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ropriations Committee to increase the appropriations for Indian health to meet a severe shortage in personnel and drugs.

This week, I received a letter from Mark J. Weiss, M.D., chief medical officer, Claremore Indian Hospital, Claremore, Okla., setting forth the seriousness of the personnel shortage that the Claremore hospital is facing. I hope that we will meet the needs of this hospital and other Indian hospitals throughout the country by increasing the funding for fiscal year 1971. I ask unanimous consent that the letter from Dr. Weiss be printed in the RECORD.

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

CLAREMORE INDIAN HOSPITAL,
Claremore, Okla., May 11, 1970.

DEAR SENATOR HARRIS: I know you have heard a flood of rhetoric about the state of Indian Health in Oklahoma but I feel compelled to write to you about our situation. First of all, despite all the obstacles of poor funding and outmoded equipment I believe that our hospital provides the best medical care in the entire Northeastern section of Oklahoma outside of Tulsa. This is despite the fact that we lack any specialists except a general surgeon.

At present I am the medical director of the hospital. The number of physicians allotted to our present hospital is eight but almost the entire year we have been functioning one physician short; however, this year looks good compared to next year. I have been informed that we will be receiving only enough men to bring our entire complement of physicians up to six men. What this means in terms of care for the Indian community is rather sad. It means that if we do have only this number of men, that we will have to curtail our field clinics which have reached so many people in the outlying districts that were probably never getting the benefit of proper health service. We are not unique in this situation. The entire Oklahoma area is short of doctors.

This shortage of physicians seems unnecessary and uncalled for. I know of many men who were not included in the draft but were either refused Public Health Service or had to accept an armed forces commission because the PHS was late in choosing their men. To me there is no excuse for this type of non-planning, especially when it affects people who need medical service. I hope there is something you can do to rectify this situation. If you don't really see what I mean, look at the figures of the number of patients we see in a year. There is plenty of work here and not enough personnel to do it already. Please also consider that we have only one specialist. We delivered over 450 babies last year and saw thousands of children yet no one thought enough of the need of the people here to provide them with some men trained in pediatrics and obstetrics. Even our consultants in Tulsa have written to you and others pleading for the necessary specialists but instead we receive only fewer men.

Sincerely,

MARK J. WEISS, M.D.,
Chief Medical Officer.

RELEASE OF FUNDS FOR REA LOANS TO RURAL ELECTRIC COOPERATIVES

Mr. HARRIS. Mr. President, On May 11, 26 Members of the Senate joined with me in a letter to the President urging the release of \$20 million appropriated for REA loans to rural electric cooperatives in fiscal year 1970.

As we pointed out in that letter, the Congress appropriated a total of \$365 million for REA loans to rural electric cooperatives for fiscal year 1970; however, the Bureau of the Budget has not yet released \$20 million of that amount. Inasmuch as the total appropriation for fiscal year 1970 for the rural electrification program falls roughly \$400 million below the amount needed in order for the one thousand rural electric cooperatives to meet the growing demands for service, it was felt by those of us who wrote the President that the additional \$20 million appropriated by the Congress is certainly urgently needed and should be released immediately.

Because of the present shortage of loan funds many of these systems throughout the United States are being forced to reduce their work force or cut back to a 4-day workweek. The result of which will be that residents of rural areas are not going to get the type of electric service to which they have become accustomed and to which they are entitled. Furthermore, a great deal has been said recently about the possibility of inadequate electric supply in this country during the hot summer months just ahead and members of the administration have alluded to the possibility of brownouts or even blackouts in some instances because of inadequate electric capacity.

The release of the additional \$20 million now being held by the Bureau of the Budget certainly will not solve all the capital requirements of the rural electric cooperatives, nor will it be sufficient to avoid short supplies of electricity in the immediate future. It will, however, allow the REA to make loans in those instances of pressing need. Mr. President, I ask unanimous consent that the letter signed by me and 26 other Members of the Senate to President Nixon urging the release of these funds be printed at this point in the RECORD.

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

U.S. SENATE,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., May 11, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Congress last year appropriated \$365 million for fiscal year 1970 for REA loans to rural electric cooperatives. It has been brought to our attention that \$20 million of that appropriation has not yet been released by the Bureau of the Budget.

