

U.S. Congress

UNITED STATES



OF AMERICA

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 91<sup>st</sup> CONGRESS  
FIRST SESSION

VOLUME 115—PART 10

MAY 15, 1969, TO MAY 26, 1969

(PAGES 12645 TO 13880)

dition that formed St. Olaf College and set it forth on its holy business.

So, let there truly be born in all of us a strange joy that will help us to live and to die and to remake the souls of our time.

#### LESSONS OF CAMPUS UNREST

In his commencement address at St. Olaf College, Sen. Walter Mondale drew some conclusions about college students that are worth noting by people both on and off our campuses.

Mondale, who has proposed the creation of a President's Commission on Student Unrest, speculated that such a commission would find that:

The nation cannot tolerate either violence or lawlessness on its campuses.

Forcible suppression of unrest, without attention to its causes, is just as deadly as violence.

The American student generation is not irrelevant, mentally ill or suicidal. Instead, it is fast becoming the most dynamic element of the American political system.

This generation of 7 million students has many legitimate complaints about campus life.

Much of student unrest has nothing to do with the campus itself. It is a reflection of the unrest, the contradictions and the disarray of American life.

The points are well taken. Violence and vandalism crushes freedom of expression, respect and communication, all of which are vital in academic life. And while there is an irrational element on some campuses that cannot be reasoned with, but seeks only acquiescence to demands that lead to anarchy, most dissatisfied students are willing to settle their problems through reasonable conversation.

There are now twice as many college students as farmers in this country. If all were made, as some critics imply, the chaos would be far greater than it is. Most of our young people are responsible citizens who are aware that life both on and off the campus can be improved. There would be cause for concern if they did not recognize the need for improvement.

Students who have this awareness should be encouraged to express their ideas in a reasonable manner without trampling on the rights of others. These young people are our country's greatest resource. They should not be wasted by a deaf society. Neither should they waste themselves in violence.

#### ADDITIONAL COVERAGE AND PROTECTION FOR NATION'S WORKERS

Mr. WILLIAMS of New Jersey. Mr. President, I have recently introduced two bills which I believe to be of vital importance to the Nation's working men and women.

One of them, S. 2070, would broaden the coverage of the Fair Labor Standards Act so as to reach an additional 13 million workers, and increase the minimum wage to \$2 an hour, in order to guarantee a decent wage to the more than 2 million Americans who, even though fully employed, do not now earn enough to meet the needs of their families.

The other bill, S. 2193, provides a workers' health and safety bill of rights, designed to stem the increasingly heavy toll being taken by occupational accidents and illnesses.

I hope that after having had an opportunity to examine their provisions, many Senators will want to join as cosponsors of either or both measures.

Senators who wish to have their names appear on the next printing of the bills are invited to call extension 3674 for this purpose.

#### EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

##### PROPOSED SUPPLEMENTAL APPROPRIATION—COMMUNICATION FROM THE PRESIDENT

A communication from the President of the United States, transmitting proposed supplemental appropriations for fiscal year 1969 in the amount of \$45,000,000 for the Atomic Energy Commission, for the restoration and replacement of the weapons production facility at Rocky Flats, Colo., which was damaged by fire, which with an accompanying paper was referred to the Committee on Appropriations, and ordered to be printed.

##### PROPOSED LEGISLATION TO AUTHORIZE IN THE DISTRICT OF COLUMBIA A PROGRAM OF PUBLIC DAY CARE SERVICES

A letter from the assistant to the Commissioner of the District of Columbia, transmitting a draft of proposed legislation to authorize in the District of Columbia a program of public day care services; and to amend the District of Columbia Public Assistance Act of 1962 so as to relieve certain adult children of the requirement of support and to provide public assistance in the form of foster home care to certain dependent children (with accompanying papers); to the Committee on the District of Columbia.

##### REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on the review of the effectiveness of the Air Forces systems for managing manpower resources at air bases in Thailand (with an accompanying secret report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of the financial statements of the Virgin Islands Corp. (in liquidation), Department of the Interior, for the fiscal years ended June 30, 1967 and 1968 (with an accompanying report); to the Committee on Government Operations.

##### PROPOSED LEGISLATION TO READJUST THE COMPENSATION OF THE ADVISORY BOARD FOR THE POST OFFICE DEPARTMENT

A letter from the Postmaster General, transmitting a draft of proposed legislation to readjust the compensation of the Advisory Board for the Post Office Department (with accompanying papers); to the Committee on Post Office and Civil Service.

##### REPORT TO CONGRESS ON THE NATIONAL VISITOR CENTER

A letter from the Secretary of the Interior, transmitting, pursuant to law, an annual report to the Congress on the National Visitor Center and all other visitor facilities authorized (with an accompanying report); to the Committee on Public Works.

##### PROPOSED ALTERATION OF PUBLIC BUILDINGS

A letter from the Administrator, General Services Administration, transmitting, pursuant to law, prospectuses which propose alteration of public buildings (with accompanying papers); to the Committee on Public Works.

#### PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

#### By the PRESIDING OFFICER:

A Senate concurrent resolution adopted by the Legislature of Hawaii; to the Committee on Armed Services:

"S. CON. RES. 16

"Concurrent resolution petitioning the President and the Congress of the United States to reconsider the deployment of anti-ballistic missiles and the location of an anti-ballistic missile system in the State of Hawaii.

"Whereas, the United States is devoted to furthering world peace, and to decreasing the tensions of the world's arms race, and to preventing nuclear weapons proliferations; and

"Whereas, eminent nuclear physicists, including Nobel prize winners, science advisers to Presidents Eisenhower, Kennedy and Johnson, and scientists who have been active in developing the Nation's weapons system, as well as personnel of the Department of Defense have stated that no anti-ballistic missile system can adequately protect a country from sophisticated nuclear attack and that the present United States superiority is a deterrent to both sophisticated and simple offensive nuclear threats; and

"Whereas, hunger and disease are as great a danger to peace and internal security as hostile arms, and huge military expenditures for quickly obsolete weapons systems present the use of funds to alleviate poverty, thereby increasing world insecurity; and

"Whereas, the orderly development of the State of Hawaii lies in its potential to create and expand understanding and trade among diverse cultures and peoples rather than its being an armed outpost of American power; now therefore,

"Be it resolved by the Senate of the Fifth Legislature of the of the State of Hawaii, Regular Session of 1969, the House of Representatives concurring, that the President and the Congress of the United States be, and they are, respectfully petitioned to reverse the decision to deploy an anti-ballistic missile system and to locate a part of the system in the State of Hawaii; and

"Be it further resolved that the President and the Congress of the United States be, and they are, respectfully requested to explore actively all possibilities which would lead to reduction of both offensive and defensive nuclear missile systems among nations, a nuclear non-proliferation treaty and gradual multilateral disarmament, and expanded non-military efforts to alleviate poverty and hunger at home and abroad; and

"Be it further resolved that duly certified copies of this Concurrent Resolution be transmitted to the President of the United States, the President of the United States Senate Pro Tempore, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Defense, Senator Hiram L. Fong, Senator Daniel K. Inouye, Representative Spark M. Matsunaga, and Representative Patsy T. Mink.

"Attest:

"DAVID C. McCLUNG,  
"President of the Senate."  
"SEICHI HIRAI,  
"Clerk of the Senate."

"Attest:

"TADAO BEPPU,  
"Speaker, House of Representatives."  
"SHIGETO KANEMOTO,  
"Clerk, House of Representatives."

A concurrent resolution adopted by the Legislature of Massachusetts; to the Committee on Finance:

"RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION PROVIDING FOR GENERAL AID TO STATE AND LOCAL GOVERNMENTS THROUGH THE SHARING OF FEDERAL INCOME TAXES

"Whereas, There is legislation pending before the Congress of the United States which

least twice as many college students as farmers in the United States.

