

UNITED STATES



OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
SECOND SESSION

VOLUME 114—PART 4

FEBRUARY 26, 1968, TO MARCH 5, 1968

(PAGES 3953 TO 5392)

You, all their acts by Your holy inspiration and carry them on by Your assistance that every work of theirs may always begin from You and, through You, be brought to completion. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Saturday, March 2, 1968, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Air and Water Pollution of the Committee on Public Works and the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INTERFERENCE WITH CIVIL RIGHTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceeded to the consideration of the unfinished business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 2516) to prescribe the penalties for certain acts of violence or intimidation, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time be equally divided between the majority and minority leaders, or whomever they may designate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. The time is under control.

Mr. MANSFIELD. Mr. President, it is my intention to give half of the time from this side to those who are opposed to the Dirksen substitute, if they ask for it. In the meantime, I yield 5 minutes to the distinguished Senator from Oklahoma [Mr. HARRIS].

Mr. HARRIS. Mr. President (Mr. MONTAYA in the chair), on July 25, 1967, joined by the distinguished Senator from Minnesota [Mr. MONDALE] and others, I introduced a resolution, Senate Joint Resolution 97, asking for the creation of a special Presidentially appointed Commission to look into the causes of the riots which had occurred in the cities during the summer of 1967, and to recommend appropriate action.

Mr. President, I ask unanimous consent that the declaration of policy included in that resolution and contained in the CONGRESSIONAL RECORD, volume 113, part 15, page 20194, be printed at this point in the RECORD.

There being no objection, the declaration of policy was ordered to be printed in the RECORD, as follows:

S.J. RES. 97

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. Riots and civil strife in many of the cities and urban centers of the United States constitute a domestic crisis which must be met and dealt with on an emergency basis.

SEC. 2. Lawlessness and violence cannot be tolerated or condoned in the American society, founded on law.

SEC. 3. Equality of social, economic, and political opportunity is the foundation of American society and must be made real, immediately, for all American citizens.

Mr. HARRIS. Thereafter, as is well known, the President of the United States, acting under his own authority, appointed a National Advisory Commission on Civil Disorders, made up of 11 members, of which I was one. We 11 Commissioners labored at our task for the next 7 months after we were appointed, keeping in our minds the President's request that each of us remain objective and work as hard as we could. As is also now well known, we issued our report this past Saturday, 4 months ahead of the schedule which originally had been set.

I can say, Mr. President, that it was no pleasant and enjoyable task that the President gave those of us who served on that Commission. It was no pleasure for any of us to have to write the alarming and depressing report we have issued. But the President had said, when he appointed this Commission, "Let your search be free. As best you can, find the truth and report it." That, Mr. President, is what we have tried to do.

I believe we would have been less honest had we reported to the country that anything less than we recommended would meet the kind of deep crisis that this country faces as a result of the violence and the lawlessness and rioting which occurred in this country last summer and in summers before that.

I rise now, Mr. President, to call special attention to a portion of the summary of our report which deals with fair housing. I ask unanimous consent that the excerpt, from page 75 of the summary of the report, be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Commission recommends that the federal government:

Enact a comprehensive and enforceable federal open housing law to cover the sale or rental of all housing, including single family homes.

Mr. HARRIS. Mr. President, the National Advisory Commission on Civil Disorders, having become convinced of the great urgency of this matter, decided months ago by unanimous vote not to wait until July to issue its final report, but to do so by the self-imposed deadline of March 1. We did not know then that when that date would come, the Senate would be considering a fair housing measure. However, I believe it is very

important to make note of the fact that the Senate is now considering a fair housing measure just at the time when our report has been made public.

I agree with an editorial which appeared in the Washington Post on Sunday, March 3, 1968, entitled "The Senate's Opportunity," which calls for the passage of the present measure, now the pending business before the Senate. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 3, 1968]

THE SENATE'S OPPORTUNITY

An argument for open-housing legislation that is powerful, unanswerable, authoritative, factual and decisive has been delivered, fortuitously, in the very midst of the Senate debate on the issue. It is in one of the most specific and particular of the recommendations of the National Advisory Commission on Civil Disorders.

"The Federal Government should enact a comprehensive and enforceable open-occupancy law making it an offense to discriminate in the sale or rental of any housing—including single family homes—on the basis of race, creed, color, or national origin."

That is the unequivocal judgment of the Commission. It has decided that "there is no substitute for enactment of a Federal fair housing law." It rightly points out that the key to housing discrimination is "universal and uniform coverage, and such coverage is obtainable only through a Federal statute."

And so, the Commission concludes: "We urge that such a statute be enacted at the earliest possible date."

There are other recommendations and suggestions for halting the Nation's dangerous drift into two separate and unequal societies. Many of them involve billions of dollars in appropriations. Many of them require exertions and expenditures the sheer magnitude of which raise grave questions as to the Nation's ability to carry them out.

But here is a proposal that does not further burden the financial capacity of the Nation and that does not exceed any of the enforcement power and authority of the country. The Commission has made the clinching argument for open housing legislation. It has made it unmistakably clear that this would be a substantial contribution toward the avoidance of a destiny from which every patriotic American, black and white, must instinctively recoil. We must begin to take apart the discriminations, economic, political and social, that are separating the two major racial constituencies of the land into alien and irreconcilable factions.

This act alone will not solve all our problems or end all our troubles. But it can be an earnest of the Nation's good intentions, a promise of its further purpose and a symbol of its goodwill.

Seldom has a combination of circumstances put it into the hands of Senators to work, by one stroke, so much good for their country. Those who have honest scruples about the principle of unlimited debate must be respected for their high regard for what many might dismiss as a mere procedural matter. That principle will not stand or fall on this one vote to now put an end to an already long debate. Monday's vote will not be fatal to that cause. But another adverse vote well may be fatal for this happy chance to show that Congress means to take the country forward, as one nation and one people. Let this fair chance not be lost.