Inasmuch as the total appropriation for fiscal year 1970 for the rural electric program falls roughly \$400 million below the amount needed in order for the nearly one thousand rural electric cooperatives to meet growing demand for service, we feel that the release of the additional \$20 million appropriated by Congress is urgently necessary. The rural electric cooperatives, in an effort to meet their needs for additional growth capital, have undertaken the establishment and operation of the National Rural Utilities Cooperative Finance Corporation. It is anticipated that some funds will be available for lending by this corporation early next year. However, CFC is presently still in its formative stages and cannot contribute significantly to the capital requirements of rural electric cooperatives at the present time.

Because of the present shortage of loan funds, many rural electric systems throughout the United States are being forced to reduce their work force or cutback to a four-day work week, the result of which will be that residents of rural areas are not going to get the type of electric service to which they have become accustomed and to which they are entitled.

The release of the additional \$20 million now being held by the Bureau of the Budget certainly will not solve all of the capital requirements of these cooperatives. It will, however, allow the REA to make loans in those instances of pressing need. We, therefore, respectfully urge you to release this \$20 million at the earliest possible date before the close of this fiscal year.

Sincerely yours,

Philip A. Hart, Fred R. Harris, Joseph M. Montoya, Ralph Yarborough, Quentin N. Burdick, Frank E. Moss, Daniel K. Inouye, Eugene J. McCarthy, Vance Hartke, Thomas J. McIntyre, Herman E. Talmadge, Mike Gravel, Harrison A. Williams, Jr., Albert Gore, J. W. Fulbright, Henry M. Jackson, Warren G. Magnuson, Gale W. McGee, Frank Church, Birch Bayh, Thomas F. Eagleton, George McGovern, Walter F. Mondale, Stuart Symington, Mike Mansfield, William Proxmire, Edmund S. Muskie, U.S. Senators.

ORDER OF BUSINESS

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

JACKSON, MISS.

Mr. BAYH. Mr. President, yesterday I joined my distinguished colleague from Minnesota (Mr. MONDALE) and Representative EDWARDS of California and Representative CLAY of Missouri in a visit to Jackson, Miss. I put aside my schedule, as they put aside their schedules, to see firsthand the circumstances surrounding the incident of a few days ago which led to the tragic death of two young men and the critical injury of eight or nine others, most of whom were women students at Jackson State College in Mississippi.

In the aftermath of the tragedy there have been a number of discussions and a number of people by the spoken and written word, have expressed their concern for what happened there. None of them has done so more eloquently than has been done in two articles I have read since that time, one written by Carl Rowan and the other written by Tom Wicker. I think these two distinguished columnists in their inimitable fashion capture the spirit of concern and passion, which compelled us to travel to Jackson.

Mr. President, I ask unanimous consent that the two articles may be printed in the RECORD.

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

AMERICAN DREAM'S LAST VESTIGES

(By Carl T. Rowan)

Just 12 days ago, as the nation reacted with outrage and angry frustration to the killing of four students at Kent State University, I wrote that that was only the beginning.

Now two students have been killed and several more seriously injured at Jackson State College in Mississippi where policemen opened fire on rock-throwing demonstrators and what police say were "snipers."

I wish I could believe that these new killings would deepen the sense of horror and shame that ought to engulf America these days, but I know that is not to be expected. The Mississippi corpses are black.

One of the glaring symptoms of this society's deepening sickness is that it can go for months, shrugging off the killings of black protesters and demonstrators, only to become aroused when National Guardsmen gun down four middle-class white youngsters.

I said the Kent State tragedy was only the beginning of more serious repressions. I erred, for Kent State was not the beginning.

On Feb. 8, 1968, three youths were shot to death and at least 34 persons were wounded when police fired on demonstrators at South Carolina State College in Orangeburg.

The South Carolina students were protesting against a local bowling alley where the owner insisted on a Jim Crow policy in defiance of the Public Accommodations Act.

The parents of the Kent State victims got touching letters of sadness from President Nixon. There is no record of President Johnson or any other top official sending condolences to the relatives of those youngsters who were shot down in Orangeburg.

Nor was there any national expression of horror or outrage where the black student victims were concerned. There youngsters were symbols of black rebellion, of "uppity niggers," so an awful lot of white America found it easy enough to shrug off their deaths.