These students constitute what Kenneth Keniston calls a new "youth" stage in American life. They have opportunities for intellectual and moral development which have been available to no other large group in history.

College attendance is a major part of their lives. In that environment they are free to examine the assumptions of the past and the superstitions of childhood. The campus allows them more open expression of feelings and frees them from what Keniston calls "irrational bondage to authority."

They "take the highest values of their societies as their own . . . and . . . are willing to struggle to implement them."

American affluence and education have, in Keniston's words, created our "own critics on a mass basis."

We have done much for these young people.

In our smugness about America's wealth, we have taught them not to be smug about America's poverty.

In our satisfaction with power, we have taught them to be dissatisfied with our practice of power.

In compromising our ideals, we have taught them to be firm.

In struggling to serve ourselves, we have made them altruistic.

We have given them the conviction and determination not to fail.

In our weakness, we have made them strong.

They number in the millions.

They are bright and sophisticated and economically secure.

Our young are permanent, not temporary. They are stable, not insecure. They are no passing phenomenon.

Just as our society has adjusted previously to the demands of militant farmers, organized workers, suburbanites, and ghetto dwellers, so the young will also seek and win their right to participate in the decisions of America. It is a new group, but an old process.

4. The Commission's fourth conclusion will be that *this generation of 7 million students has many legitimate complaints about campus life.*

Many of their colleges and universities are ill-equipped to cope with either their numbers or their needs.

Their classrooms are crowded. Their libraries are inadequate. Their programs of study are badly out of date.

Too many of their administrators hide behind bureaucratic barricades. Too many of their teachers are preoccupied.

Their legitimate pleas for reform are too often met with tokenism or rhetoric—or the reformers are lumped with the extremists they detest.

Though they are serious, they do not find themselves taken seriously. And while the campus exists for them, they do not feel it is theirs.

5. Finally, a responsible Commission will find that *much of student unrest has nothing to do with the campus itself. It is a reflection of the unrest, the contradictions, and the disarray of American life.*

The President of Amherst College described this manifestation of student unrest in a recent letter to President Nixon.

"Much of the turmoil," President Plimpton said, "will continue . . . until political leadership addresses itself to the . . . huge expenditure of national resources for military purposes, the inequities practiced by the present draft system, the critical needs of America's 23 million poor, the unequal division of our life on racial issues . . ."

"Unrest," he said, "results, not from a conspiracy by a few, but from a shared sense that the nation has no adequate plans for meeting the crises of our society."

Vietnam. The draft. Defense spending. Poverty. Racism.

This is the litany of our shared unrest.

I cannot express how deeply I believe the war in Vietnam has wounded the capacity and the spirit of the Nation. It is, as it should be, at the heart of the student unrest.

I once supported our effort there. But whatever commitment we had to South Vietnam has long since been fulfilled. We must now turn the war back to the South Vietnamese, fairly and systematically, but completely. It is clear that the nation still has no adequate plan for that.

In the meantime, our young men die—12,000 since the Paris talks began. In the meantime, the costs and inflation brought by the war strip us of our ability to deal with other problems.

And while the war takes wealth from all of us, it costs the young their bodies, lives, and souls. For it is they who must finally serve or disobey.

They suffer an outrageous selective service system over which they have absolutely no control though they make up its entire constituency. They recognize that the system draws an unfair sample of the population. They know certain privileges are available to the able, the affluent, and the befriended, while the average, the poor, and the friendless take most of the risk.

The faults of the system and its director leave the young in jeopardy for years and make federal criminals of many who profoundly question the morality of war.

But as President Plimpton says, the nation has no adequate plan.

The war, our frantic efforts to prepare for all imaginable future military contingencies, our debts for past wars and support of veterans—these will cost the nation at least 100 billion dollars this year.

