It means too many poor and too much crime, and overworked and understaffed police forces and welfare agencies. It means slums in the heart of the city and suburban slums at the outskirts.

And it means the foment of frustration compounded by congestion . . . and riots in the long hot summer.

No one can ignore the slums and ghettos of the cities. They are there. They are real. In a matter of hours, you can drive from here to the core of many a big city and find yourself in a virtual jungle where frustration breeds crime, crime breeds more crime, where hopelessness and gloom are the order of the day, and the smell of poverty hangs over all.

We are now in the midst of the longest, uninterrupted prosperity ever enjoyed by this Nation. And there are no signs of it coming to an end.

Yet despite this unprecedented economic bounty, there are still more than 38 million poor Americans. Perhaps we shall always have some poor. But we need not have 38 million of them.

Much is being done to combat poverty. Much more will be done.

In his determination to see a Great Society created in this Nation, President Johnson has marshaled many weapons for the War on Poverty. At his urging, the Congress has enacted legislation which created a new Department of Housing and Urban Development, the Job Corps, the Neighborhood Youth Corps, and a National Teacher Corps to work in poor areas. The Congress also has enacted legislation which provides for increased job training, more medical care and housing aids, and aid for local police forces . . . all designed to defeat poverty and cure urban blight.

But great as these weapons are, how can they win a final victory as long as millions of people continue to pour into the cities from the countryside each passing year?

The ultimate victory in the war on urban poverty and urban blight will be won only when we have stemmed the exodus from rural America . . . and indeed reversed it.

This will serve not only to help restore health to the cities . . . but also to cure an ailing rural America.

Psychosomatic or not, some parts of rural America *are* ailing. But today I am happy to say there is hope, there is determination . . . *and there are encouraging signs of progress all around.*

I came to the Midwest this weekend to hold meetings with farmers in four States, to review and discuss with them the status of agriculture in America today.

I'm doing this because my mail from the Farm Belt reveals some concern, some apprehension, and some misunderstanding which has come about, in large part, because of misinformation.

Farmers are asking me—"What is our future?" "Should we stay on the land, or should we look for jobs in the cities?" "Can we ever do as well as our city cousins?"

I've come to the Midwest to answer their questions directly. To communicate with them on a face-to-face basis. And I will tell them that while we are not yet satisfied, while there are still many things to be done, the farmers of America have made truly remarkable progress in the past five-and-a-half years.

Indeed, I will tell them that on the strength of that record of progress I can now safely predict that by the end of this decade we *can* achieve our long-sought mutual goal of *full parity of income for the adequate size family farming operation.*

This Administration took office with two goals in mind for agriculture. We were determined to reduce the mountainous grain surpluses which were depressing farm prices and gouging the taxpayer. And we were determined to see farm income increased.

I think the record will show that we are succeeding. In five-and-a-half years we have reduced the wheat surplus from 1.4 billion bushels to approximately 550 million bushels—and this spring sharply increased the acreage allotment—and we have reduced the feed grain surplus from 85 million tons to 50 million tons.

Farm income has risen during the same period. Gross farm income will be nearly $10 billion more this year than it was in 1960, and net income per farm will approximate $4,800 this year in comparison with only $2,956 six years ago.

The products moved into foreign markets from our farms will return $5 billion hard dollars this year . . . a dollar sales figure more than 50 percent greater than it was in 1960.

We in this Administration are proud of this record. But we are far from satisfied yet. We know that while farm prices have risen since 1960, they are still 18 percent below what they were in 1951. And we know that while the income gap between farmer and non-farmer has been narrowed by 18 percent since 1960, farmers still earn only ⅔ as much as city people.

Nevertheless, on balance the agricultural sector of our economy is making real progress and will do even better in the years ahead. So I will tell our Midwest farmers that there are far more reasons for them to be optimistic than pessimistic, and many more reasons to be encouraged than discouraged.

I only wish the picture were as bright for the remainder of rural America. In many respects, it is not. But wherever I go, I see an enthusiastic determination to do something about it and encouraging evidence that something *is* being done about it.

The illness that afflicts the small towns and cities of America is in large part psychosomatic. Somehow, some time in bygone years, a peculiar mental set developed. In some way the suspicion that rural America was empty of opportunity became a conviction, and hordes of country people moved to the cities in quest of money and success.

Now, in hindsight, we see the irony.

Just consider for a moment what rural America offers.

Think of what it offers in the way of the good life for the individual American. A closer communion with nature. Open skies. Trees. Sparkling streams and lakes. Freedom from congestion. Space to breathe and live and grow and play. Space to drive and space to park. Recreational opportunities of myriad variety and ready access. The chance to identify with the community . . . and take pride in where you live.

Many people want to live in rural America. A Gallup poll report published earlier this year revealed that nearly half of all persons surveyed said they would like to live in a small town or on a farm. Yet less than a third of them do.

But they could, my friends. They could. If we can just overcome the unjustified disenchantment with the countryside . . . if we can take positive steps to provide the opportunities there that many mistakenly believe exist only in the cities . . . we can hold people in Smalltown America and bring many back from the cities.

Now, how do we do that? We do it by selling those who create jobs—business and industry—on the advantages of rural locations.

What are those advantages? Just about everything business and industry seek: clean air, pure water, lower land costs, building costs, utility costs and service costs . . . and a built-in skilled and trainable labor force.

Some areas offer even more. In the absence of an industrial tax base, the individual home owners and retail store owners of some responsible communities have willingly shouldered heavy tax loads to provide good schools and teachers for their children, to carry out sound local welfare programs, to support good police forces, and to build excellent community health facilities.

And some have gone beyond that. Some have formed local new industry committees which work day and night to find good industrial locations, provide the facilities, services and buildings industry seeks, and to encourage industry to locate in their towns.

I can assure you that enlightened businessmen and industrialists are looking for such advantages. They know that these

things pay off in low personnel turn-over, high staff morale . . . and increased profits.

Not long ago, I told a gathering of the Nation's top industrial and business leaders that modern transportation and communication facilities, coupled with the ready availability of unemployed or underemployed trained and trainable rural labor, refute the traditional case for locating business and industry only in the big cities.

I told them that in today's America few industrial plants need be more than an hour or so away from raw materials and sales markets, nor more than minutes away from power supply and manpower . . . no matter where they are located.

I called their attention to the acres of choice industrial land to be found in rural America, land which would accommodate their present needs and future expansion, locations which would help improve service to regional and local markets, service growing new markets created by an expanding and mobile population . . . and at the same time reducing their operating costs.

I told them that most rural communities have an abundant supply of water for industrial needs and recreational pursuits, a ready source of industrial fuel and power, access to rail, highway, air, and, in some cases, water transportation facilities, and a ready-made labor pool.

And I told them that local development committees, State business and industrial development committees, and the Federal government stood ready to assist any businessman or industrialist who was considering opening a plant in rural America.

I also made it crystal clear, however, that I was not encouraging "runaway" plants, industrial "piracy" or the unscrupulous exploitation of the job-hungry countryside.

I took that occasion to announce the launching of the Department of Agriculture's new Rural Industrialization Program, a program which I am confident can make a valuable contribution to the well-being of the entire Nation.

Through this program we hope to bring the profit potential in America's smaller communities to the attention of industry. The Rural Industrialization Program staff will consult with businessmen in Washington, or in their own offices. Staff members will assist them to find the proper location and will serve as a liaison in arranging whatever financial and technical assistance is needed.

We will soon have available brochures which describe worker training programs financed by the Government, offer specific information on industrial financing programs, discuss industrial sites, water supply, natural resources, and transportation facilities available in rural areas, and specifically spell out how the Department of Agriculture can help businessmen open new plants in the countryside.

All of this does not constitute a sudden new effort to revitalize rural America. The need has been seen for years. The Rural Industrialization Program is an important new tool to bolster and supplement those already at work. The Rural Areas Development program was started in 1961, for instance, and since that time has mobilized 150,000 rural leaders to work to create new job opportunities and improve rural living conditions. The Rural Community Development Service was launched a little more than a year ago to carry to community leaders information about the full range of Federal services, the relationship of one to the other, and the procedures for achieving their use.

And still another important new tool, the Community District Development Program which I will detail in a moment, is now pending in Congress.

The countryside-to-city population movement *can* be stemmed *if* we can put jobs in our small towns and cities, and today I am asking your interest and your wholehearted support of this effort. I am asking every small town businessman and workingman to budget some of his time and effort toward working to make his community attractive to industry. And I am asking industrialists and businessmen throughout the Nation to give careful consideration to the profit opportunities to be found in rural America.

Just as I have come out here to reassure the farmers, to tell them they are making significant progress and that the future is brighter than ever, so, too, am I here to tell the businessmen of the towns and small cities to have faith in their future to have confidence that we can keep people in rural America by increasing opportunity there.

We *can* stem the exodus. Not only can it be done, it is already *being* done. It is being done whenever people in small cities and the open countryside seize the initiative and begin working together to build water and sewer systems, recreation areas, industrial parks and new homes.

The people who are doing these things are doing them with the full cooperation and assistance of their Federal and State governments.

Let me just cite a few statistics to give you some idea of how massive is the Rural Areas Development effort being carried out by the people with their Government.

Since July of 1961, 1,412 rural community water systems to bring modern water service to some 910,314 people have been financed by government loans totaling $187,871,065.

Since January of this year, when the necessary legislation was passed, 18 sewer projects and 7 combination water and sewer projects were financed for rural communities by Government loans and grants totaling $7,000,750.

Between 1961 and 1966, the 62,965 housing loans to non-farm rural residents were made. These loans totaled $618,410,998.

Since 1963, Farmers Home Administration loans totaling $36,052,808 have made possible the establishment of 288 community recreation centers serving visitors as well as more than 324,000 family membership holders.

Since 1963, 122 senior citizens' rental housing projects in rural communities have been financed by Government loans totaling $6,713,630.

Economic Opportunity loans have been made to 11,027 non-farm, low-income rural families to help them establish trades and services needed in their home areas. Since this program's inception in January of 1965, loans have totaled $19,745,101.

On the conservation and recreation front, the number of small watershed projects approved for operations has increased from 212 on January 1, 1960, to 729 on July 1, 1966, a 244 percent increase. In fiscal year 1966, 94 projects were approved.