Mr. HARRIS. Mr. President, much has been said about the cost—the estimated or projected cost—of the recommenda-

tions of our Commission. The Senate is now presented with an opportunity to enact a very major recommendation of our Commission which will not cost one penny, but which I believe the country will regard as a very important symbolic act, and a helpful one as well. I am proud that the Senate of the United States, in its last votes, has very nearly reached the two-thirds vote necessary for the passage of an open housing measure.

I commend the distinguished Senator from Minnesota [Mr. MONDALE], the distinguished Senator from Michigan [Mr. HART], the distinguished Senator from Massachusetts [Mr. BROOKE], and all the others who have played such an important part in this effort, for I believe that the pending business of the Senate goes to the very heart of the matters which our Commission had before it.

I sincerely hope that the Senate will now invoke cloture, so that we may have a vote on the merits of this important measure.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. KUCHEL. Mr. President, I yield 4 minutes from the minority to the distinguished Senator from Nebraska.

Mr. HRUSKA. Mr. President, it is my intention to again vote against the cloture motion, which is the pending business of the Senate. I feel my reasons for such a vote are sound.

I call the attention of Senators to the fact that every civil rights law enacted since 1957 has received my vote and my support. In two instances, in 1964 and 1965, as a member of the Committee on the Judiciary, I was instrumental in the formulation, the phraseology, and the composition of those laws, and I voted for cloture.

I have no argument with the gravity of the present situation or of the need for some effective, proper legislative action. But the Senate should pass legislation that will endure and be helpful. It is still my hope, my earnest hope, and my belief that such a measure can be written, processed, and enacted in a timely way. This, however, cannot be done by imposing upon the pending measure cloture and the parliamentary conditions it entails.

It is said that this bill will not solve the housing problem but that it is a symbol. It is said, "Let us expedite our action. Let us do something. Let us do it now."

Mr. President, shall we do so without reference to merit? Shall we do so without reference to the fashion in which the measure has been processed or, rather, without reference to the lack of processing?

The pending measure in large part ventures into a new field of Federal legislation. It seeks to create and impose new restrictions and limitations upon the rights of property owners—in a fashion and degree which would alter radically many rights which have developed and existed for centuries in Anglo-Saxon jurisprudence, and in our own country as well since long before the adoption of our Constitution and the founding of our Republic.

It seeks to confer on the Federal Government the power to regulate and control private dealing between private persons, relating to privately owned residential property.

It will deeply affect the homes, the fortunes, and the freedoms of tens of millions of Americans.

Clearly, this subject must be approached with great deliberation, study, and caution. If passed, this statute will govern in a vital, fundamental field the two hundred millions of citizens of the United States.

But action is sought on this bill without the benefit of proper study, inquiry, and deliberation. The normal and beneficial procedures to process legislation have been bypassed.

Consider, Mr. President, that the pending bill is not the one which has been before the Senate since January 17, and which has been discussed at length. The instant proposal contains much new material. It was introduced only late last Wednesday. It first reached the hands of the Senate on the following day in printed form. But on that day, it was changed by its introducer in four significant particulars, insofar as concerns the open housing title.

Few hearings were held on that title.

There is no committee report.

There is no Senate or committee section-by-section analysis or description of its provisions.

It has had insufficient debate—probably about 3 hours at best.

There is not a sufficient understanding and awareness of its provisions and their impact.

All this relating to as far reaching a measure as the Senate has been called upon to act upon in a long time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the Senator from Nebraska.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HRUSKA. Mr. President, what has just been related is further and grievously complicated and burdened by the parliamentary situation which develops by reason of cloture which is now requested. Each Senator will be afforded not to exceed 1 hour of debate. With some 70 amendments pending, a travesty can readily come about since amendments may be approved which are in conflict with one another. With debate opportunity closed off, no corrective action can be taken by amendments newly devised, since none may be added to the present list.

Since the title on open housing was not in the bill approved by the other body, conference committee negotiations will be limited when the committee meets to consider any bill which might be approved by the Senate. With such limitations the form and substance of any conference bill are unknown now and will be of dubious quality.

Such a course should be most earnestly avoided. The cloture petition should be defeated.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I yield 3 minutes to the Senator from North Carolina.

Mr. ERVIN. Mr. President, a great deal of comment has been made upon the report of the President's Riot Commission. I invite the attention of the Senate to a newspaper article which appeared in the Raleigh News and Observer of March 2, 1968, which sets forth an interview with the evangelist, Billy Graham. In the interview Billy Graham pointed out that the report of the Riot Commission calls for a massive welfare state. He expresses serious doubt as to whether this recommendation, if implemented by Congress, would produce any substantial result. He points out that in England, which was once the earth's greatest empire, a welfare state was established and instead of solving the problems it made the problems worse.

Billy Graham also expresses the thought that we could spend \$100 billion in our cities in America and that would not solve all our problems because our basic need is spiritual and moral.

Mr. President, I ask unanimous consent that the article to which I have referred, which was published in the Raleigh News and Observer of March 2, 1968, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EVANGELIST WILL WORK IN GHETTOS

MONTREAT.—Evangelist Billy Graham, worried about the "great failures of our national leadership to understand the basic causes of our problems," said Friday he will step up spiritual aid to America's ghettos this summer.

Graham made the announcement after reviewing the federal government's riot report released in Washington Thursday. He said he was "not sure" the recommendation for massive programs in the report would be "the answer."

"Of course I agree with the report that the need is critical and the hour is late," Graham said. "But I am not sure that a welfare state such as they seem to recommend is the answer. The British have already tried it and their problems are worse, not better."