But a society that sows the wind will reap the whirlwind, as we now see with violence swirling across more than 300 campuses, leaving bloody destruction in its wake.

Even as the national sickness deepens, like that of a man being fed a dose of arsenic every day, we grope in helplessness—mostly because we cannot rise above our political, racial, and social prejudices and hostilities.

We look at the ugliness of Augusta, Ga., and know that the country is no wiser, no more humane, nor more moral today than it was at the time of the Orangeburg killings.

Six blacks were shot dead in Augusta after a mentally retarded 16-year-old Negro was tortured and killed while in jail. The medical examiner says that all six blacks were shot in the back—one of them nine times.

Let us all note that in the case of the Kent State killings, sympathetic media told us in poignant detail about the lives of the victims. In the case of Augusta, it would be a major research project to cull the press and find even the names of those who were shot down.

I fear that even Americans who consider themselves good people, incapable of murder, tend to wipe these Augusta victims off their consciences as "just six more dead black troublemakers."

And that double standard tells us just how deep and pervasive are the woes of this society. When the protections of the Constitution, and enforcement of the law, vary according to whether the subject wears a beard, has a black face, or comes from the poor part of town, we are all in trouble. It does vary, and we are in trouble.

As the sense of outrage deepens among the young, the black, the poor, it becomes almost hopeless to try to convince them that

their violence will not achieve desired goals. It has always been hopeless to try to convince Americans like Georgia Gov. Lester Maddox that, when he warns demonstrators to "be prepared to meet their Maker," he gives license to kill blacks, yes, but also to kill the last vestiges of the American Dream.

Unhappily, it seems so useless to write these things, for so much of the public has put on blinders except for viewpoints that mesh into their own angry, narrow way of seeing things.

[From the New York Times, May 19, 1970]

IN THE NATION: FOR WHITE READERS ONLY

(By Tom Wicker)

WASHINGTON, May 18.—Suppose you were black. What would you think if you had read these items in your newspaper in the last ten days?

From Augusta, Ga.: Six black men are dead, all shot in the back by police rifles or shotguns. At least four may have been no more than bystanders at rioting last week that followed the death of a black youth in a jail where conditions are known to be so terrible for blacks that community protests have been regularly made for years. One of these protests was a letter to Attorney General John Mitchell. He never answered.

From Jackson, Miss.: At Jackson State College, two black students are dead and nine are wounded, including several girls. All fell before a thirty-second barrage of gunfire from state highway police who for unexplained reasons took over the task of quelling a student disturbance, although town police and National Guardsmen also were at hand. The highway police justified the shooting by contending that they were receiving sniper fire from a dormitory roof. No evidence or witnesses have been found to substantiate the sniper story, although there are dozens who refute it, and there is no explanation at all of why trained police officers, upon receiving what they thought was sniper fire from a rooftop, fired more than 140 bullets into a crowd of unarmed students standing on the ground in front of a girls' dormitory. At the moment, no national protest rally is being planned for the Ellipse in Washington.

THE CHICAGO SHOOT-OUT

From Chicago: Months after Fred Hampton, a Black Panther leader, was killed by Chicago police in what they described as a blazing gun battle with a band of armed Panthers, a grand jury has discovered that only one bullet was fired at the police raiders. It was the police who poured a massive fire into the apartment where Fred Hampton and others had been sleeping; it was the Federal Bureau of Investigation that provided the preliminary information, and it was police and city officials who later covered up the truth and concocted the story of the "shoot-out." Some Chicago newspapers as well helped carry out the distortion.

From Washington: The Justice Department has filed a brief in support of the proposition that Southern parents should get a tax deduction for making contributions to private academies set up as an alternative to desegregated public schools. As recently as January, Robert Finch, the Secretary of H.E.W., pledged to fight any such move, because he knows well that these academies can survive only through tax-exempt status; and that if they receive it, they will spring up throughout the South, thus effectively re-establishing a tax-supported dual school system.

SOMEONE TO TURN TO

Well, since I am white, I don't know for sure what I would think if I were black and read those news stories. But even the effort to put oneself in the other fellow's skin, under these circumstances, is frightening. It is bad enough to be, say, the victim of a crime, or to be in fear of crime and disorder,

when you have recourse only to an ineffective police force and to a court system heavily overburdened. But at the least, in that case the law is on your side, or you believe it to be; there is someone to whom you can turn.