And during the last five fiscal years, 1,777 National Forest campgrounds have been added, together with 385 picnic grounds, 49 swimming sites, 243 boating sites, 15 winter sports sites, and 97 more observation sites.

We can see the effect of this community approach to rural areas development throughout the Nation . . . and we can see it right here in southern Indiana where there are now . . .

. . . The Bata Shoe plant at Salem with 600 jobs . . . Indiana Sand and Glass at Corydon with 50 jobs . . . the Borden plant with 375 jobs . . . a new airport at Tell City . . . the Storrs wood plant will provide 64 jobs when construction is completed . . . more than 30 community-wide water systems have been built . . . 67 picnic areas and 3 new camping areas have been developed in Hoosier National Forest.

Unemployment in the area was as high as 18 percent in the spring of 1961. Now it has dropped to about 6 percent in most southern Indiana counties.

Twenty-one of those counties had been designated as redevelopment areas by the Commerce Department because of low income and high unemployment rates. Now, with the economic progress made, only 8 are still eligible for commercial and industrial redevelopment loans, and none qualify for the accelerated public works provisions to combat unemployment.

The State of Indiana, through its industrial development revolving fund, has helped local development groups finance a number of industrial projects. I am informed that the nearly $2 million loaned by the State helped develop plants that provided more than 1,800 jobs throughout Indiana.

All of the counties in southern Indiana and most other counties throughout the State have organized community action programs in an effort to eliminate the remaining pockets of poverty.

One of the most recent War on Poverty projects will help beautify the highways in 10 southern Indiana counties, while providing incomes and job training for 120 senior citizens. The State Highway Department and the Office of Economic Opportunity are cooperating on this project.

All of this proves that much can be done to build the kind of resources needed to keep people in the countryside when there is active and dedicated leadership at the community level, and an active and cooperative response at the Federal and State levels.

And soon we will have another major implement to use in the effort to bring new opportunities to rural America. I speak of the Community Development District Act which has been passed by the Senate and is now before the House of Representatives.

This legislation will provide Federal funds to enable people in towns, small cities, and counties to organize Community Development districts and to hire professional planning staffs. The planning staff will be hired and directed by a board or commission that is appointed by, and answerable to, the county and municipal governments within the district—at least those that choose to participate in the planning district.

The typical district might include one or more small or medium-sized cities, a number of smaller towns, and the open countryside within 30 to 50 miles of the service or commuting center. In effect, it will recognize predominant commuting patterns traced by the residents themselves in their day-to-day travel to work, to school, to shop, and in pursuit of social activities.

By pooling resources, and with coordinated planning, the small city and surrounding countryside could develop new economic opportunities and a broader range of public and private services than either would likely achieve on its own . . . and could avail itself of the kinds of governmental programs already benefiting other communities.

The Community Development District bill, the Rural Industrialization Program, the many other Rural Areas Development activities, and the War on Poverty efforts all will obviously help our metropolitan areas as well as our towns and small cities.

By creating a greater range of opportunity in the countryside, they will slow the movement of people from the country to our already overcrowded cities. This, in turn, will give city officials the breathing time they need to cope with the problems of inner city decay and suburban sprawl, social strife and congestion, rising welfare costs, crime and juvenile delinquency.

Never before have I encountered such enthusiasm, such determination—the feeling that we can correct the handicaps of both city and countryside . . . and realize the full potential of our dynamic and expanding economy.

If we cooperate—if we work together—if we pool our resources and our talents . . . then the day will come when every man can decide—without being forced by economic considerations—whether to live his

life and pursue his career in the Big City . . . or in Smalltown, USA.

I hope to see that day. I know you do, too.

Thank you.

TIGHT MONEY SITUATION COULD COST HOUSING INDUSTRY $21 BILLION

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, on several occasions recently I have addressed this body concerning the tight money market and its particular effect on the housing industry.

I am certain that every one of my colleagues is vitally aware of this problem and the effect that it is having in his own community. Not only has the lack of mortgage money prevented new housing starts, but because of the building lag virtually every business in this country has been or will be affected, since a slowdown in an industry as large as the homebuilding field drains vital funds from the economy. It is very basic economics that if there are no houses to be built, there is no work for the carpenter and the bricklayer; and if the carpenter and bricklayer do not work, they are not paid. Consequently, their purchasing power is greatly reduced. It can easily be seen that this effect can run full circle through our economy and wreak havoc. The Chicago Tribune of Sunday, August 7, reported that the homebuilders originally planned 60,000 new homes in 1966, but faced with a drain of funds from the mortgage market, the builders have revised their estimate to less than 40,000 units, a drop of more than 33 percent. This same article warned that if the drain of mortgage money continues, there will be a loss of $7 billion in construction expenditures and $14 billion will be lost in related industry outlays.

It is not a mystery as to the reason for this loss of mortgage money. Commercial banking institutions have continually raised their rates on savings and have attracted money away from mortgage-oriented savings institutions to the commercial banks. Unfortunately, banks do not engage to a large degree in mortgage lending; and even if they did, they would not be able to tie up high-rate savings in long-term mortgages. In order to pay the increased interest to savers, banks must indulge in speculative short-term lending with its accompanying risks. The savings institutions cannot compete with the high rate offered by commercial banks and, thus, when their income of savings is curtailed, they must also cut back in their mortgage lending. Many savings institutions have completely closed their mortgage-lending windows and have no prospects of opening them immediately. Even if the situation could be resolved completely at this very moment, it would take from 9 months to a year to return the homebuilding industry to its normal level.

Mr. Speaker, it is imperative that this body take immediate action to solve this situation. The first step has already been made. The Banking and Currency Committee recently reported H.R. 14026—a bill designed to limit the amount of interest that commercial banks could pay on certain savings accounts. The bill is presently awaiting a hearing before the Rules Committee so that it can be reported to the floor for consideration.

I strongly urge that the Rules Committee grant an immediate hearing on this bill so that we can put the homebuilding industry back on its feet.

I call this important article to the attention of my colleagues.

HOME BUILDERS EXPECT SHARP DECLINE—MAJORITY BLAMES TIGHT MONEY FOR 33 PERCENT DROP

(By Alvin Nagelberg)

A nation-wide cross section survey of members of the National Association of Home Builders indicates a sharp drop is expected in home building being planned for the future.

Last fall builders in the survey planned nearly 60,000 units during 1966.

A study in June disclosed that these plans had been reduced to less than 40,000 units for a drop of more than 33 per cent.

REDUCTIONS SHOWN IN SURVEY

A tabulation of the survey, based on responses from 400 firms, showed that in the fall of 1965 builders planned to erect 41,686 single family units and 17,564 multiple dwelling units.

In March, 1966, the builders revised their plans and decided to erect 32,008 single family homes, a 23.22 per cent decrease, and 14,250 multiple dwelling units, an 18.87 per cent drop.

In June, 1966, the plans were revised to build 26,647 homes, a further decline of 16.75 per cent, and 11,717 multiple dwelling units, and added decrease of 17.78 per cent.

The study shows that 52.7 per cent of the builders reported tight money as the primary cause of the reduction.

The remainder of the cutback was attributed to general economic conditions and rising labor and material costs.

New homes had increased 5 per cent between June, 1965, and June, 1966. The average price of a new home rose from $22,500 to $23,600 during that period.

REASONS FOR INCREASE

Material costs accounted for 34.1 per cent of the $1,100 increase; finance costs accounted for 28 per cent; labor costs for 20.9 per cent; land for 13.3 per cent; and other costs for 3.7 per cent.

The average price increase in prior years has been only one-third as much as it was during the last year, the N. A. H. B. reported.

The Chicago area activity is following the national trend, but the decline here is not as sharp, according to the survey. In June, home permits issued in the metropolitan area were down 9 per cent from the corresponding month a year ago. Apartment permits were down 34 per cent.

Larry Blackmon, president of the N. A. H. B., has warned that if the present money market continues there will be a loss of 400,000 units in the national market during the next 12 months.

This could be translated into a loss of 7 billion dollars in construction expenditures and 14 billions in related industry outlays.

THE ALARMING RISE IN THE RETAIL PRICES OF FOOD

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. O'NEILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, one of the areas of growing concern in this country is the alarming rise in the retail prices of certain food products. This is a problem which affects every American, young or old, rich or poor—and we must do something about it.

Today I introduce, for appropriate reference, a House resolution to create a seven-member bipartisan committee to investigate the reasons for the rapid rise in the retail prices of food.

I have noticed that in my city of Boston during the months of May and June alone the retail price of a half-gallon of milk rose by 3 cents. The retail price of a loaf of bread also rose by 3 cents during the same time. And I am told that the retail prices of these basic commodities and certain others have risen by the same amount in New York City and other areas.

Somebody is making a lot of money because of these price rises—and by doing it they are causing irreparable harm to the economy of the Nation. I do not know who is soaking the public—the agricultural producers, the middlemen, or the retailers—but it is time we found out.

I have always been for profit, and I am for profit now. Profit is the lifeblood of our economy. But there are limits to everything, including profit, and these recent price hikes go beyond those limits.

It would be tragic indeed if, because of the shortsightedness of a few, the whole Nation would have to suffer. We are reaching a critical point in our economic life, and we must soon choose between a reasonable course in which everyone exercises a little restraint or, alternatively, mandatory measures which would be satisfactory to no one.

For these reasons, Mr. Speaker, I urge the adoption of this resolution—to investigate, to put the blame squarely on the shoulders of those who deserve it, and to help rectify this problem.

DICKEY-LINCOLN SCHOOL FEDERAL HYDROELECTRIC POWER PROJECT, MAINE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. CLARK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CLARK. Mr. Speaker, as I stated several days ago, I would be placing items before the House concerning the Dickey-

Lincoln School Federal hydroelectric project in Maine from time to time.

As many of the Members know, this project was thoroughly and completely analyzed in depth by the Federal Reserve Bank of Boston, a study which concluded, incidentally, that the power to be produced by this project would cost anywhere from 15 to 20 percent more in the mid-1970's than power then being produced by the private electric companies of the area.

Were it not for the great length and detail of this report I would include it here in the RECORD. But copies of it are available and I would be very happy to provide them to any of my colleagues who are interested.