He said, "To me the report illustrates the great failures of our national leadership to understand the basic cause of all our problems from Vietnam to racial tension.

"Our basic problems are not crime and war and poverty and racism, they are a diseased human nature filled with lust, hate, greed and pride. You could spend \$100 billion on our cities in America and that would not solve all our problems because our basic need is spiritual and moral," he said.

Graham, just back at his mountain home here after a doctor-ordered vacation to Florida to recover from a December respiratory illness, said he plans to concentrate his crusade schedule in the United States this summer so he can devote more time to the cities.

He also said Negro associate evangelist Jimmy McDonald would spend his summer in the ghettos and recruit youth groups to help him conduct evangelistic activities.

Graham revealed, "I have seen a plan to burn 17 American cities and I believe this came from very high officials in Washington who sent it to us. There is no doubt that this is serious.

"One of the things I think needs to be done is to stop these people who are inciting

people to riot. They are saying 'Let's kill the President. Let's burn down the White House.' They are wearing buttons saying 'Go to Hell Jesus' and all that and this is the type of thing that incites riots. The basic cause is spiritual," he said.

Mr. ERVIN. Mr. President, I also ask unanimous consent to have printed in the RECORD an editorial entitled "On Causes of Riots," which was published in the Wall Street Journal of today, March 4, 1968.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ON CAUSES OF RIOTS

So the President's riot commission report, long billed as "uncomfortable for the American people," merely tells us again it's all the fault of the white majority. Shucks. To face really uncomfortable truth, it could have reported that, in important respects, poverty programs cause riots.

It is grossly simplistic, after all, to argue that the rash of riots since 1964 was caused solely by poverty and racial prejudice. Those particular demons have been around somewhat longer than that. Indeed, a glance at history demonstrates they have never been less with us than in the past few years; ten, twenty or whatever years ago, poverty was greater and prejudice more blatant. Why then no riots a decade ago and lots of riots now?

Poverty and prejudice, while not the whole story, perforce have played a critical part. Masses of poor Negroes were induced, in large part by Federal agriculture policies, to migrate to urban areas for which they were socially and educationally unprepared. They carried with them their understandable racial and economic resentments. The concentration of these resentments into small geographical areas certainly created volatile tinder. Yet even that tinder lay for some years without flashing into riot.

Something in the temper of the times about 1964, obviously, struck spark to the tinder. The spark has grown stronger and hotter with each passing summer. No one thing, of course, sets the temper of the time. Still, we doubt that it is entirely coincidence that the first riots broke out in the midst of the hoopla selling the war on poverty.

Recall a few snippets of the rhetoric: That poverty, defined as any income below \$3,000 a year, is something a nation as rich as this one "cannot tolerate." That the problem is "our failure to give our fellow citizens a fair chance to develop their own capacities." That there exists "one fifth of our people . . . on whom the gates of opportunity have been closed." That the Federal Government declares "unconditional war on poverty" with the objective of "total victory." That "we shall not rest until that war is won."

Here is an invitation for anyone making less than \$3,000 a year to blame his fate simply on exploitation by the more fortunate; what could be more natural than an impulse to strike back? Here also is an invitation, since no Government program can conceivably abolish all poverty, to inevitable disillusionment and bitterness. Columbia University sociologist Amitia Etzioni put it perfectly:

"The closest you can come to sociological dynamite is to promise people a Great Society and then deliver small handouts. If you were waiting a hundred years, were told that the promised land were just around the corner and then were given a few pieces of candy, you would be in the streets too."

Yet curiously the commission rather abruptly dismissed its sociologists and other staff members equipped to plumb the rioting through social science rather than liberal dogma about "white racism."

Now, nothing above should be taken as an argument that the Government should

stop realistic efforts to aid the poor. Some Government programs, in particular those stressing education, can in the long run help overcome poverty. To the extent that these programs are effective, they can reduce the tinder for riots though they can never entirely eliminate it.

The riot potential of political rhetoric, by contrast, could be turned off quickly and fairly completely. To start, everyone—and most of all politicians of the stripe who served on the riot commission—needs to recognize that short-term Government programs to abolish poverty are at best marginally helpful. Then they could deescalate their rhetoric.

What political leaders ought to tell urban Negroes is this: The doors of opportunity have been closed on no one (which is far nearer the truth than the opposite). Statistics show that vast numbers of Negroes raise themselves from poverty every year. There is no reason others cannot do likewise. Doing it, while the Government may be able to assist in a few little ways, involves mostly individual effort. It's up to you, baby.

That is not cruel; that is merely the truth. And however dysfunctional such hardheaded talk may be in winning votes for liberal politicians, it is the best antidote for the kind of public temper that has proved so conducive to rioting over the last four years.

From the Presidential commission we get no such realistic talk, only new excesses of the social dynamite of which Professor Etzioni warns. The danger is that perhaps riot commissions can cause riots too.

Mr. ERVIN. Mr. President, I wish to add that the report of the Commission is what those who are familiar with the personnel who constituted the Commission predicted would be brought in when the Commission made the report. As one commentator stated, in substance, there was no reason why the Commission should take evidence and for that reason delay making its report because anyone familiar with its attitudes could anticipate what the report would be.

Mr. President, the report charges, in essence, that all people except the rioters are responsible for the riots. I deny that conclusion because everyone above the grade of an idiot knows it is wrong to burn the property of other people, that it is wrong to loot and steal, and that it is wrong to assault and kill people. It is ridiculous to say that those who committed the riots are innocent parties.

I think, from my reading of history and my observation of this Nation, that perhaps Abraham Lincoln was as disadvantaged a person as ever lived in America. His educational opportunities were far inferior to most of those who participated in the riots. He did not start riots. He improved his lot, and others can do the same.