But suppose you feel that the armed policeman is not there to protect your life and rights but to do away with them? Suppose even the Federal Government is no longer trying to assert your rights in court and its highest law enforcement arm seems more interested in helping the police exterminate black militants than in impartially observing and enforcing the law? Suppose that, by all evidence available to you, the law does not even seem to be on your side—is at best indifferent and at worst hostile?

No wonder Dr. Aaron Shirley, up to now a moderate black leader in Jackson, said the other day that "if black folks have to die, they ought not to die so peacefully." White men who read that as a threat instead of a desperate plea for rudimentary justice and humanity can make no answer that will not ultimately echo the Mississippi patrolman who said after the Jackson slaughter: "You better send some ambulances, we killed some niggers."

Mr. BAYH. Mr. President, we went to Jackson, Miss., with the obvious understanding that nothing we said and nothing we did there could restore the lives of those who had fallen on that tragic night. I went there feeling that the environment, the circumstances which compelled me to go, really are not limited to the events of the tragedy at Jackson State College or in the State of Mississippi.

I have been deeply concerned about a growing insensitivity that exists in the country today relative to the concerns and problems of our young people, of our minority groups.

I should hasten to say that I have seen some causes espoused and some activity pursued in the name of the young and in the name of black and other minority groups in this country that have little relationship to responsible activity in our democratic process. I can see little excuse for some activities of violence and anarchy. I see little reason to tolerate bombing and burning that have been espoused by some in the name of dissent.

But just as there are a far-out few who have gone far beyond the legitimate bounds of dissent and freedom of speech—and should be punished for the law violators they are—there are, at the same time, large numbers of young, disadvantaged, minority group members who have tried to peacefully express their concern, and have tried in the finest tradition of our American society to get their Government to listen to them, and, with what seems to me to be increasing frequency, they have found a deaf ear. They have found the door of the system slammed shut in their faces.

I am deeply concerned about what we can do in this body, what those of us who are, in the term of the young generation, a part of the establishment, a part of the system, can do to express our concern that the door be kept open—that it not be slammed shut—that to differ is not unpatriotic, that, indeed, if we do not do more than we have in the past to let everyone know that they will be heard—even if they are not agreed with, that

they will be heard—that we are going to have the system left open to them, that the only alternative for being heard is to take to the street in violence and in anarchistic activity which would lead to the destruction of our Nation.

It was my deep concern that this not happen that led me to Jackson, Miss. We have seen tragic circumstances of action and reaction which have led to the death of students at Kent, black citizens in Augusta, and the student loss in Jackson. I thought it was important, and feel that it was important, that the white citizens of America express the same amount of concern for the loss of life of black students in Jackson as had been expressed for the loss of life of white students on the campus at Kent State University in Ohio.

Mr. President, I must say that when we arrived on the scene and witnessed firsthand what had happened and heard the eyewitness accounts of young and old, black and white, I came away appalled. Some who were with us suggested it made them sick to their stomach. It made me feel almost like crying that something like this could happen in the United States.

The Senator from Minnesota (Mr. MONDALE) is going to follow, and I hope my colleague will put in the RECORD a copy of the letter that some of us are going to send to our Attorney General, asking him to take action. In that letter we recount the series of events that transpired prior to the holocaust that was directed at the women's dormitory.

Apparently a dump truck had been set afire. No one knows who set that dump truck afire, but it was within reasonable proximity of the campus, a block or two away.

Mr. President, we were advised that this dump truck had been set afire because of a rumor that had excited the campus that Mayor Charles Evers and his wife had been murdered. Really, there is no factual evidence as to who set the fire or why, but at least there was a correlation between the fire being set and the rumor being spread. The fire department arrived there and put out the fire, to be followed by the Jackson, Miss., police and the Mississippi State Police, who marched from the scene of the fire to the men's dormitory.

Apparently there was some taunting, some word-calling, but no evidence of any rifle fire or significant exchange of bottles, bricks, rocks, or other missiles. This judgment of the Senator from Indiana was validated by a conversation that we had with a member of the college security force who was present at the time.