But one item which is short and concise enough for the RECORD is a letter to the editor of the Boston Globe which appeared on June 6 of this year. As the letter indicates, it was written by Mr. John M. Wilkinson, a resources economist of the Federal Reserve Bank of Boston and, as I understand it, a man who was deeply involved in the preparation of the full report:

[From the Boston (Mass.) Globe, June 4, 1966]

EXCEPTION BY FEDERAL RESERVE ECONOMIST

The Globe referred (May 12) to my study on New England public power proposals, in the Federal Reserve Bank of Boston's April 1966 New England Business Review, in a manner which grossly distorts its major conclusion.

You attribute to the study the conclusion that competition between public and private power is the most immediately practical way to produce lower costs, that a Federal "yardstick" is needed and that regulation by competition is more effective than regulation by utility commission.

This could hardly be the conclusion of this study, which also states:

"By 1977 it is expected that peaking power from this privately-financed and taxed plant (the Western Massachusetts Electric Companies' Northfield Mountain pumped-storage project) could be delivered to the inter-connected systems of southern New England for 15 to 20 percent less than the delivered cost of comparable peaking power from the Federally-financed and tax-exempt Dickey project."

The Dickey project costs in this comparison were computed at January, 1964, price levels. They could be substantially higher at current price levels. Also, Dickey project would add less than one percent to New England's future power supply. Furthermore, the study questions the ability of other public power proposals to bring lower-cost power to New England than can be brought about by the present industry plans.

Also, your interpretation could hardly be the conclusion of the study, Part I of which analyses the private industry in detail in the February, 1966, issue of the bank's New England Business Review from which the following is quoted:

"A quiet revolution in electric power technology is bring forth new opportunities, new concepts, and the new plans which promise dramatic change to historical circumstances and traditional ways. Publicized regional differences are narrowing as persisting regional disadvantages are overcome. New England's utilities are active participants in this revolution, and they propose to put its benefits to work in power markets of the 1970's and 1980's. . . . The one-system concept may be made operational in most of New England in the years ahead, bringing increasing economy and reliability, and presenting a formidable private industry yardstick of power costs and service."

Your paper quotes only in part from the study's concluding paragraph, as follows:

"There is justification for the belief that, in general, commission regulation of rates and service has been neither very effective nor very positive in the past. There are many exceptions, of course, but too often the incentive to reduce costs has not been present. . . . For the bold expansion that the future demands, many feel that another tool—regulation by competition—may better serve the region."

You do not quote from the same paragraph the central point of the study, as follows: "But, in a natural monopoly situation, competition too may come at some sacrifice in efficiency, as this review suggests."

Clearly, the prospect of competition—however unequal are the terms, due to lower-cost financing and tax-exemption of public projects—has spurred the private industry to bolder expansion plans, but it is equally clear that the prospective competition so far advanced may not be the lowest cost power for New England, as my analysis shows. The real yardstick is a privately-sponsored yardstick—exceptionally low cost pumped-storage peaking power and nuclear baseload power, integrated into the existing coordinated systems—regulated by New England's state utility commissions and the Federal Power Commission.

The Federal Reserve Bank of Boston is dedicated to the public interest of the New England region, and will continue to work for the lowest possible power costs for its citizens.

JOHN M. WILKINSON,
Resources Economist,
Federal Reserve Bank of Boston.

A BACK-TO-SCHOOL DRIVE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. GILLIGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, there is currently taking place in the First Congressional District of Ohio a most worthwhile project. It is the NAACP back-to-school drive, sponsored by region III, NAACP youth and college division. This drive began on August 1, and lasts until August 31 of this year. A Cincinnatian, Herb Smith, chairman of region III, youth and college division, and Bill Hardy, field director, are the sparkplugs of this drive.

It is now regional in scope, and includes the States of Illinois, Indiana, Kentucky, Michigan, Ohio, West Virginia, and Wisconsin. It is hoped that it will be a national drive within a matter of days.

The purpose of the drive is to encourage all youths to return to school, and to stay there. Although this drive is sponsored by the NAACP, the program takes in all youths in all areas, of whatever race. Because unemployment and poverty are colorblind, so is this project.

Because of the importance of this project to our Nation, I am inserting in this RECORD the message Herb Smith has been giving to the youths of my district:

Education does not cost, it pays. It has been shown that for every dollar invested in high school education, there is a return of five. For every five dollars invested in a college education, there is a minimum return of thirty dollars—a six hundred percent return.

An education does not guarantee success. However, it does open doors to many opportunities. It gives one the foundation for a fuller, richer, more satisfying life.

Between 1965 and 1975, thirty million young men and women will be looking for their first job. Of these, eight million will be drop outs from high school. What chance do they have? Presently thirty-two of every one hundred drop outs are unemployed. Eighteen of one hundred graduates are unemployed.

The drop out earns an average of $5900 per year; the graduate has an average earning of $6800 per year. The graduate who goes on to college earns a minimum of 42 percent more than the high school graduate, and 83 percent more than the drop out.

An education gives you the chance to select your occupation. You choose your job. If you lack education, the job picks you. Education is the start of life. From this jumping off point, you begin to learn habits you'll need all through life. You develop your God-given talents. You learn the importance of human relations. And, you discover more ways to the good life.

Your ambitions, emotions, and achievements are influenced by the knowledge you acquire and continue to acquire. This means a more meaningful life as a human being and a salary earner.

School is your big chance. School years are nothing alongside the life expectancy of modern man. These school years are the difference between poverty and prosperity. From education you reap rich rewards—better jobs, more opportunity. Be ready for what tomorrow brings.

It takes guts to stay in school and finish. Can you do it?

SAMUEL M. MICHELSON: MAN OF THE YEAR

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, as a member of the Petach Tikvah congregation in Baltimore and an honorary member of its governing board, it is with pride that I rise today to bring to the attention of this august body the achievements of a good friend and a dedicated Government employee.

Samuel M. Michelson, a fellow member of the congregation, has devoted much of his adult life to serving this congregation in various capacities. He has used his rare talents of leadership, service, and sympathetic concern for humanity to weld together and instill in his working committees the same devotion and sense of urgency in meeting human needs.

These outstanding qualifications recently earned for him the Man of the Year Award from the Petach Tikvah congregation "for outstanding service and devotion to the best interest of the congregation." A hand-illuminated parchment certificate, beautifully framed, was presented to Mr. Michelson at an impressive ceremony.

Mr. Michelson is the son of an illustrious father, who was one of the founders of the synagogue, its first president, and who, for more than 40 years, was the senior elder, and twice the recipient of the Man of the Year Award—first in 1922 and again in 1952.

It is not surprising, therefore, that Sam Michelson should display the same characteristics. He is presently the treasurer of the congregation, serving his fourth consecutive term, and is also a member of eight active committees.

Mr. Samuel J. Oshrine, who made the presentation, referred to the unique leadership displayed by Mr. Michelson with his committees, as follows:

A group of forty men and women—husbands and wives—are members of one of the committees and the personnel has not changed from the original in four years except for an additional name or two. Mr. Michelson has proved that the volunteer may still be found in numbers and will serve when pleasantly directed. As a literary contributor to the Shul bulletin, his articles and news stories show an insight into the teachings of the Torah and man's consideration for his fellow man.

It is with pride that the officers of the congregation added Samuel M. Michelson's name to the family of Man of the Year recipients.

DETROITERS SPEAK OUT IN SUPPORT OF 1966 CIVIL RIGHTS BILL

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CONYERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CONYERS. Mr. Speaker, as we near a final vote on the 1966 civil rights bill which seeks to correct some of the problems overlooked by the 1964 and 1965 civil rights legislation, I would like to call the attention of my colleagues to the many persons from the Detroit area who took the time to write me in support of the bill. Some of these persons who have written me concerning the 1966 civil rights bill may be somewhat disappointed because the bill which we will vote on today has been amended a great deal during the course of debate. However, I would still like to share these letters with all of my colleagues as it is my firm belief that every individual has the right to be heard by as many listeners as possible. I insert these letters following my remarks:

DETROIT, MICH.,
July 27, 1966.

Hon. JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.:

I urge your general support for the 1966 Civil Rights Act with special emphasis on the need to amend title 4 to insure that realtors will not accept discriminatory listings from owners.

ELAINE F. REED,
ACSW Chairman, Metropolitan Detroit Chapter, National Association of Social Workers.

METROPOLITAN METHODIST CHURCH,
Detroit, Mich., July 24, 1966.

Hon. JOHN CONYERS,
House of Representatives Office Building,
Washington, D.C.

DEAR MR. CONYERS: I feel certain you will be in favor of the strongest possible civil rights bill pending before the house this week, but I want to take this opportunity to express my support of such a bill. I am particularly concerned that Title 4 of the proposed bill pertained to housing be made as strong as possible. I would hope you will find it possible to support the act as reported out of committee and that you will be successful in resisting any attempt to modify the Mathias amendment.

I understand also that Title 5 is in need of support of amendments to strengthen it.

Be assured that I and the people of this church feel that the passage of this bill is a matter of justice and we stand behind you in whatever support you can give it.

Sincerely yours,

ROBERT L. S. BROWN,
Minister of Membership.

CITY OF DETROIT, COMMISSION ON RELATIONS,
Detroit, Mich., August 5, 1966.

Hon. JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: We urge support for Title IV, Fair Housing Section, 1966 Civil Rights Act, with particular attention called to:

1. The Bingham-sponsored and anti-block busting amendment, prohibiting unscrupulous practices and references to race by real estate agents to induce or attempt to induce the sale of housing.

2. Real estate brokers as businessmen and as licensees of the State should not be allowed to discriminate even with instructions from the seller, therefore, we urge defeat of the Mathias Amendment. Such prohibition would make the Federal law consistent with the Detroit ordinance administered by the Commission on Community Relations, which reads: It shall be unlawful "To refuse, when acting as an agent, to show real property listed for sale, rent or lease, or to refuse to accept and forward an offer to the owner of the listed property, because of the race, creed or national origin of the prospective purchaser."

3. Creation of an administrative agency responsible for enforcement of Title IV is essential to effective implementation, therefore, we urge for the Conyer's Amendment.

Very truly yours,

RICHARD V. MARKS,
Secretary-Director.

COORDINATING COUNCIL ON HUMAN RELATIONS,
Detroit, Mich., July 25, 1966.