Mr. President, many outstanding citizens of my State, such as Asa T. Spaulding and John H. Wheeler, illustrate by their achievements that the doors of opportunity are open to members of the minority race.

The PRESIDING OFFICER. Who yields time?

Mr. KUCHEL. I yield 1 minute to the Senator from Kentucky.

AMENDMENT NO. 595

Mr. COOPER. Mr. President, I send to the desk an amendment to the pending measure and I ask unanimous consent that it be considered as read and be eligible for consideration under rule XXII.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield 5 minutes to the Senator from Florida.

Mr. HOLLAND. Mr. President, I shall, as in my former votes, vote against the cloture motion today. I think the need for time and reflection is even greater now than it was then.

We have just had the report of the distinguished Commission of which the Senator from Oklahoma [Mr. HARRIS] is a member. We do not have, however, the advantage of even having read the full report, much less having had the advantage of having read the record, and I understand it is a long record including thousands of pages of testimony, upon which the members of that Commission base their judgment and recommendations.

Mr. President, it seems to me that instead of urging a cloture and an immediate or almost immediate vote upon ill-considered amendments—and there are more than 80 of them at the desk—that we now have opportunity to review the hearing, which I am sure was conducted by earnest men and one earnest woman, and we would get much information from it if we had an opportunity to do so.

Mr. President, I make no criticism of the filing, at this last moment, of the Commission's written report, because I understand from my distinguished colleague that this was the date chosen in the past and it only happens that this measure is pending at this time. However, making available to us the record of testimony and the full report would give us an opportunity we have not had heretofore to advise ourselves about facts not within the knowledge of any of us except the Senator from Oklahoma. I think that is one good reason to vote against cloture on this occasion.

Mr. President, I think there is a second reason and I call attention to the analysis by the Attorney General which appears in the CONGRESSIONAL RECORD March 2 ending on page 4908.

The first of the questions which the Attorney General raises is one which has to be decided by majority vote because of the fact that the Senator from Minnesota and others were not satisfied with the substitute bill, and I shall read it:

The first is whether the exemption for single-family, owner-occupied housing is to be applicable to housing that is financed by the Federal Government, or through loans insured or guaranteed by the Federal Government.

I invite attention to the fact that those loans are the so-called FHA and VA loans.

So far as I am concerned, I do not believe that any Senator would ever admit that in making the rather generous provisions for veterans to get VA loans as a part of their compensation from a grateful Government, it was ever in the minds of any of us that the owner of such a home would have a more limited right to it than anyone else who had paid for his own home under more fortuitous circumstances applicable to himself, but whose home was no dearer to him than was the home of the veteran who obtained a veteran's loan.

Mr. President, if there is any case to be made at all for placing beneficiaries of VA loans or FHA loans under the provisions of this open housing act it would certainly, in order to be fair, have to be made applicable from the enactment of this law or from a brief time following that enactment, certainly not as against people who, in good faith, have got their loans or their insurance from the Government and have had their homes erected and are now occupying them, and whose homes are as dear to them as the home of any Senator or any other citizen of this country who has paid for it and who lives in it as the well-deserved fruit of his labor and industry.

Mr. President, I cannot conceive of any Senator voting for cloture which would force us to vote for or against, by majority vote, the provisions inserted here as an amendment by the Senator from Minnesota and others to the substitute bill, and which would undo that which would be done by the proposed substitute bill at the present time—that is, an exemption from coverage of VA loans and FHA loans.

Mr. President, I have mentioned two perfectly good reasons why cloture should not be voted. If I had the time, I would discuss others. Let me mention just one here, and that is the provision, again to be decided by majority vote, as to whether we will turn loose the Attorney General and the Department of Justice, at the expense of the whole Nation, to bring cases for any complainant regardless of who he may be or how poor his case if the Department of Justice thinks it should bring such case.

I much prefer the wording of the substitute amendment offered by the Senator from Illinois which confines intervention by the Attorney General to those cases where there is general application of a case applicable to a great class of people whom he finds are concerned with the bringing or nonbringing of a suit in a particular case.

I shall vote against cloture and hope that the Senate will do so.

The PRESIDING OFFICER. The time of the Senator from Florida has expired. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time to be charged equally to both sides.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, in March of 1862, the Nation was in a panic over the report that a Confederate vessel, ironclad, had sunk a Union vessel and decommissioned two others. Everyone was in a panic except Gideon Welles, Secretary of the Navy, who had been working with John Ericsson, the Swedish inventor, and immediately produced a vessel referred to as a cheese box on a raft. It was the ironclad *Monitor*, with a revolving gun turret and heavy guns. In its encounter with the *Merrimac*, neither vessel could sink the other and the age of the iron and steel Navy was born.

The panic subsided but there were other things. There were battle reverses. There was disloyalty. There was the Emancipation Proclamation which Lincoln had written 6 months or more before it was announced.

Foreign nations were encouraged to take a position against the Union.

In this disturbing atmosphere, Lincoln sent his annual message to the 37th Congress on December 3, 1862.

In it he said:

Fellow citizens, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or the other of us. The fiery trial through which we pass will light us down in honor or dishonor of the last generation.

A few weeks later, he issued the Emancipation Proclamation. Eleven months later, he stood at Gettysburg and said:

It is for us the living rather to be dedicated here to the unfinished work, which they who fought here have thus far so nobly advanced.

One hundred and five years after Lincoln uttered those sentiments at Gettysburg, we still strive to advance the unfinished work. For when the slaves were freed and clothed with citizenship, it was but the first phase toward integrating these freed people into a free society.

There has been progress but there is also a long way to go. Discrimination because of race, creed, color, or national origin can be an ugly and tenacious passion. But we must go forward, even though the progress is slow.