That is a stupefying amount of money. Even a billion is incomprehensible. But a billion dollars would operate St. Olaf at its present budget level, tuition-free, for 125 years. A billion dollar endowment, returning five percent a year, might finance six colleges the size of St. Olaf, tuition-free, forever.

Yet a billion dollars pays for less than two weeks of the war in Vietnam. It is just one percent of the true annual defense budget for the United States.

But in spite of its tremendous size, there is no systematic examination of that defense commitment. Except in the Pentagon, there is no analysis of outmoded defense systems, troop assignments, and base commitments. There are no talks with the Soviet Union about weapons control.

We might save billions of dollars, improve our defense capability at the same time, and reduce the threat of international holocaust. But the nation has no adequate plan.

Defense spending is clearly bleeding the nation of its resources to deal with poverty and deprivation in America. As cartoonist Herb Block pointed out in his recent book, some "can hear the distant drum more clearly than the cry of a hungry child."

Well, I have heard—and seen—those hungry children. I have found housing unfit for pigs, where children and rats "live" side by side.

Millions of American children are destroyed physically and mentally by hunger and cultural deprivation before they ever enter the first grade, and even then their schools too often have nothing to offer them.

Millions of unemployed young men and women could and would hold jobs with proper education and training.

Millions of older men and women suffer on inadequate pensions because they have been unfortunate enough to grow old while the rest of the Nation was growing rich.

Many suffer because they are in large and

fatherless families, or because they are physically or mentally disabled.

But the nation has no adequate plan.

A year ago the Kerner Commission concluded that we were becoming two nations—one white, one black; separate and unequal.

In its follow-up study, "One Year Later," Urban America concludes that the nation has not reversed the movement: ". . . a year later, we are a year closer to being two societies, black and white, increasingly separate and scarcely less unequal."

But the nation has no adequate plan.

This is the country so many of our young are asking us to explain. Their questions trouble us. For however we may rationalize the failures of the past, the young believe this nation has lost its excuses.

And so do I.

How can it be so?

We are as free a people as exists.

We are as educated a people as the world has ever seen.

We are now the wealthiest people in history, and perhaps the wealthiest that can be imagined.

We have proclaimed the noblest objectives of all time.

How then can we continue with "no adequate plans"?

With the candor of their young and honest eyes, our youth are telling us that we cannot. They insist that the ideals they have learned from us must be lived—now.

What makes us so uneasy is that we know that they are right, and we know that our excuses are gone.

We must face that simple truth, learned from the young.

But having said what I believe we must learn from the young, I would close by saying what I believe we must all learn about the institutions of this society. I believe, with Urban Coalition Chief John Gardner, that "demands for instant performance (can) lead to instant disillusionment." What do we do, in a free nation, when our aspirations leap ahead of the capacity of our institutions to respond?

Last year at this time, speaking at Cornell University where his words should be echoing this spring, Gardner described two great threats to the institutions of America:

Some "uncritical lovers" would stagnate our institutions in a smothering embrace, loving their rigidities more than their promises.

Other "unloving critics," skilled in demolition and untutored in the art of reform, would destroy all we have through disruption, intolerance, and violence.

Just as we reject the uncritical lovers of our institutions, so we must reject the unloving critics who preach that only destruction will do. As Mayor Lindsay says, the tactics of destruction "promise not an end to manipulation and rigidity, but only another color robe for the executioner to wear."

What we desperately need are Gardner's "loving critics"—"sufficiently serious to study their institutions, sufficiently dedicated to become expert in the art of modifying them."

But we will not make "loving critics" of our young unless we show them that we share their sense of urgency as well as their ideals.

We will not teach them to be patient, so long as patience means delay.

I think we can expect a great deal of this new, dynamic generation.

It will be no more than they expect of themselves.

They said so in the student prayer delivered at the Radcliffe College commencement a year ago. It ends this way:

"Let there be born in us a strange joy that will help us to live and to die and to remake the souls of our time."

That prayer unites us with the young of this nation, and lies at the root of the tra-

The most powerful nation in the world did not know who its next president would be.