Hon. JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: The Coordinating Council on Human Relations is an intergroup relations organization with seventy-four affiliated agencies.

The CCHR has long been interested in, and involved with the issue of equal housing opportunity.

Therefore, the CCHR stands in support of the 1966 Civil Rights Act (House Bill 14765) that is now being debated on the floor of the United States House of Representatives. We particularly encourage your support of the Administration's Fair Housing Section Title IV. The CCHR feels that with a Federal law on the books, the solution to this problem will be eminently foreseeable.

Your very truly,

Rev. ROBERT L. POTTS,
Chairman.

DETROIT, MICH.,
August 2, 1966.

Hon. JOHN CONYERS,
House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE CONYERS: In view of the extraordinary efforts being made by certain groups to have you vote against improved housing conditions for Negro Americans, I think you should know that a large number of people are in favor of open occupancy.

Quite naturally real estate brokers, bigots and other vultures who prey upon the Negro community would urge a no vote. However, the progress of this country and its citizens is interdependently tied with the progress Negro Americans can make, and a favorable open occupancy vote would at least give us a feeling of acceptance and freedom so unjustifiably denied us today.

Respectfully yours,

LEONARD DOUGLAS.

DETROIT, MICH.,
August 1, 1966.

Congressman JOHN CONYERS, Jr.,
House of Representatives of United States,
Longworth House Office Building,
Washington, D.C.

Urge retaining strong title IV provision and Civil Rights Act under debate.

GRACE EPISCOPAL CHURCH,
Virginia Park Rehabilitation Citizens Committee.

DETROIT, MICH.,
August 1, 1966.

Representative JOHN CONYERS, Jr.,
Washington, D.C.

Strongly urge retention of firm title 4 in Civil Rights Act.

Rev. WILLIAM S. LOGAN,
Episcopal Diocese of Michigan.

DETROIT, MICH.,
July 29, 1966.

Hon. JOHN CONYERS, Jr.,
House of Representatives,
Washington, D.C.

DEAR MR. CONYERS: I want you to know that I support Title IV the Housing provision of 1966 Civil Rights Act.

Thanking you for the good job you are doing, I am,

Gratefully yours,

Mrs. MYRTLE I. WILLOUGHBY.

JOHN CONYERS, Jr.,
425 Cannon House Office Building,
Washington, D.C.

DEAR SIR: We the undersigned are asking that you vote "yes" on the housing bill.

AARON GAY,
ROOSEVELT E. WINE,
GUS SIAMOLTON,
PERNELL ALLEN,
JOSEPHINE E. GAY.

Circulated by Aaron Gay.

JULY 27, 1966.

Hon. JOHN CONYERS,
House of Representatives,
Washington, D.C.

MY DEAR MR. CONYERS: This is just to let you know that you have my unqualified support as you work for passage of the 1966 Civil Rights Bill, including the open housing provisions.

Very truly yours,

MARY L. McGREGOR,
DETROIT, MICH.

C. & C. INVESTMENT CO.,
Detroit, Mich., July 25, 1966.

Mr. JOHN CONYERS,
Representative,
Congress of United States.

DEAR MR. CONYERS: I, Clarence Hudson, of the Detroit Real Estate Brokers' Association,

wholeheartedly support the proposed Civil Rights Act of 1966, and especially Section four (4) thereof, in respect to equal opportunities.

Very truly yours,

CLARENCE HUDSON.

JULY 24, 1966.

Hon. JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR SIR: For the second time in recent weeks, the Detroit Real Estate Board in paid news advertisements in the local news mediums, has urged a massive letter and telegraph avalanche on the U.S. Senate and House of Representatives by the homeowners, to protest Bill H.R. 14765 and S. 3296 and Title IV of the Bill concerning Housing.

This is reminiscent of the recent Medicare Bill scare by the also powerful American Medical Ass'n., wherein a large, well financed lobby is attempting to use the individual to gain their own ends.

We trust you will investigate this self-evident twisting of facts by the realtors and realize their true motives, which is to control the housing markets and patterns for their own interests, as they have been doing in the past.

Vote for bill H.R. 14765 and S. 3296, and a strong title IV, in the interest of equal civil rights for all American citizens in education, employment and housing.

Sincerely,

Mr. and Mrs. W. E. SELLMAN.

DETROIT, MICH.

REDEEMER PRESBYTERIAN CHURCH,
(UNITED PRESBYTERIAN),
Detroit, Mich., July 24, 1966.

Hon. JOHN CONYERS,
The House of Representatives,
Washington, D.C.

DEAR MR. CONYERS: I hope that this letter is not too little too late. I am concerned, as I know many others are, over the present status of the 1966 Civil Rights Bill which is due to be reported out of the House Judiciary Subcommittee No. 5 this week.

Any watering down of this bill, especially in the housing section, would be a step backward for all of us. The full intent of the original bill must be maintained.

Also, I believe that your amendment for the establishment of a Fair Housing Board to enforce the code is of paramount importance.

Sincerely yours,

PETER W. PILLSBURY,
Pastor.

DETROIT, MICH.,
July 25, 1966.

HON. JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: I urge you to support the fair housing section of the proposed 1966 Civil Rights act.

Since I am a housewife living in an all Negro neighborhood where we seldom see a white person outside of a bill collector or missionary, my main exposure to candid white opinion is listening to Detroit's "talk" station WTAK. It is angering to hear a steady barrage of anti-Negro expressions coming from white people who seem to feel that open housing is somehow un-American. Much advice has been volunteered on what Negroes should do about the race problem. Is it not time now for white people to begin to educate themselves on how to get along with Negroes who have an increasing awareness of their strategic position in a world where they are NOT a minority, but a part of a two-thirds majority?

The press with its unwarranted hysteria over Black Power and the smug suburbanites who take every opportunity to "talk" their prejudices over the airwaves do more to impel us in the direction of Black nationalism than any speech by Stokely Carmichael who we never hear except via a critical news media.

We urge you not only to support Title IV on housing, but we would like to see you rebut some of the anti-Negro diatribe around here (Detroit News, Free Press, station WTAK, etc.) so that we will know elected officials are speaking on our behalf and that the ballot is indeed better than bullets.

Yours truly,

Mrs. JESSIE WALLACE.

THE PRESBYTERY OF DETROIT,
Detroit, Mich., July 22, 1966.

Hon. JOHN CONYERS,
The House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE CONYERS: At this crucial time in the debate concerning the proposed Civil Rights Act of 1966, I take this opportunity to express the concern of the Presbytery of Detroit that you give your full support to the bill as it was reported out of the House Judiciary Committee with the following exceptions:

1. Title IV—the Mathias amendment be maintained as written in the committee.

2. Title V—the word "lawfully" be deleted; that indemnification awards be written into the bill; and that provision be made for transfer of civil rights cases from State to Federal courts.

This we feel is the minimum that the Federal government can do to continue the drive to insure the constitutional rights of all citizens.

The Presbytery of Detroit, representing 102 churches in the metropolitan Detroit area with a membership of 81,260, did, at its stated meeting on June 28, 1966, take unanimous action in support of the 1966 Civil Rights Bill.

Sincerely,

DAVID B. LOWRY,
Stated Clerk.

THE UNITED PRESBYTERIAN CHURCH,
SYNOD OF MICHIGAN,
Detroit, Mich., July 22, 1966.

Hon. JOHN CONYERS,
House Office Building, Washington, D.C.

DEAR REPRESENTATIVE CONYERS: At this crucial time in the debate concerning the proposed Civil Rights Act of 1966, I take this opportunity to express the concern of the Synod of Michigan that you give your full support to the bill as it was reported out of the House Judiciary Committee with the following exceptions:

1. Title IV—The Mathias Amendment be maintained as written in the committee.

2. Title V—The word "lawfully" be deleted; that indemnification awards be written into the bill; and that provision be made for transfer of civil rights cases from State to Federal courts.

This we feel is the minimum that the Federal government can do to continue the drive to insure the constitutional rights of all citizens.

The Synod of Michigan, representing 295 churches with a membership of 163,514, did, at its stated meeting on June 15, 1966, take unanimous action in support of the 1966 Civil Rights bill.

Sincerely,

ROBERT H. YOLTON,
Executive.

DETROIT, MICH.,
July 21, 1966.

Representative JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR SIR: I hope I am not too late in writing this.

I am convinced that whenever legislation is enacted to protect any "right", particularly a moral and social justice, people will be hurt in the process and correct and "right" intended individuals will suffer. The housing segregation existent presently in our communities *must* cease or we must force many generations to come who will continue suffering those outmoded prejudices presently hurting an older generation of property owners intolerant of the pains of growth and change.

I thoroughly concur in the thinking that "a man's home is his castle" but to predetermine the buyer in a high school sorority framework of similarities is so wrong and so filled with fallacies it is difficult to conceive that it still exists.

If legislation is the only way to alter society's puritanical concepts of pre-judgment then by all means let it be passed and I pray it soon would become an unnecessary and out-dated law.

I hope you receive the encouragement and strength of backing necessary to actively promote the passage of Bill H.R. 14765 and S. 3296, Title IV and any and all Civil Rights Bills to *quickly* promote "man's understanding of man's rights" and human respect as needed in all categories of human endeavor before physical revolution or moral degradation does the determining of our social justice.

Very sincerely yours,

ESTER M. YAGER.

DETROIT, MICH.,
July 20, 1966.

Representative EMANUEL CELLER,
Chairman, House Judiciary Committee,
U.S. House of Representatives,
Washington, D.C.

HONORABLE SIR: I have recently read a report of the ridiculous assertions about Negroes and middle class housing in the testimony of the Michigan Real Estate Association before the constitutional rights subcommittee of the House Judiciary Committee (as reported in the Detroit News).

I am white; I live in the inner city of Detroit. I have walked and driven through numerous neighborhoods where middle and upper income Negroes live in high quality housing. I am utterly at a loss to know what Mr. Kenyon of the M.R.E.A. was talking about when he asserted that Negroes need "a kind of training period in high quality housing before being allowed into white suburban neighborhoods." Those whom I observe seem to have accommodated themselves quite well to living in quality housing, without the benefit of Mr. Kenyon's "training period". Besides, when does anyone in the selling business ever question whether any home-buyer who has the money to buy in a particular price range needs a "training period" to live in that price housing?