The Presidential Commission on Civil Disorders has just presented its report. It is a disquieting document. In its very first basic conclusion, that report states:

Our nation is moving toward two societies, one black, one white—separate and unequal.

This is indeed a tragic indictment of our times and our unwillingness to face up to reality.

The substitute before us is our best effort. I admit its imperfections. How strange it would be if legislation, so complicated and involved, done under such pressure, would not have imperfections. But they can be corrected in another time. It is the start that counts.

I have nothing else to offer. I have tried, under difficult circumstances, to bring together a substitute bill on which the Senate could agree, if it would but give it a chance.

Long years ago, Baron Rothschild went from Paris to London in an hour when there was a crisis in England. A friend encountered him on the street and said, "Baron, what of all things, brings you to London?" To which the baron replied, "I came to save England." The rejoinder was "one man cannot save England." The baron answered, "One man can try." And, Mr. President, before the cloture vote, all I have to say is, as one Senator, I have tried.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call be equally divided.

The PRESIDING OFFICER. Is there

objection? Without objection, it is so ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, the minority yields 1 minute to the distinguished Senator from Iowa [Mr. MILLER].

AMENDMENTS NOS. 596 TO 599

Mr. MILLER. Mr. President, I send to the desk four amendments to the pending amendment No. 554, by the Senator from Illinois [Mr. DIRKSEN], and ask that they be received, printed, and regarded as having been read for the purpose of the pending cloture motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, with the time taken for the quorum call to be equally divided.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, does any Senator wish to speak at this time? If so, let his voice be heard.

The PRESIDING OFFICER. Who yields time?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time to be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield 1 minute to the distinguished Senator from West Virginia.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that during the disposition of the pending cloture motion, the Sergeant at Arms be directed to clear the Chamber and the Senate Lobby of all personnel except personnel on the staffs of the Sergeant at Arms, the Secretary of the Senate, the secretary for the majority, the secretary for the minority, and the two policy committees.

The PRESIDING OFFICER. Without objection, it is so ordered, and the Sergeant at Arms is so directed.

Who yields time?

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I thank my colleagues.

It is evident that there are not many Senators who wish to speak. Normally that might be construed as evidence of a

lack of interest. I think this morning, however, it should be construed as indicating a depth of interest too profound for speech.

Mr. President, we have been working indefatigably to win this cloture vote. We feel that this is a vital issue, because it deals with an enormous crisis confronting our Nation. It is not simply a matter of a cloture vote and closing off debate on a civil rights bill. I do not think it would be conducive to the public interest to spread upon the Record the depth of our feelings in this matter, except to state it is an explanation to all our people of why, momentarily, there seems to be a dearth of speakers on the floor. The subject is too deep, too profound, and too serious in all of our hearts and minds for speeches.

I thank my colleague for yielding.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, the time for the quorum call to be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. How goes the time?

The PRESIDING OFFICER. The Senator from Montana has 5 minutes. The Senator from Illinois has 7 minutes.

Mr. MANSFIELD. I yield the remainder of the time on this side to the distinguished Senator from Utah.

Mr. MOSS. Mr. President, today, for the fourth time in this now not so young session of Congress, we will attempt to bring about what is clearly the majority will in the Senate, an end to the filibuster which has paralyzed other floor action this year.

Our previous votes have all indicated the majority will of the Senate, which I am confident reflects the majority will of the American people; but because of the Senate's outdated rule XXII, the will of majority may be subjected, as it has been subjected, to the will of the minority.

We in the Senate have had a weekend to anticipate this most important vote today, and the American people have had the same weekend to wait and see what our action will be.

During this weekend, we have also been able to contemplate the report of the President's National Advisory Commission of Civil Disorders. Seven hours of prime, nationwide television time were devoted yesterday to an examination of the Commission's report and what now should be done to curb the civil disorders that threaten our country.

It seems to me almost unbelievable that we could have gone through a summer of riots like we experienced last year and now a few months later that we should be so jolted by the Commission's report. Our memories are truly short in this country. For here in the Senate, we have been discussing the basic right of an American citizen—any American citi-

zen—to live where he would like to live, in the type of house he can afford to provide for his family.

And we as a body are refused the right to take action and to correct that wrong, not because the majority are against such action, but because the minority favors inaction and the minority have a strong ally in our out-dated rule XXII.

But now we have the Commission's report, and our memories are pulled back to Detroit, Newark, and Watts. And we are forced to remember that American citizens living in the ghettos of this country have legitimate complaints to voice. Most would rather voice those complaints through the legal means provided by the courts and the Congress. But when those legal means are closed to them, they then turn to the means employed last summer.

How can you explain to the young Negro that you want to help him, that most of the Senators want to help him, but because of something called a filibuster, you just cannot do it right now?

The Commission report left many things unanswered, such as how much their recommendations will cost. Obviously they will cost billions, but as Mayor John Lindsay said yesterday, the cost of inaction will far outweigh the cost of action. Still we should know what the cost will be so we can weigh priorities and take necessary action in the legislative field.

But regardless of the cost of implementing the Commission's recommendations, may I remind my fellow Senators that it costs nothing to enact open housing and worker protection legislation. But come this summer, the cost of inaction may be overwhelming.

I urge those Senators who have voted against this proposal to listen to the findings of the Commission, and to listen to the will of the American people. Let the Senate majority work its will so we can press on to the other work we must accomplish during this session.

Mr. President, it is my opinion that inaction today will be costly for years to come and may be overwhelming.

I urge that the vote taken in the Senate Chamber within the next 7 or 8 minutes be to terminate the debate on the matter before the Senate so that we can get on with the work pending before the Senate.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

Mr. MONDALE. Mr. President, in newspapers published throughout the land, appeared the remarks and statements of 14 business leaders who urge the Senate to invoke cloture today.