"Election Goes to House!" shouted the normally sedate New York Times.

"Candidates plead for calm," said the conscientious Christian Science Monitor.

"What a Mess!" ejaculated the irrepressible New York Daily News.

#### AMENDMENT TRIED

They had tried to amend the Constitution in 1969 and hadn't. And so the Constitution said the House should "chuse" the president from the top three contestants.

It had happened in 1800, and again in 1824, and it had almost happened several times since. Though nobody noticed it at the time, in 1948, a shift of 0.6 percent of the popular vote away from Harry S. Truman in two states would have made an unelection. (And if it had gone into the House in 1948, scholars noted afterward, scratching their heads they couldn't have figured what would have happened.)

The point was, of course, that under the quaint constitutional provisions each state in the House would have just one vote—Vermont one, California one. Each state would cast its single vote in accordance with the majority of its members in the chamber.

#### BOOKSTORES BOOM

The trouble in 1972 was that the legislative delegations of several states were evenly divided. Unless one side or another gave way it would be like a hung jury—the state would lose its vote. After subtracting these evenly divided states, there was a tie between Messrs. Nixon and Kennedy, with Mr. Wallace holding the balance of power with apparent control of five Southern states.

But how about the vice-president? people asked hopefully.

In the week after the unelection millions read the Constitution for the first time, and some bookstores made modest fortunes by selling a document suddenly as popular as Mao's "thoughts."

They discovered that while the House is picking the president from the highest three, the Senate is picking the vice-president from the highest two. Would it be Spiro T. Agnew or Mr. Kennedy's running mate, Sen. Edmund S. Muskie of Maine?

The Constitution provides that the vice-president shall be acting president if for some reason (a deadlock, perhaps) there is no president. . . .

Who can complete the scenario?

The supposititious election of 1972, thrown into the House, might end with the ultimate degrading spectacle of the two principal candidates making secret deals with the third and the presidency bartered off.

#### POSSIBILITIES SEEN

Or on the other hand, fortunately, it probably won't happen. Some candidate in 1972 will get a majority of the electoral votes. Or, perhaps, the Constitution may be amended to remove this preposterous possibility of a deadlock for all time.

On Tuesday, April 29, 1969, the House Judiciary Committee approved, 28 to 6, a proposed constitutional amendment providing for the direct, popular election of the president. Would it run the gauntlet of two-thirds vote in Congress, and a three-quarters vote in the states? Nobody knew.

Even so there was a tiny hole in it. The committee voted to delay its effective date till a year after ratification. This meant that it was unlikely to be in force in 1972.

And so the strange tale with its extraordinary possibilities begins again. "On the evening of Nov. 5, 1972, the American nation settled before its television sets to await the election result dimly aware of the kind of Russian roulette it was playing. And then. . . ."

#### STUDENT UNREST IN PERSPECTIVE

Mr. MONDALE, Mr. President, the Nation has experienced an extended period of protest, demonstration, and violence on its campuses.

In my address to the graduates of St. Olaf College, in Northfield, Minn., on Sunday, May 25, I tried to put this general unrest into perspective. In the process, I arrived at several conclusions:

The Nation cannot tolerate either violence or lawlessness on its campuses.

Forcible suppression of unrest, without attention to its causes, is just as deadly as violence.

The American student generation is not irrelevant, mentally ill, or suicidal, but is fast becoming the most dynamic element of the American political system.

This generation of 7 million students has many legitimate complaints about campus life.

Much of student unrest has nothing to do with the campus itself, but is a reflection of the unrest, the contradictions, and the disarray of American life.

Mr. President, my remarks may be helpful to others who are disturbed by the difficulties on our campus, and they are directly relevant to my proposal to establish a National Commission on Campus Unrest. I ask unanimous consent that the text of these remarks and an editorial from this morning's St. Paul Pioneer Press, which refers to the speech, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR WALTER F. MONDALE, 1969 COMMENCEMENT, ST. OLAF COLLEGE, NORTHFIELD, MINN., MAY 25, 1969

It is difficult to pick a commencement topic this year.