Mr. Kenyon also cries about redress for "losses" to brokers or property owners. It is well known that the only reason for losses to homeowners (the real estate business has never "lost" any sales to Negroes in white neighborhoods) is that the real estate interests will incur are loss from the illegitimate, panic selling in neighborhoods after the first Negro has moved in. The actual value of the property itself is no different the day after the Negro moves in than the day before. The only losses that the Real Estate interests will incur are lose from the illegitimate, unethical business activities that many of them have been carrying on. I fail to see how the honest ones can lose money while adding Negro purchasing power to a legitimate housing market.

As a citizen I demand that the Congress articulate unequivocally through Title IV of the Civil Rights Bill that no citizen shall be denied a free choice of housing solely on the basis of race, religion or national origin. This must apply to private home-owners as well as all those involved in selling, building, managing, or financing. We must take the pressure off our minorities caused by the

absence of a free housing market. Otherwise, we are asking for the lid to blow off in the areas where we have them boxed in.

Please convey these demands to the members of the Judiciary Committee.

Sincerely yours,

HELEN I. HOWE.

METROPOLITAN DETROIT
COUNCIL OF CHURCHES,
COMMISSION OF RACE AND
CULTURAL RELATIONS,
Detroit, Mich., July 22, 1966.

Hon. JOHN CONYERS, Jr.,
The House of Representatives,
Washington, D.C.

DEAR REPRESENTATIVE CONYERS: At this crucial time in the debate concerning the proposed Civil Rights Act of 1966, I take this opportunity to express the concern of the Metropolitan Detroit Council of Churches that you give your full support to the bill as it was reported out of the House Judiciary Committee with the following exceptions:

1. Title IV—the Mathias amendment be maintained as written in the committee.

2. Title V—the word "lawfully" be deleted; that indemnification awards be written into the bill; and that provision be made for transfer of civil rights cases from State to Federal courts.

This we feel is the minimum that the Federal government can do to continue the drive to insure the constitutional rights of all citizens.

The Board of Directors of the Metropolitan Detroit Council of Churches, representing 800 churches in the metropolitan Detroit area, did take unanimous action in support of the proposed bill on June 9, 1966.

Sincerely,

ROBERT A. HOPPE,
Executive Director.

DETROIT, MICH.,
July 15, 1966.

MR. REPRESENTATIVE: I think it is all wrong to force unwilling owners to sell or rent his property to some one you do not desire. It denies us our freedom. That is what America stands for *freedom*. It denies us who we want to live with or have in our home. What a shame.

How can we expect to bring up our children to be good citizens and then be expected to rent or sell to any undesirables of which they would come in contact with. One bad apple spoils a barrel. We can expect more riots and trouble and stabbings.

Sure hope this bill will be rejected.

Mrs. EVELYN BAUMAN.

THE MICHIGAN CANCER FOUNDATION,
Detroit, Mich., July 18, 1966.

Hon. JOHN CONYERS, Jr.,
Representative from Michigan,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: I am writing to express my support for the 1966 Civil Rights Bill, and particularly for Title IV of that Bill. I understand from the Newsletter of the Archbishop's Committee on Human Relations that your mail has been running very much contrary to support for this Title of the new law.

As President of the Michigan Cancer Foundation I encounter a good many people. I am also a member of the Plan Commission in Grosse Pointe Park, and a member of several committees of the Wayne County Medical Society. I shall do my best from whatever podium comes available to me to argue in favor of this Title, and I certainly hope that you will vote in favor of it.

Racial segregation must be opposed with great vigor and laws of this kind will help in reducing the injustices by racial prejudice in our city.

Very sincerely yours,

MICHAEL J. BRENNAN, M.D.,
President, Michigan Cancer Foundation.

DETROIT, MICH.,
July 11, 1966.

Congressman JOHN CONYERS,
Congressional Office Building,
Washington, D.C.

DEAR CONGRESSMAN: As my Congressman I am sending to you copies of letters sent to our Senators.

Since I already know what your vote will be on this important bill this letter is for the record to show one more of the number of letters received by you in favor of the Open Housing section of the bill now before you.

Sincerely yours,

M. STEWART THOMPSON.

DETROIT, MICH.,
July 11, 1966.

Senator PHILIP A. HART,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I urge you to cast your vote in favor of an Open Housing bill. Realtors have made too much money already from segregated housing by treating Negroes as colonials and selling to them housing in only designated areas and refusing to sell to whites in these areas.

Think what it will mean to our country in removing this last condition of slavery and colonialism which custom has created but which laws are needed to stop. Think also what it will mean to the minorities to have the reconstruction amendments of a hundred years ago implemented.

I shall look with anticipation at your conduct in this instance.

Sincerely yours,

M. STEWART THOMPSON.

DETROIT, MICH.,
July 11, 1966.

Senator ROBERT GRIFFIN,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I urge you to cast your vote in favor of an Open Housing bill. Realtors have made too much money already from segregated housing by treating Negroes as colonials and selling to them housing in only designated areas and refusing to sell to whites in these areas.

Think what it will mean to our country in removing the last condition of slavery and colonialism which custom has created but which laws are needed to stop. Think also what it will mean to the minorities to have the reconstruction amendments of a hundred years ago implemented.

I shall look with anticipation at your conduct in this instance.

Sincerely yours,

M. STEWART THOMPSON.

THE CATHOLIC INTERRACIAL
COUNCIL OF DETROIT,
Detroit, Mich., July 19, 1966.

Hon. JOHN CONYERS, Jr.,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR MR. CONYERS: Just to keep you posted, the enclosed copy was sent to several members of the House Judiciary Committee hoping that it has helped you in your efforts. Keep up the good work!

Sincerely yours,

RUFUS P. KNIGHTON,
President.

JULY 19, 1966.

Hon. EDWARD HUTCHINSON,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR MR. HUTCHINSON: Our members are very interested in the 1966 Civil Rights Act, especially Title IV on Housing. At our meeting July 13th, our Council voted unanimously to endorse this legislation and to urge Congressmen to vote for it.

Your position on the House Judiciary Committee gives you a particular opportunity to do a real service to the nation. We are seeing that enforced segregation as it exists in such separate places as Watts, New York and Chicago can disrupt the peace of the total community. By giving access for all Americans to the liberties we should enjoy, this legislation will give us the tools to work for neighborhood peace.

In the face of the national campaign by some real estate interests, voting for this legislation will take a steady insistence on principle. Contrary to their propaganda, this legislation will benefit the individual home owner. Present real estate practices make it almost impossible for an individual home owner to sell his property to the buyer of his choice—if he wishes to choose a minority group buyer, for instances. In criticizing the position of the Detroit Real Estate Board, the Detroit News in a June 16 editorial characterized the real estate industry as subtly segregationist.

Again, may we ask your vote to get this legislation out of committee and to the floor where all Congressmen will cast their votes.

Sincerely yours,

RUFUS P. KNIGHTON,
President.

DETROIT, MICH.,
July 26, 1966.

Congressman JOHN CONYERS,
House of Representatives,
Washington, D.C.:

Please vote yes on open occupancy bill.

Mr. and Mrs. LESTER J. COLLIE.

DETROIT, MICH.,
July 25, 1966.

JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.:

Feel imperative you support Civil Rights Act as reported out of committee especially Title 4.

Pastor JAMES HEINMEIER,
Nazareth Lutheran Church Det.

DETROIT, MICH.,
July 19, 1966.

Hon. JOHN CONYERS,
House of Representatives,
Washington, D.C.

DEAR SIR: With the housing situation being as it is, I am adding my voice to those who urge passage of a strong & fair bill.

I feel that the Federal Government must lead the way in legislation against discrimination.

Sincerely,

ELIZABETH M. WILSON.

SACRED HEART SEMINARY,
Detroit, Mich., July 17, 1966.

Mr. JOHN CONYERS,
House Office Building,
Washington, D.C.

DEAR MR. CONYERS: I wish to indicate my support of Title IV of the '66 Civil Rights Bill and to urge you to give it full support.

Sincerely yours,

Rev. THOMAS F. HINSBERG.

ARCHDIOCESE OF DETROIT,
Detroit, Mich., July 16, 1966.

Congressman JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: I feel very strongly that our Federal Laws should protect the civil rights of all of our people, and I am especially concerned that you will give your support to the Civil Rights Act of 1966, especially Title 4 which touches on the very important question of open housing.

Sincerely yours,

Very Rev. Msgr. T. J. GUMBLETON,
Vice Chancellor.

DETROIT,
July 17, 1966.

Representative JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE CONYERS: I urge you to support the '66 Civil Rights Act especially title IV on housing. I also urge you to support the passage of the Leadership Conference amendments.

Sincerely,

CATHERINE BROWN.

DETROIT, MICH.,
July 15, 1966.

Mr. JOHN CONYERS,
House Office Building,
Washington, D.C.

DEAR MR. CONYERS: May I urge you to support the '66 Civil Rights Act, especially Title IV and the amendments suggested by the Leadership Conference on Civil Rights.

As a citizen, I am confident that you will support this legislation. Thank you for whatever you can do in this regard.

Sincerely,

MARGUERITE SCOFIELD.

DETROIT, MICH.,
July 19, 1966.

Hon. JOHN CONYERS, Jr.,
House of Representatives,
U.S. Congress,
Washington, D.C.:

We urge you to vote for the Civil Rights Bill of 1966 and especially to support and vote for a strong fair housing provision in this bill. We also urge you to vote in the support of Home Rule for the District of Columbia the capitol of the land of the free.

MARIE G. LEATHERMAN,
Grand Basileu Lambda Kappa Mu Sorority.

CHURCH OF ST. BARNABAS,
East Detroit, Mich., July 15, 1966.

MY DEAR MR. CONYERS: I am writing to urge you to support the 1966 Civil Rights Act, especially Title IV and the amendments suggested by the Leadership Conference on Civil Rights.

We certainly hope and pray that every citizen in our country will be able to enjoy the freedom which is supposedly guaranteed by our constitution.

Sincerely yours in Christ,

Rev. J. F. O'CALLAGHAN.

ARCHBISHOP'S COMMITTEE ON
HUMAN RELATIONS,
Detroit, Mich., July 14, 1966.