I ask unanimous consent to have printed in the Record an article entitled "Fourteen Business Chiefs Appeal to Senate for Open Housing," written by Marjorie Hunter, and published in the New York Times of today.

There being no objection, the article was ordered to be printed in the Record, as follows:

FOURTEEN BUSINESS CHIEFS APPEAL TO SENATE FOR OPEN HOUSING—ASSERT, ON EVE OF FOURTH VOTE ON CLOTURE, THAT LAW IS URGENTLY NEEDED NOW—LONG NEGLECT IS CITED—LEADERS, ONE OF THEM ON RIOT PANEL, POINT TO CONCERN OVER CITIES' PROBLEMS

(By Marjorie Hunter)

WASHINGTON, March 3.—A group of the nation's business leaders urged Congress today to lower housing barriers for Negroes and minority groups.

Their urgent appeal came on the eve of a crucial Senate vote on halting a civil rights debate and clearing the way for action on legislation for open housing and protection of Negroes and civil rights workers.

The Senate has three times in recent weeks refused to halt the debate. A fourth attempt will come tomorrow.

In their statement, the business leaders said:

"As businessmen concerned with the grave problems facing American cities and towns today, we believe this legislation is urgently needed and now.

"We urge the Senate to permit a vote on this important measure. We urge the Congress to enact it."

RIOT COMMISSION MEMBER

Among those appealing for immediate action was Charles B. Thornton, chairman of Litton Industries. He was a member of the National Advisory Commission on Civil Disorders, which only last week warned that the United States must halt the movement toward "two societies—one black, one white—separate and unequal."

Joining him in asking for Senate approval of the open housing bill were 13 other business leaders.

Many of the nation's businessmen have become increasingly involved in recent months in efforts to wipe out slums and to provide employment for Negroes and others in minority groups.

The Senate showdown on open housing is scheduled for early afternoon. Just two days ago, the Senate failed by four votes to halt the civil rights debate.

Previous attempts to invoke closure—shutting off debate—failed by seven votes, and later by six votes. A two-thirds vote of those present is required for closure.

At issue in tomorrow's vote is ending debate on a far-reaching compromise, agreed upon in the middle of last week by Senate liberals and the Senate Republican leader, Everett McKinley Dirksen of Illinois.

The compromise would have barred discrimination in the sale and rental of about two-thirds of the nation's estimated total of 65 million housing units.

However, Senator Dirksen later weakened the compromise that bears his name. Without consulting the liberals, Senator Dirksen succeeded in excluding from the discrimination ban single-family dwellings with mortgages insured by the Federal Housing Administration.

The liberals will seek to remove this exclusion if the Senate finally invokes closure and moves toward action on the bill.

POTENTIAL 100 HOURS

Tomorrow's closure vote will be on the Dirksen compromise and on 80 to 90 pending amendments. If closure is approved, each of the 100 Senators will be limited to an hour of debate on the compromise and all amendments—with a potential total of 100 hours.

However, many of the Senators will probably use no part, or only a portion, of the allotted one hour apiece.

In their statement issued today, the 14 business leaders said that "the right of every family to live in a home or neighborhood of its choice has too long been denied to thousands of Americans."

The statement continued:

"Fair housing means more than lifting the barrier that has deprived minority groups of adequate housing for generations. It means making available new job opportunities, improved education and better community relations. It means improving the quality of life for all Americans by giving real meaning to a fundamental right—the right to buy or rent a home of one's choice."

OTHER SIGNERS

The other signers of the appeal, in addition to Mr. Thornton were:

James M. Roche, chairman, General Motors Corporation.

Edgar F. Kaiser, chairman, Kaiser Industries Corporation.

Ben W. Heineman, chairman, Chicago and North Western Railway.

Walker L. Cislser, chairman, Detroit Edison Company.

John T. Connor, president, Allied Chemical Corporation.

Donald C. Cook, chairman, American Electric Power Company.

David Kennedy, chairman, Continental Illinois National Bank and Trust Company.

Gaylord A. Freeman, vice chairman, First National Bank of Chicago.

James MacCormack, chairman, Communication Satellite Corporation.

Graham James Morgan, president, United States Gypsum Company.

J. Irwin Miller, chairman, Cummins Engine Company.

Herbert Silverman, chairman, James Talcott and Company.

Sidney J. Weinberg of Goldman, Sachs and Company.

Mr. MONDALE. Mr. President, the statement to which I have referred says, among other things:

As businessmen concerned with the grave problems facing American cities and towns today, we believe this legislation is urgently needed and now.

We urge the Senate to permit a vote on this important measure. We urge the Congress to enact it.

Mr. President, the statement refers to the fair housing measure.

The statement by these leading businessmen further states:

Fair housing means more than lifting the barrier that has deprived minority groups of adequate housing for generations. It means making available new job opportunities, improved education and better community relations. It means improving the quality of life for all Americans by giving real meaning to a fundamental right—the right to buy or rent a home of one's choice.

Mr. President, I shall not read the names of all the signers of this important statement. However, they include names of leaders of business throughout the country, including such distinguished leaders as Mr. James M. Roche, chairman of the General Motors Corp., and many others.

One of the most impressive things that have happened of late in this country has been a very deeper involvement by business in trying to solve the problems of exploding American cities and social deprival wherever it is found. It is equally encouraging to see these same business leaders turn to Government and ask Government to do its share as well.

One thing is certainly true. If we are going to solve this great social crisis in our land, there is not one single aspect of American life than can do it alone. We need the help of everyone.

I congratulate the business leaders for

their leadership and their appeal to the Senate.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. Mr. President, I rather nurse the idea that if this measure were to go to conference, titles II and III might not actually be in conference. However, from an informal discussion with the Parliamentarian, I am advised otherwise. I think it might be well for the Chair to rule on my inquiry.