But for some reason or other, a handful of the officers proceeded to fire into the side of the men's dormitory, breaking out some windows. You could see the bullet marks on the facade of the building as well as the broken windows. Fortunately no one was killed. Then, for some reason, they marched, quasi-military fashion, up to the women's dormitory, which was about two blocks away.

There were about 100 or 200 students assembled in front of the dormitory. No one we talked to heard any shots until,

apparently without any warning and without any suggestion that the crowd disperse, and without even the use of tear gas to accomplish whatever the purpose might be, the officers leveled a volley of gunfire at the front of the women's dormitory that successfully knocked out all the windows and left the front of that women's dormitory looking as though it might have been located in reasonable proximity to Normandy Beach.

At the same time, apparently, some officers fired in the opposite direction, toward, what I think was the cafeteria building, and knocked out some windows in that building across the street. One body was found in the proximity of that area, and one was found close to the women's dormitory.

Mr. President, it is difficult for me to understand how, in the light of almost no provocation, there could have been any rifle fire whatsoever; and, indeed, if it had been, as rumor has it, necessary for the police to respond to a sniper on the rooftop of the women's dormitory, it is difficult for me to understand how they could fire into the crowd of students in front of the building and practically destroy the whole face of a building five stories high in order to seek out a sniper supposedly hiding on the roof.

Mr. President, this is a tragic act. It is a dark day. And what compounds the tragedy, in my judgment, is the fact that there has been little if any concern expressed by local officials on the scene. In fact, we were told that the police who leveled the volley at the women's dormitory offered no assistance to those who were crying out for help, but spent their time immediately following this tragic event picking up the shell casings from their weapons, and left the scene without aiding the wounded and dying. I think it is to the credit of the Mississippi National Guard that when they arrived on the scene, they indeed did help the wounded black students into ambulances.

Mr. President, I think it is important for some of us to let the black citizens of Jackson, Miss., know that we are concerned that this kind of thing happened, that we see little excuse for it happening, and we see even less excuse for the public officials of that area not to show compassion and determination to ferret out those who are responsible and see that they are brought before the bar of justice and properly penalized. Yet the evidence made available to us is that this has not happened, that none of the students involved were questioned except one student who had been questioned by two local police officials. It appears, however, that questions concerning the identity of the officer who had leveled the fire at him were not included in the questioning.

Mr. President, I shall not proceed at any great length, but I think it is important to recognize the critical nature of a problem which was eloquently stated in one brief response. After our hearings, and after the questions had been asked and answered, there was one black student who came on the stage, at the close of the inquiry, and said, "We appreciate

your sympathy and your presence, but we want justice; and there is no justice for a black man in Mississippi."

Perhaps that broad statement is too categorical and too all-inclusive, but I am here to testify that there are several hundred, if indeed not several thousand, students at Jackson State College in Mississippi who feel that there is no justice for them, who feel that this almost automatic, knee jerk response was a result of perhaps a decade or more of hate, perhaps a lifetime of hate, in the minds of the police officers who responded in this manner, and that most if not all of the students feel that that volley was a direct effort to assassinate them.

Mr. President, we have to find ways to prevent this from happening. We have to find ways to try to root out this type of hatred, this type of insensitivity which exists in all too many places throughout the country.

I am hopeful that we can search for more understanding, not just in Jackson and Augusta, but in Washington, Los Angeles, and New York. I am hopeful we will convince, not just the black students in Jackson, Miss., but student protesters wherever they may be, that if they are willing to work peacefully and lawfully within the system, this system is going to be responsive to their pleas.

Unless we do so, Mr. President, I fear that we will reach an intolerable level of action and reaction, of violence and repression, which will take away our freedoms and destroy our society as we know it today.

I could not help but think of the words of the late President Kennedy, when he discussed the need for us in positions of responsibility to address ourselves to change in our society. As I recall, he said:

Those men who make peaceful revolution impossible make violent revolution inevitable.

Mr. President, it is our responsibility to see that that does not happen.

Mr. MONDALE. Mr. President, there is little that I can add to the eloquent and compelling statement of the Senator from Indiana. I think that Jackson State is an American Mylai. It is almost impossible to re-create the circumstances that existed at Jackson, Miss., at the time these innocent youngsters were killed and wounded.