Hon. JOHN CONYERS,
Member of Congress,
The House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: We urge your support of Title IV of the Civil Rights Act of 1966.

We are enclosing a copy of the official position of the Catholic Church in Michigan on Equal Opportunity in Housing which may be of some assistance to you.

We feel that Title IV is the important section of the 1966 Civil Rights Act. If it is not as strong as originally proposed we will have failed.

In Detroit on June 19 the Reverend Martin Luther King said that many people were asking him if he is going to abandon nonviolence since the majority of Negroes seem to be rejecting it. King states that the leader does not follow the consensus but molds it. We do not underestimate the negative pressure on Title IV which are being exerted by vested interests. But we call upon you to lead, to help in molding a just and American consensus by your support for a strong Title IV in the Civil Rights Act of 1966.

Sincerely,

Rev. JAMES J. SHEEHAN.

UNIVERSITY OF DETROIT,
Detroit, Mich., July 8, 1966.

Representative JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR MR. CONYERS: I urge you to do everything in you power to retain Title IV, the fair housing section of the Civil Rights Act of 1966. Our students come from all over Michigan as well as from other States, and we feel that this national problem will only be solved by Federal legislation.

Sincerely yours,

Rev. ARTHUR E. LOVELEY, S.J.,
Professor of Theology.

DETROIT, MICH.,
July 7, 1966.

MR. JOHN CONYERS, Jr.: I strongly urge you to support every Title in the 1966 Civil Rights Act and especially Title IV which is being questioned by some pressure groups.

I also feel that the Leadership Conference Amendments should be passed.

Sincerely,

EILEEN MARIE SHAW.

DETROIT, MICH.,
July 7, 1966.

MR. JOHN CONYERS, Jr.: I strongly urge you to support every Title in the 1966 Civil Rights Act and especially Title IV which is being questioned by some pressure groups.

I also feel that the Leadership Conference Amendments should be passed.

Sincerely,

MARY FAITH BELL.

CALVARY PRESBYTERIAN CHURCH,
Detroit, Mich., July 6, 1966.

Congressman JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN: Please do all in your power to see that we get a strong 1966 Civil Rights Bill. We are especially anxious that Title IV is not watered down. We follow your record with appreciation.

Sincerely,

RAYMOND H. SWARTZBACK.

CITY OF DETROIT, COMMISSION ON
COMMUNITY RELATIONS,
Detroit, Mich., July 6, 1966.

Hon. JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: Enclosed is a copy of the resolution, unanimously approved by the Detroit Commission on Community Relations at their June meeting. The resolution endorses the principles of the housing section of the 1966 U.S. Civil Rights Bill.

On behalf of the Commission, I urge you, as an elected official representing the interests of all people, to support the ideals of fair housing embodied in this legislation. It is only by eliminating barriers in the housing field that we will create a free and competitive housing market where property is accessible to any person without discrimination.

We would be interested in knowing your position on the housing section of the Bill.

Sincerely,

EDWARD L. CUSHMAN,
Chairman.

DRAFT RESOLUTION ON THE HOUSING SECTION OF THE 1966 U.S. CIVIL RIGHTS BILL BY DETROIT COMMISSION ON COMMUNITY RELATIONS

The Detroit Commission on Community Relations endorses the basic principles of the Housing Section of the 1966 U.S. Civil Rights Bill which would extend to all citizens without regard to race, creed or national origin, the basic right to rent, lease or purchase real property.

The Commission is registering its position with U.S. Senators from Michigan and Congressmen from Detroit, urging them to declare their support for the basic ideal of fair housing.

The recent public hearings on housing discrimination held by the Commission demonstrated clearly the need for such legislation. The hearings pointed out the active part of certain elements of the local real estate industry in the maintenance of segregated housing and the attitudes which perpetuate it. On the national level, an organized campaign against the proposed housing legislation is being stimulated largely by the National Association of Real Estate Boards. While claiming to uphold freedom of choice in property transfers, a significant number of persons in the real estate industry opposed the legislation which would insure an open competitive market.

The Commission on Community Relations commends the President for his leadership in requesting this needed legislation and asks that all citizens of this community as well as its governmental leaders voice their support of the principles in the housing portion of the 1966 Civil Rights Bill.

ST. BERNARD CHURCH,
Detroit, Mich., July 8, 1966.

DEAR SIR: Please support positively the Title IV of the 1966 Civil Rights Act. As we both know housing is a critical issue in the civil rights movement, we are most anxious to hear your voice raised on this issue.

DETROIT, MICH.,
July 5, 1966.

Congressman JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN CONYERS: I am writing to urge you to support the passage of Title IV and every other title of the Civil Rights Act of 1966 as well as the leadership conference amendments. I believe that in the long run, Civil Rights will be more crucial for America than the war in Viet Nam.

Sincerely yours,

IRWIN SHAW.

ST. BERNARD CHURCH,
Detroit, Mich., July 5, 1966.

DEAR MR. CONYERS: Please support the 1966 Civil Rights Act. esp. Title IV on housing.

Housing is of the very essence of the civil rights struggle. Do not by dismayed by the tactics of unscrupulous groups.

Please back this Title IV with all of the moral persuasion possible.

Sincerely,

Rev. THOMAS J. KERWIN.

DETROIT, MICH.,
July 4, 1966.

JOHN CONYERS, Jr.,
House Judiciary Committee:

I am in favor of House bill 14765 including Title IV.

PHILIP J. WYELS,
LORETTA S. WYELS.

P.S. Ruth Wyels (our daughter, currently out of the city, a voter, is definitely for this bill.)

DIOCESE OF MICHIGAN,
THE DEPARTMENT OF PROGRAM,
Detroit, Mich., June 29, 1966.

Hon. JOHN CONYERS, Jr.,
House Judiciary Committee,
House Office Building,
Washington, D.C.

DEAR SIR: As you continue your examination of the Civil Rights Act of 1966, I would like to record myself as wholeheartedly in endorsement of the Administration Bill as presented to you and the Leadership Conference on Civil Rights' amendments, designed to strengthen the jury trial and housing sections, create a new board to indemnify

victims or civil rights violence, and require state and local governments to hire without discrimination.

We are especially sensitive in Detroit to the urgent need to narrow the gap between the negro and white communities in every area of human endeavor and opportunity.

Appreciating your consideration and cognizant of your great responsibility, I am

Faithfully yours,

Rev. FREDERICK B. JANSEN.

NEWMAN APOSTOLATE,
Detroit, Mich.

DEAR CONGRESSMAN CONYERS: Interested in civil rights for all and knowing the evils of segregation, I ask you to support the 1966 Civil Rights Act, particularly title IV on housing.

Sincerely yours,

Rev. GERALD J. O'BEE.

THE AMERICAN JEWISH COMMITTEE,
Detroit, Mich., June 20, 1966.

Representative JOHN CONYERS, Jr.,
House of Representatives,
Washington, D.C.

DEAR MR. CONYERS: This is a note of strong support for the position you took supporting Title IV of the Civil Rights Act of this year. This housing provision is key in our northern urban centers for so many of the problems of education and economic opportunity are tied to housing segregation.

Sincerely,

LEONARD GORDON.

DETROIT, MICH.,
June 10, 1966.

JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR SIR: I am sure that you are well acquainted with the recent propaganda that the Detroit Free Press printed about the fair housing bill. It was a masterpiece of clear-ringing phrases that stir the heart and move the soul. It was a herald trumpet filled with empty words that skirted the real issue involved. It is a clear attempt to keep the Negroes into what is termed "their place," a ghetto area that sickens anyone who enters it. I have heard all the arguments I ever want to about gradual desegregation that will eventually come about when we noble Caucasians experience a change of heart and welcome them into the fold. It will never happen without force and the Negroes cannot be expected to bring enough to bear. The advertisement urged me to write to my representative, and that is exactly what I am doing. I applaud you.

Respectfully submitted,

LINDA BLOUIN.

JUNE 20, 1966.

Hon. EMANUEL CELLER,
Chairman, House of Representatives Judiciary Committee, House Office Building, Washington, D.C.

DEAR MR. CELLER: The Board of Management of the Oakland Branch of the Metropolitan Detroit Y.W.C.A. urges the passage of HR 14765 Civil Rights Act of 1966 during this session of Congress. Support for such legislation has been a part of the Y.W.C.A.'s program for at least twenty years.

At the 23rd National Convention held in Cleveland, Ohio, April, 1964, the following resolution was passed:

"Support measures which will provide all persons without regard to race, creed or nationality back ground, the right to share on an integrated basis in education, employment, *housing and transportation and all services financed to any degree by the Federal government.*"

Since the Civil Rights Acts of 1964 and 1965 have been inadequate to achieve the full purpose of the above Resolution and since HR 14765 offers concrete protection for those attempting to exercise the rights guaranteed to them in the former Civil Rights Acts it seems imperative that HR 14765 be enacted into law this session of Congress.

Respectfully yours,

Mrs. EDITH SMITLEY,
Chairman, Board of Management.
Mrs. JOANNE SIBILLE,
Corresponding Secretary.

DETROIT, MICH.,
June 27, 1966.

Congressman JOHN CONYERS: I know there have been attempts to delete or cut out the open-housing part of the 1966 Civil Rights Bill. I urge you strongly to fight these efforts with everything at your disposal, it is highly important that any person be able to rent or buy anywhere he is financially able to do so. I am sure you would do this anyway and I want you to know that you have my support and the support of many of the people in your District.

Respectfully yours,

JAY H. MOORE, Jr.

INKSTER, MICH.,
July 26, 1966.

DEAR CONGRESSMAN JOHN CONYERS: We need the new Civil Rights Bill don't water it down.

Sincerely,

Dr. NORMAN V. MITCHELL.

DETROIT, MICH.,
July 27, 1966.

JOHN CONYERS,
House Office Building,
Washington, D.C.:

Ninty-nine Michigan residents representing church labor civic groups had chartered a plane to be in Washington today to urge you to vote for the strongest H.B. 14675. Plane grounded due to pressure leak. No alternate transportation available, letters from individuals following.

Task force in support of 1966 Civil Rights Act.

R. A. HOPPE,
Detroit Council of Churches.

COUNCIL OF MICHIGAN YWCA'S,
Detroit, Mich., June 16, 1966.