The PRESIDING OFFICER. If the titles were inserted by the Senate in the House bill, then the titles would be a matter for the conferees to handle in conference.

Mr. DIRKSEN. My further understanding is that if they were in conference, the conferees could shorten or modify, but could not expand those titles. The PRESIDING OFFICER. Generally speaking, that is correct.

Mr. DIRKSEN. I thank the Chair.

Mr. President, I yield 3 minutes to the distinguished majority leader.

The VICE PRESIDENT. The Senator from Montana is recognized for 3 minutes.

Mr. MANSFIELD. Mr. President, the time has come for the Senate to face up to its responsibilities; as individuals and on a collective basis as well.

There has been more than enough debate on the subject matter now before the Senate; more than enough even without the Presidential Commission report released in full over this past weekend.

The issue is clear and on any future vote, I doubt whether any Senator will change his position from what it is at present.

This is no time for apprehension, but it is a time for understanding. It is a time to recognize that this Nation is a conglomerate of people—white, black, brown, red, and yellow.

It is time to realize that this Nation is in its most difficult period since the founding of the Republic, and I include the Civil War in that statement.

We face tremendous difficulties abroad, and we cannot see our way out of them. We face tremendous difficulties at home, and we have had the warnings summer after summer after summer.

Yes. These are very difficult times, and this Senate has a responsibility which I hope it will not shirk, a responsibility which, in spite of rule XXII, does indicate that a very clear majority of the Senate believes that something should be done. I think that it is time for something to be done. I think this is the moment of truth for the Senate. And I think that moment is long overdue.

I urge my colleagues to vote to limit the debate on the Dirksen substitute.

The VICE PRESIDENT. One minute remains.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. CURTIS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CURTIS. If we vote for cloture,

what shall be included under the cloture rule?

The VICE PRESIDENT. There will be the application of time and other requirements under rule XXII on the substitute and all amendments pertaining thereto except for final passage.

Mr. CURTIS. Does that include amendments to the original bill?

The VICE PRESIDENT. Those amendments which are qualified.

Mr. CURTIS. Mr. President, I have a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CURTIS. How many amendments are at the desk that would be eligible to be called up if cloture is voted?

The VICE PRESIDENT. The Chair is advised that there are more than 80—the word is 83. That could be subject to change on a second count, but there are more than 80.

Mr. CURTIS. Is it correct that there are nine more amendments than when we voted on cloture the other day?

The VICE PRESIDENT. The Chair is unaware of the exact number, but the Chair is advised by the clerk that that is approximately correct.

Mr. CURTIS. A further parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. CURTIS. Could a motion to table any amendment be voted upon without debate, even if cloture were not invoked?

The VICE PRESIDENT. Will the Senator repeat his inquiry?

Mr. CURTIS. Could a motion to table any amendment be voted upon without debate, even though we did not invoke cloture?

The VICE PRESIDENT. A motion to table, as the Senator knows, is never debatable.

Mr. CURTIS. Then, it would be possible, Mr. President, to dispose of amendments, or at least some of them, without debate, without invoking cloture?

The VICE PRESIDENT. On the basis of a tabling of the amendment, yes.

Mr. CURTIS. Now may I ask, Mr. President, what the RECORD shows as to the number of hours that the Senate has debated this matter since the substitute has been printed.

The VICE PRESIDENT. If the Senator would have propounded that question earlier, the Chair could have given the Senator an accurate report. The Chair does not have the timetable as to the number of hours that have been directed precisely to the question before the Senate. The Chair believes that the Senator would have as good a judgment of that as the Chair.

Mr. CURTIS. Mr. President, it is not a question of whether or not I have good judgment. It is a question of what the RECORD shows, and I believe it is important that the RECORD does show it.

The VICE PRESIDENT. The Chair does not know how many hours have been spent on this debate, except that the Chair knows that many hours have been spent on it—on the substitute or on all items relating to the subject matter before the Senate. The Chair does not have that accounting. The Chair will be

more than happy to give the Senator such an accounting before the end of the day.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

The VICE PRESIDENT. The hour of 12 has arrived.

Mr. CURTIS. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The rule of the Senate prescribes that when the hour of 12 has arrived, all time having expired—and such time has expired—the Chair is compelled to lay before the Senate the pending motion, which will be stated by the clerk.

The legislative clerk read the motion, as follows:

MOTION FOR CLOTURE

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the pending amendment to its adoption to H.R. 2516, an act to prescribe penalties for certain acts of violence or intimidation, and for other purposes.

MIKE MANSFIELD, EVERETT M. DIRKSEN, JENNINGS RANDOLPH, THOMAS H. KUCHEL, PHILIP A. HART, WALTER F. MONDALE, J. K. JAVITS, GEORGE D. AIKEN, JOHN SHERMAN COOPER, HARRISON WILLIAMS, EDWARD W. BROOKE, CLIFFORD P. CASE, JOSEPH S. CLARK, STEPHEN M. YOUNG, FRANK E. MOSS, EDMUND S. MUSKIE, EDWARD KENNEDY, GAYLORD NELSON, EUGENE J. MCCARTHY, THOMAS J. MCINTYRE, MARK O. HATFIELD, WAYNE MORSE, HIRAM L. FONG, DANIEL B. BREWSTER, CHARLES H. PERCY, JOSEPH D. TYDINGS, DANIEL K. INOUYE.

The VICE PRESIDENT. Pursuant to rule XXII, the Chair now directs the clerk to call the roll to ascertain the presence of a quorum.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 15 Leg.]