Those of us who visited Jackson State yesterday joined together in a letter to Attorney General Mitchell urging him to convene a Federal grand jury to determine whether there has been a violation of Federal law, and to bring to trial those who were responsible for the deaths of James Green and Philip Getz, the wounding of nine others, and the assault on the entire group standing before Alexander Hall, a women's dormitory at Jackson State.

Mr. President, the destruction at Jackson State College is indescribable. At least 70 State and local officers accompanied by an armored truck which they called a Thompson tank, came down Lynch Street, and first stopped in front of the boys' dormitory, which is about 2½ blocks away. It took us approximately 5 minutes to walk from Alexander Hall to the boys' dormitory

the students out. There was an exchange of rocks back and forth.

We had no evidence of this. It was almost as if those police marched up that street and decided that they were going to wipe out that dormitory. What the reaction was, I do not know, because we cannot bring those kids back to life. But, if we can do something to turn around this feeling of hate, this attitude which seems to permeate our society in so many places today, we have the responsibility to do everything in our power to accomplish that.

Mr. MONDALE. Mr. President (Mr. HART), I am glad that the Senator from Indiana made that point. There has been talk by high officialdom that there was great provocation, snipers, and violence. First of all, I do not think there was anything to justify any of that. What existed was the smallest amount of minor problems that could in no logical way, under any circumstances, justify the use of firepower.

As Roy Wilkins put it, "a rock is not a bullet." Then, of course, it follows, by this fact, which the Senator from Indiana pointed out, that when the local and State officials finished firing, the students were lying all over the lawn, bleeding and crying out for help, but the local law enforcement officers spent their time picking up used cartridges and left. Maybe they called an ambulance, but there was not one attempt—unless the students forgot everything they saw, and all our witnesses had been there—there was not one attempt on the scene by those who did the shooting to help any of them.

Mr. President, what are our kids to conclude from that?

I invite the attention of the Senator from Ohio to an interesting article in this issue's Time magazine, which I ask unanimous consent to have printed in the RECORD.

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

HOW TO KEEP ORDER WITHOUT KILLING

Four at Kent State. Then six in Augusta Ga. and two in Jackson, Miss. All dead because of the indiscriminate—and unnecessary—use of mass firepower by armed officers and troops trying to control destructive, or disorderly crowds. In each case a basic tenet of all enforcement agencies was violated: apply the minimum amount of force required to accomplish the objective. In an age of mounting civil dissent, many more such situations seem inevitable, raising the question: How can mobs be controlled without killing anyone?

The avoidance of death in most cases is simple: hold fire. Except to stop snipers, shooting to kill can rarely be justified. Even then, the Army, National Guard units and police departments instruct their men to first locate the source of the sniper fire, and to return it only by the pinpoint, one-shot-at-a-time marksmanship of a trained rifleman. Laying down a fusillade, Army military police are told, "accomplishes nothing constructive and creates hostility among innocent bystanders," even if none are wounded or killed. A sniper can often be silenced by surrounding his position and forcing him out with tear gas.

One of the clearest general guides to handling civil disorders is that of the U.S. Army. It places "full firepower" at the end of six

escalating levels of force to be employed in riot situations—and then only when failure to use it would lead to the "imminent overthrow of the Government, continued mass casualties, or similar grievous conditions." The first need, the Army emphasizes, is to present a strong "show of force." By that is meant the presence of enough soldiers to convince a crowd that it can be overpowered. Even then, progressive steps for displaying force are urged. They range from keeping rifles in their slings, to fixing sheathed bayonets, then removing the sheaths, to finally placing one round of ammunition in the chambers of the rifles.

The next level of force includes various riot formations, a general principle of which is to always leave a mob a clear exit as troops advance to clear an area. New York City's Tactical Patrol Force has effectively used wedge formations in which officers advance to divide a crowd with nightsticks held low.

SHOOT TO WOUND

The U.S. Army advises use of fire hoses as a next step, if needed. Tear gas, now widely used as almost the first step by many agencies, is considered a fourth-level tactic by the Army. After that comes the use of fire by selected marksmen, shooting at well-defined targets, and finally volley fire. Even then, such fire should be aimed low to wound, rather than to kill.