Hon. ANDREW JACOBS, Jr.,
House Judiciary Committee,
U.S. Congress,
Washington, D.C.

DEAR MR. JACOBS: The Council of Michigan YWCAs wishes to express to you its support of H.R. 14765, the new Civil Rights bill, now before the Congress. We urge you to act favorably on this essential legislation during the present session. We believe all of the following features should be included in the Act:

1. The prevention of discrimination in the selection of state and federal juries.

2. The means for facilitating the desegregation of public school and other facilities.

3. The protection for Negroes and civil rights workers against violence when exercising their constitutional rights.

4. The prohibition of all racial and religious discrimination in the sale and rental of housing. This provision we consider of special importance at the present time.

The Council of Michigan YWCAs also urges you to consider the recommendations of the White House Conference, which is urging a strengthening of H.R. 14765 in a number of ways. Experience has shown that successful administration of civil rights legislation requires strong administrative agencies, as suggested by the Conference.

Very truly yours,

FRANCES E. COBURN,
Chairman State Public Affairs Committee.
ELOISE E. SPENCER,
Executive Secretary.

DETROIT, MICH., *June 14, 1966.*

DEAR CONGRESSMAN CONYERS: I'm writing to let you know that I support you in your efforts to bring about the passage of the Civil Rights Act of 1966. As I'm sure you'll agree, this matter is very important for the future of intergroup relations.

In your support,

JULIUS R. BROWN.

NEW CALVARY BAPTIST CHURCH,
Detroit, Mich., June 20, 1966.

Congressman JOHN CONYERS, Jr.,
House Office Building,
Washington, D.C.

DEAR SIR: The members of our congregation respectfully urge the use of your good office to bring from Committee the Civil Rights Act of 1966 with all its Titles and the Amendments of the Leadership Conference on Civil Rights.

Yours truly,

CHARLES WILLIAM BUTLER,
Pastor.

THE WOMAN'S CONVENTION, AUXILIARY TO THE NATIONAL BAPTIST CONVENTION, U.S.A., INC.,
Detroit, Mich., June 24, 1966.

Hon. JOHN CONYERS,
House of U.S. Congress.

DEAR SIR: Would you please vote for the passage of the 1966 Civil Rights Bill and the four additional Recommendations?

I would appreciate this very much.

Very truly yours,

Mrs. MARY O. ROSS,
President.

LET'S LOOK AT THE FACTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. CHARLES H. WILSON] is recognized for 5 minutes.

Mr. CHARLES H. WILSON. Mr. Speaker, several days ago the gentleman from Kansas [Mr. DOLE] made a statement in regard to trips to Vietnam by congressional candidates; namely, one Clive DuVal, a nominee for Congress from the 10th District of Virginia. A great deal of misunderstanding has arisen as a result of this statement, misunderstandings which Mr. DuVal has very effectively clarified to the voters in the 10th District. And, based upon my personal knowledge of Mr. DuVal and my understanding, as a member of the House Armed Services Committee, of the character of trips to this wartorn nation, I have a few remarks which I would like to share with my colleagues on this important topic.

Mr. DuVal's concern with the situation in Vietnam was sharpened by his experiences in campaigning door to door for the Democratic nomination to Congress. Talking to the voters of the 10th District, he found that the situation in Vietnam weighed heavily on their minds. Many people were anxious to know where a candidate for Congress stands on the Vietnamese war and why.

Consequently, he decided that what was needed was thorough study of the situation, a study which could only be valid if assessed on the scene. So, at his own expense, he undertook the arduous 24,000-mile trip to Saigon and return.

It might be added that Clive DuVal is one who strongly believes at looking at problems for himself, and he has done so in past campaigns—personally seeing for

himself the education, transportation, and pollution problems of northern Virginia.

Mr. DuVal's tour of Vietnam was undertaken on an unofficial basis at his own expense. The Federal Government did not contribute any money toward the trip and DuVal's visit was controlled by Ambassador Lodge's guidelines. In going to Vietnam, DuVal wanted merely to assess U.S. military posture firsthand. His days and nights were not spent frivolously; his grueling visit was spent in the pursuit of truth to make men free.

DuVal wanted to know if U.S. intervention in South Vietnam was just. He wanted to discover what Americans there thought of the war. He wanted to know what Vietnamese officials, students, intellectuals, Buddhists, Catholics—the people themselves—thought about the war. And he wanted the views of the many American, British, and French newsmen stationed there.

He found—

That militarily the United States is gradually wearing down the North Vietnamese and Vietcong guerrillas;

That the United States must do much more in pacification and reconstruction efforts than it has in the past;

That the Vietcong do not represent a substantial number of South Vietnamese; they are, in fact, essentially a front for the Hanoi government;

That, in view of the progress to date on the military and civilian fronts, he would oppose any escalation of the war that might directly involve Communist China or the Soviet Union; and

That the conflict has become the chief test of the U.S. announced intentions and capabilities to help small and weak nations develop peacefully in the way they wish.

Incidentally, Ambassador Lodge told DuVal that he felt such firsthand looks at the war by congressional candidates were extremely valuable to the candidates and to the voters by enabling them to think intelligently about our Nation's most pressing foreign problem.

I am in full support of the views which my very able and discerning Chairman MENDEL RIVERS expressed in a letter to Secretary McNamara against "political gravy" trips to Vietnam. However, I heartily favor, as does Chairman RIVERS, trips made in the serious spirit of inquiry; and, as a member of the Armed Services Committee, I can testify to the great value of a trip to Vietnam taken in this spirit. My experiences there enabled me to better understand our involvement and to contribute this understanding to my constituents. All who have made such a study trip to southeast Asia know that it can hardly be called a "junket" or, in other words, a smoothly traveled trip to a pleasurable spot. Mr. DuVal's trip took over 42 hours, including fueling time, to travel from Saigon to Washington. And, once there, he faced the dangers of unfamiliar food, unsanitary water, and terrorist attacks.

Is it not ironic that, when Mr. DuVal was criticized for his visit to the war zone, no similar criticism was leveled at Robert Taft, Jr., of Ohio, and Newton Steers, of Maryland, two Republican congressional candidates who have also toured Vietnam this election year?

We can boil this whole controversy down the question: Do the people of Virginia's 10th Congressional District have the right to know the facts on the various issues which confront them? I feel that every voter, not only in the 10th District but in this country, should have available as much information as possible. On this premise, I feel that Clive DuVal has done a great public service for the people of the 10th Congressional District by acquiring firsthand information on the most critical foreign policy issue of today: Vietnam.

THE HEROISM OF CLEVELAND FIREMEN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 5 minutes.

Mr. FEIGHAN. Mr. Speaker, shortly before 11 a.m. last August 4, a fire alarm was turned in from the Metallurgical, Inc., plant at 9801 Walford Avenue in my home district in Cleveland.

With sirens screeming, courageous Cleveland firemen rushed to the scene. Within minutes, they were in the building, performing their professional duty to protect lives and property at great personal risk.

A sudden explosion of aluminum dust showered the firefighters with flames and debris. Four firemen were killed and eight injured.

On behalf of all the people of the 20th Congressional District of Ohio, all the people of the city of Cleveland, and all the people of the United States, I wish to thank these men and their families for their devoted, heroic public service.

The four firemen who made the supreme sacrifice in line of duty were, Charles G. Doehner, John A. Petz, Ralph E. Simon, and Joseph G. Toolis.

All of us owe them a debt of gratitude that can never be paid.

In Cleveland, public-spirited businessmen have organized a group called Bluecoats, Inc., which has undertaken to provide educational and other benefits for the wives and children of police and firemen killed in line of duty.

Before sunset on the day of tragedy, representatives of Bluecoats, Inc., had called on the families of the fallen heroes, presenting each with a check for $1,000 and assuring them that further assistance would be forthcoming.

The members of Bluecoats, Inc., were speaking for the entire community, and assuming the obligation of the entire community. I commend them, and urge that similar organizations be established throughout the Nation to provide similar benefits for the families of police and firemen who sacrifice their lives performing a vital public service.

At the same time, I urge the people of all communities—including my home city of Cleveland—to take a look at the pay scales and working conditions of their firemen and police officers. It seems to me that these men are entitled to better consideration for the daily risks they run in serving the public.

LEGISLATION TO RELIEVE HAWAII FROM ECONOMIC DISASTER PROPOSED

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Hawaii [Mr. MATSUNAGA] is recognized for 10 minutes.

Mr. MATSUNAGA. Mr. Speaker, legislation which presently is being considered by the House Interstate and Foreign Commerce Committee provides for the settlement of the current labor dispute which has grounded five of the Nation's major airlines since July 8. My information is that such legislation, already passed by the Senate, will soon come to the floor of the House. It is now an accepted premise that the airlines strike, coming at the height of the summer vacation and travel season for most Americans, has detrimentally affected the national economy to a very substantial degree.

The strike has produced consequences which generally have been described as "serious." However, this assessment of the effects of the airlines strike has generally been restricted to conditions which are found to prevail within the limits of the continental United States. In my own State of Hawaii, the strike has caused an economic emergency.

Hawaii, because of its unique insularity, depends largely on airborne tourists and freight as a source of revenue. The strike has reduced service to one major airline operating between Hawaii and the west coast, instead of the usual three. Thousands of prospective visitors have canceled plans to vacation in Hawaii. Thousands of other vacationers in the islands are having great difficulty in securing transportation to return to their homes on the mainland. The economic havoc that the airlines strike is creating for hotels and other businesses is evidenced by the fact that the weekly loss of revenue to Hawaii is estimated at upwards of $3 million per week. An item that is difficult of evaluation, of course, is the hardship and personal inconvenience that the strike has caused stranded travelers to suffer. Thousands have had to spend restless nights at the airport in the hope of replacing "no-shows."

Mr. Speaker, to prevent a recurrence in Hawaii of an emergency situation which inevitably follows an airlines strike such as we are now experiencing, I have today introduced legislation which is intended to provide necessary relief to the Island State. It is legislation which will not affect or be affected by the resolution which is presently under consideration by the House Interstate and Foreign Commerce Committee. Specifically, my bill would amend section 147 of the Federal Aviation Act of 1958, to authorize the Civil Aeronautics Board to issue emergency operating authorizations to foreign air carriers to carry passengers and freight between points on the west coast and Hawaii.