Aiken	Gruening	Montoya
Allott	Hansen	Morse
Anderson	Harris	Morton
Baker	Hart	Moss
Bartlett	Hartke	Mundt
Bayh	Hatfield	Murphy
Bennett	Hayden	Muskie
Bible	Hickenlooper	Nelson
Boggs	Hill	Pearson
Brewster	Holland	Pell
Brooke	Hollings	Percy
Burdick	Hruska	Prouty
Byrd, Va.	Inouye	Proxmire
Byrd, W. Va.	Jackson	Randolph
Cannon	Javits	Ribicoff
Carlson	Jordan, N.C.	Russell
Case	Jordan, Idaho	Scott
Church	Kennedy, Mass.	Smathers
Clark	Kennedy, N.Y.	Smith
Cooper	Kuchel	Sparkman
Cotton	Lausche	Spong
Curtis	Long, Mo.	Stennis
Dirksen	Long, La.	Symington
Dodd	Magnuson	Talmadge
Dominick	Mansfield	Thurmond
Eastland	McClellan	Tower
Ellender	McGee	Tydings
Ervin	McGovern	Williams, Del.
Fannin	McIntyre	Yarborough
Fong	Metcaif	Young, N. Dak.
Fulbright	Miller	Young, Ohio
Gore	Mondale	
Griffin	Monroney	

The VICE PRESIDENT. A quorum is present.

The question is: Is it the sense of the Senate that debate shall be brought to a close? On this question the yeas and nays are required, and the clerk will now call the roll.

Mr. KUCHEL. Order, Mr. President. The VICE PRESIDENT. Let the Senate be in order during the rollcall; then there will be no need to ask again for order.

The legislative clerk called the roll. Mr. BYRD of West Virginia. I announce that the Senator from Minnesota [Mr. MCCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota [Mr. MCCARTHY], the Senator from Rhode Island [Mr. PASTORE], and the Senator from New Jersey [Mr. WILLIAMS], would each vote "yea."

The yeas and nays resulted—yeas 65, nays 32, as follows:

[No. 16 Leg.]

YEAS—65

Aiken	Griffin	Mondale
Allott	Gruening	Monroney
Anderson	Harris	Montoya
Baker	Hart	Morse
Bartlett	Hartke	Morton
Bayh	Hatfield	Moss
Boggs	Inouye	Muskie
Brewster	Jackson	Nelson
Brooke	Javits	Pearson
Burdick	Jordan, Idaho	Pell
Cannon	Kennedy, Mass.	Percy
Carlson	Kennedy, N.Y.	Prouty
Case	Kuchel	Proxmire
Church	Lausche	Randolph
Clark	Long, Mo.	Ribicoff
Cooper	Magnuson	Scott
Cotton	Mansfield	Smith
Dirksen	McGee	Symington
Dodd	McGovern	Tydings
Dominick	McIntyre	Yarborough
Fong	Metcaif	Young, Ohio
Gore	Miller	

NAYS—32

Bennett	Hayden	Russell
Bible	Hickenlooper	Smathers
Byrd, Va.	Hill	Sparkman
Byrd, W. Va.	Holland	Spong
Curtis	Hollings	Stennis
Eastland	Hruska	Talmadge
Ellender	Jordan, N.C.	Thurmond
Ervin	Long, La.	Tower
Fannin	McClellan	Williams, Del.
Fulbright	Mundt	Young, N. Dak.
Hansen	Murphy	

NOT VOTING—3

McCarthy	Pastore	Williams, N.J.
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The VICE PRESIDENT. On this vote, there are 65 yeas and 32 nays. Two-thirds of the Senators present and voting having voted in the affirmative, the motion is agreed to.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. Pursuant to Public Law 90-206, the Chair appoints the following as members of the Commission on Executive, Legislative, and Judicial Salaries: Mr. Stephen K. Bailey, of New York, and Mr. Sidney J. Weinberg, of New York.

The Chair, under the provisions of Public Law 207 of the 81st Congress, appoints the following Senator to the Board of Visitors to the Coast Guard Academy: CLAIBORNE PELL.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a period for the transaction of routine morning business, with the time not charged to the allocation under rule XXII.

The VICE PRESIDENT. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

CIVIL RIGHTS

Mr. CANNON. Mr. President, limiting debate in the Senate on any issue is one of the most serious decisions any Senator must make. It involves the question of protecting the rights of a minority—a minority in this body. This minority may exist in any State or region, and my own State is no exception.

I believe the question to be decided today qualifies in urgency and seriousness as an issue critical to the future of this country. We are being asked whether every American can exercise freedom of choice in the selection of his home.

The extremists, the black nationalists, the fomenters of discord and dissension are hoping that our answer will be no. They want to be able to tell the people who listen to them that they have no recourse but to take to the streets in violent protest. They want to say that the Government has turned its back upon them and that peaceful redress of ancient grievances is impossible under our system. I have searched my conscience and find that I cannot say I agree with those who believe that our democracy has failed; and certainly I cannot find it in my conscience to give this same answer to any American when he returns from Vietnam, having done his duty for his family and his country.

I have voted today to permit the Senate to reach this question upon the merits of the real question which is before us at this time and to permit each Senator to work his or her will on removing this remaining vestige of institutional discrimination in our society.

At no point has this issue been more clearly dramatized than by the report of the President's Commission on Civil Disorder, filed only a few days ago. Against a backdrop of the prospect of more rioting in American streets this summer we have the challenge of improving the quality of American life. Money and programs, in my view, are secondary to the far more urgent need to demonstrate in open and clear fashion that Americans have the will to meet these problems. The vote today offers an alternative to the present course of our national turmoil, and it is fitting that this course should be charted and set in the U.S. Senate.

The VICE PRESIDENT. The Senate is now under the time limitation as required by rule XXII.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The bill clerk proceeded to call the roll. Mr. JAVITS. Mr. President, I ask