It is chosen for us. It is campus unrest.

Already rocked by the turbulence of our cities, the Nation now is staggered by the explosion of our campuses.

There have been instant demands and instant responses. And now we hear instant theories of what it all means.

We are told that our unhappy young people are historically irrelevant in an age of technocrats, or victims of widespread mental instability brought on by the never-ending adolescence of the modern world. Or they suffer a kind of group Oedipus complex—violence and self-destruction that springs from hatred of father-generations.

There is a common thread in these theories—little time need be wasted on the complaints of the historically irrelevant, mentally ill, or suicidal. We can only protect ourselves from them.

So how can a nation deal with such young people?

Some members of Congress want to cut off their federal aid. That was only the wealthy can riot.

The President of the United States asks administrators to show more "backbone."

The Attorney General says that it is clearly time to get tough.

The Deputy Attorney General suggests that those who demonstrate in a manner to interfere with others "should be rounded up and put in a detention camp."

The Director of Selective Service likes to draft them.

There were also instant theories when our cities blew up.

Then, as now, we threshed around for quick definitions and solutions.

Then, as now, there were demands to stop the disruption some way, any way, so that all of us—and our nation—could go back to sleep.

Fortunately, some sought to understand, to find out why. The Nation created a remarkable investigative body to seek an end to urban violence and keep our cities alive.

The Kerner Commission, to be sure, concluded that wise and effective law enforcement was a key to urban order. But it also exposed what is now widely accepted as the truth about our cities. And it insisted that fundamental reform is an absolute necessity if we are to avoid the disaster of two Americas—one black, one white; separate and unequal.

I do not want to give that Commission or the Nation more credit than they deserve. Our cities are not free from the threat of violence and our urban problems clearly have not been solved.

But I believe the Kerner Commission did settle a profound debate about the tactics this Nation must use if its cities are to live.

As you may know, I have proposed the creation of a similar Commission on Student Unrest. With your permission, I'd like to speculate about what such a Commission might conclude.

1. Its first conclusion will be a warning—the nation cannot tolerate either violence or lawlessness on its campuses.

This is not just a matter of personal safety or the protection of valuable property, important as those are. The very processes of education and humane development are destroyed when fear and hate inhibit the quality of encounter.

The business of the campus is confrontation—between minds and knowledge and ideas. There can be no real confrontation in an atmosphere of intimidation. The inevitable victims of violence are freedom of expression and open debate, mutual respect and trust, reason and communication. Violence closes doors that must remain open.

As Paul Goodman has put it, "out of the shambles can come only the same bad world."

2. But the second finding of the Commission—as important as the first—will be that forcible suppression of unrest, without attention to its causes, is just as deadly as violence.

Nothing is more peaceful than a cemetery. The problem is not only to stop violence, but also to preserve the vitality of the campus. The use of force on the campus is an admission of defeat, another form of intimidation that inhibits real confrontation.

The campus is much like a family.

All of us who are parents know that sons and daughters in college can't be paddled on their behinds like kindergartners—at least not with the same effect. They've reached a degree of maturity now, when authority depends on mutual respect and trust. Resorting to force does not preserve authority. It destroys it. Young people become defiant, obedience requires harsher measures, and finally authority breaks down.

If the university, like the family, seeks to create independent men and women, it must take a lesson from the family. It must recognize that its authority is in direct proportion to the mutual respect and trust developed with its students. Otherwise there is no community.

3. The third conclusion of the Commission will be that the American student generation is not irrelevant, mentally ill, or suicidal. Instead, it is fast becoming the most dynamic element of the American political system.

During the past twenty years, enrollment on the nation's campuses has tripled. This coming fall, more than 7 million Americans will be students on our campuses. By 1976, the figure will be 10 million. There are at