Under existing law, the Civil Aeronautics Board has not authority to lift cabotage regulations covering foreign air carriers operating between Honolulu and points along the west coast even on a temporary basis. Because of this restriction, foreign air carriers have reportedly been departing from Honolulu for west coast destinations during the present airlines strike with an average of 1,000 empty seats per week. My bill would fill these seats in order to alleviate the intense problem that confronts Hawaii with every airline strike involving certificated domestic carriers.

The legislation I have introduced would authorize the Civil Aeronautics Board to conduct an investigation on its own initiative or upon complaint in order to determine that air transportation services being offered by certificated carriers between Hawaii and the west coast is temporarily insufficient to meet the requirements of the public or the postal service because of a strike or other work stoppage affecting such carriers. Upon determination by the CAB that such services in fact are insufficient, my bill would allow the Board to issue a foreign air carrier an emergency special authorization to engage in air transportation between such points.

In order to reassure those who may have some doubts regarding the extraordinary provisions of my bill, I would like to say that the authorization to any foreign air carrier is to be issued only under emergency conditions and for periods of not more than 30 days at a time. Any authorization or extension will not be valid after the date of termination of the strike or other work stoppage as determined by the Board. Further, the emergency special operating authorization is not to be deemed a license within the meaning of the Administrative Procedure Act.

Mr. Speaker, the unique geographical setting of the State of Hawaii requires the prompt enactment of the legislation I have introduced in order to avoid the severe and irreparable economic losses it is now suffering as a result of the current airlines strike. I urge my colleagues to join with me in support of this measure.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NEDZI, for August 10–12, 1966, on account of death in the family.

Mr. FARNUM, for August 10, and the balance of the week, on account of official business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. HUNGATE) to revise and extend their remarks and include extraneous matter:)

Mr. CHARLES H. WILSON, for 5 minutes, today.

Mr. FEIGHAN, for 5 minutes, today.

Mr. MATSUNAGA, for 10 minutes, today.

Mr. GUBSER (at the request of Mr. HANSEN of Idaho), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. KUPFERMAN (at the request of Mr. HANSEN of Idaho), for 30 minutes, on August 11; to revise and extend his remarks and include extraneous matter.

Mr. BRAY (at the request of Mr. HANSEN of Idaho), for 30 minutes, on August 10; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. HANSEN of Idaho) and to include extraneous matter:)

Mr. CLEVELAND.

Mr. SAYLOR.

(The following Member (at the request of Mr. HUNGATE) and to include extraneous matter:)

Mr. PUCINSKI.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 13772. An act to authorize the disposal of metallurgical grade manganese ore from the national stockpile and the supplemental stockpile; and

H.R. 15485. An act to authorize the exchange of certain fluorspar and ferromanganese held in the national and supplemental stockpiles.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 13772. An act to authorize the disposal of metallurgical grade manganese ore from the national stockpile and the supplemental stockpile;

H.R. 14875. An act to amend section 1035 of title 10, United States Code, and other laws, to authorize members of the uniformed services who are on duty outside the United States or its possessions to deposit their savings with a uniformed service, and for other purposes; and

H.R. 15485. An act to authorize the exchange of certain fluorspar and ferromanganese held in the national and supplemental stockpiles.

ADJOURNMENT

Mr. HUNGATE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 57 minutes p.m.) the House adjourned until tomorrow, Wednesday, August 10, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2623. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

2624. A letter from the Administrator, Small Business Administration, transmitting a report on the financial, management, and procurement assistance activities of the Small Business Administration throughout 1965, pursuant to the provisions of the Small Business Act; to the Committee on Banking and Currency.

2625. A letter from the Director, U.S. Information Agency, transmitting drafts of four private bills for the relief of employees of the Agency; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RIVERS of Alaska: Committee on Interior and Insular Affairs. S. 3423. An act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes (Rept. No. 1821). Referred to the Committee of the Whole House on the State of the Union.

Mr. EDMONDSON: Committee on Interior and Insular Affairs. H.R. 14754. A bill to direct the Secretary of the Interior to reinstate a certain oil and gas lease; with amendment (Rept. No. 1822). Referred to the Committee of the Whole House.

Mr. PHILBIN: Committee on Armed Services. H.R. 420. A bill to amend title 10, United States Code, to authorize the commissioning of male persons in the Regular Army in the Army Nurse Corps and the Army Medical Specialist Corps, and the Regular Air Force with a view to designation as Air Force nurses and medical specialists, and for other purposes; with amendment (Rept. No. 1823). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 11488. A bill to authorize the grade of brigadier general in the Medical Service Corps of the Regular Army, and for other purposes; with amendment (Rept. No. 1824). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENNETT: Committee on Armed Services. H.R. 10267. A bill to amend title 10 of the United States Code to extend for a period of 10 years the time during which certain military, naval, and air service records may corrected; with amendment (Rept. No. 1825). Referred to the Committee of the Whole House on the State of the Union.

Mr. BENNETT: Committee on Armed Services. H.R. 16646. A bill to amend title 10, United States Code, to authorize the award of exemplary rehabilitation certificates to

certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes (Rept. No. 1826). Referred to the Committee of the Whole House on the State of the Union.

Mr. KLUCZYNSKI: Committee on Public Works. H.R. 11555. A bill to provide a border highway along the U.S. bank of the Rio Grande River in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico; with amendment (Rept. No. 1827). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAY: Committee on Public Works. H.R. 15024. A bill to amend section 8 of the Public Buildings Act of 1959 to require the Administrator of General Services to acquire certain additional property in the District of Columbia for public purposes; with amendment (Rept. No. 1828). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATES:

H.R. 16917. A bill to amend the Tariff Schedules of the United States with respect to the determination of American selling price in the case of certain footwear of rubber or plastics; to the Committee on Ways and Means.

By Mr. COOLEY:

H.R. 16918. A bill to provide for U.S. standards and a uniform national inspection system for grain, and for other purposes; to the Committee on Agriculture.

By Mr. FARBSTEIN:

H.R. 16919. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

By Mr. PRICE:

H.R. 16920. A bill to amend the Atomic Energy Act of 1954, as amended, to authorize the Atomic Energy Commission to provide financial assistance to States participating in a uniform recordkeeping system for persons engaged in occupations involving exposure to ionizing radiation, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. WIDNALL:

H.R. 16921. A bill to establish a National Commission on Reform of Federal Criminal Laws; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H.R. 16922. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefit payable thereunder; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 16923. A bill to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.; to the Committee on Banking and Currency.

By Mr. FULTON of Tennessee:

H.R. 16924. A bill to make certain expenditures of Vanderbilt University, George Peabody College for Teachers, and Scarritt College eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. HALPERN:

H.R. 16925. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. HECHLER:

H.R. 16926. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 16927. A bill to reclassify certain positions on the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KING of Utah:

H.R. 16928. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 16929. A bill to amend section 417 of the Federal Aviation Act of 1958 to authorize the Civil Aeronautics Board to issue emergency operating authorizations to foreign air carriers to engage in air transportation between points on the west coast of the United States and points in Hawaii; to the Committee on Interstate and Foreign Commerce.

By Mr. ROBISON:

H.R. 16930. A bill to establish the Commission on Labor Relations; to the Committee on Education and Labor.

By Mr. ROONEY of Pennsylvania:

H.R. 16931. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. SHRIVER:

H.R. 16932. A bill to permit the city of Wichita, Kans., to count expenditures made for its current civic cultural center as local noncash grants-in-aid toward the Wichita urban renewal project; to the Committee on Banking and Currency.

By Mr. O'NEILL of Massachusetts:

H.R. 16933. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

By Mr. PATMAN:

H.R. 16934. A bill to amend the Small Business Investment Act of 1958, and for other purposes; to the Committee on Banking and Currency.

By Mr. ANDERSON of Tennessee:

H.R. 16935. A bill to require the Secretary of Agriculture and the Director of the Bureau of the Budget to make a separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public, and for other purposes; to the Committee on Agriculture.

By Mr. GRABOWSKI:

H.R. 16936. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 16937. A bill to amend title 39, United States Code, to provide for the transportation of mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KUPFERMAN:

H.R. 16938. A bill to provide that plans and regulations established pursuant to section 10 of the Federal Water Pollution Control Act for the control of water pollution shall apply to vessels (including boats) and marinas; to the Committee on Public Works.

By Mr. ABERNETHY:

H.J. Res. 1264. Joint resolution proposing an amendment to the Constitution of the United States providing that the offering of prayers or any other recognition of God shall be permitted in public shcools and other public places; to the Committee on the Judiciary.

By Mr. OLSEN of Montana:

H.J. Res. 1265. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROYBAL:

H. Con. Res. 973. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Internal Revenue Service relating to elimination of tax-deductible educational expenses; to the Committee on Ways and Means.

By Mr. FARNUM:

H. Con. Res. 974. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Internal Revenue Service relating to elimination of tax-deductible educational expenses; to the Committee on Ways and Means.

By Mr. GRABOWSKI:

H. Res. 961. Resolution providing for a special committee to study the operations, activities, and expenditures of the Central Intelligence Agency; to the Committee on Rules.

By Mr. O'NEILL of Massachusetts:

H. Res. 962. Resolution providing for a select committee of the House of Representatives to conduct an investigation to ascertain the reasons for the rapid rise in the prices of food, including dairy products; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CHELF:

H.R. 16939. A bill for the relief of the Kent Corp.; to the Committee on the Judiciary.

By Mr. McCORMACK:

H.R. 16940. A bill to amend the provisions of the act of April 8, 1935, relating to the board of trustees of Trinity College of Washington, D.C.; to the Committee on the District of Columbia.

By Mr. MARTIN of Massachusetts:

H.R. 16941. A bill for the relief of Nino and Maria Theresa Vespa; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 16942. A bill for the relief of Erika Findeiss; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 16943. A bill for the relief of Ioannis Panoussis; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 16944. A bill for the relief of Peter Heinrich Joehnssen; to the Committee on the Judiciary.

By Mr. CLARENCE J. BROWN, JR.:

H. Res. 963. Resolution extending the congratulations of the House of Representatives to the Wittenberg University Choir; to the Committee on the Judiciary.