After the race riots of 1967, the National Advisory Commission on Civil Disorders urged that a crash program of research be undertaken by the Federal Government to develop nonlethal weapons, which could more effectively bridge the gap between a strong show of force and the use of guns. It cited as one approach the practice of arming some Hong Kong police with guns that fire wooden pegs. Other possibilities would be the use of tranquilizer darts and the spraying of slippery foam. Nothing much has come of such research; yet the need for something more effective than tear gas and less deadly than bullets is increasingly an urgent necessity. Meanwhile, what seems to be needed most is better training, especially for young National Guardsmen, and more discipline among all lawmen who must contend with frightening and maddening confrontations in streets and on campuses. Many lives could be saved if armed officers were to follow conscientiously the general principles outlined in a booklet all Ohio National Guardsmen are expected to carry in their pockets when on riot duty: "The keynote of all operations aimed at the curtailment of civil disorder is *restraint*," it says. "The well-trained, disciplined soldier is capable of dealing successfully with civil disorder if he and his leaders use sound common sense."

Mr. MONDALE. Mr. President, the article states in part:

Army, National Guard units and police departments instruct their men to first locate the source of the sniper fire, and to return it only by the pinpoint, one-shot-at-a-time marksmanship of a trained rifleman. Laying down a fusillade, Army military police are told, "accomplishes nothing constructive and creates hostility among innocent bystanders," even if none are wounded or killed.

The Army has a detailed list of precautions and steps to be taken to put down violence where violence exists. I do not believe there was any at Jackson State, but even if there were, where violence exists, there are a series of escalated ways the Armed Forces can move in, specific ways directed at a sniper by a skilled marksman, in self defense, to act against an identified sniper.

Mr. SAXBE. Mr. President, as a former Attorney General I am sure that the Senator fought against what we call the

warning shot. He knows the tragedies that result. A trooper takes after a speeder. The speeder attempts to escape—this was not uncommon years ago—and the trooper fires a warning shot. A policeman down the road observes a car being fired upon and he decides it must be a bank robber, an escaped murderer, or something, and the pursuit is taken up. Before long, shooting breaks out every place by everyone that can get hold of a gun. This way, speeders have been killed by people who observed the warning shot, thinking it was in pursuit of a felon.

As the Senator knows, that often happened.

At Kent State, the guardsmen had come from a truck strike, and they were edgy. Does the Senator say there was malice afthought in the Jackson State incident?

Mr. MONDALE. I was not there. I have recited the evidence that we had—permit me to say that what the students said—I asked several of them, "What do you think the circumstances were?" and they said, "They were out to massacre us."

Maybe that is wrong. But the point of it is that there are hundreds of black students there who think the local authorities were out to get them, to take their lives. The behavior of the local authorities is unprecedented and indefensible, the way they fired upon innocent people in a girls' dormitory, the way they refused to help the sick and the dying, and the repeated use of "nigger" and other kinds of hostile comments by the authorities. That was testified to by the students. I believe this fits into the context of the death which occurred previously at the same college, under the same circumstances. It has opened up a tremendous sense of discrimination, hatred, and hostility that I think is so bad as to be obscene and unspeakable. I think it goes substantially beyond just a question of green troops.

Mr. TYDINGS. Mr. President, I should like to commend the Senator from Minnesota and the Senator from Indiana for bringing this one aspect of the facts of the tragedy at Jackson State to the attention of the Senate. I certainly respond in the same way that the Senator from Minnesota has outlined.

Mr. President, I would hope that the Attorney General of the United States would convene a Federal grand jury and make an inquiry into the events of the Jackson, Miss., tragedy.

I think this is one thing which this country has got to demand—equal justice under the law in all parts and all areas of the Nation.

Mr. President, I would be happy to join with the Senator from Minnesota and others in such a request to the Attorney General of the United States. I think that at the very least we need a complete inquiry. And if there has been criminal conduct involved, proper charges should be brought.

I think that the basic liberties of this country demand no less.

I am happy that I had the opportunity to listen to such a graphic and yet constrained description from the Senator

from Minnesota and the Senator from Indiana.

I commend them both for the efforts that they took to make the personal surveillance, inquiry, and investigation into this tragedy.

Mr. MONDALE. Mr. President, I thank the Senator from Maryland. His statement is what we have come to expect of his characteristic sense of fairness and justice in these matters.

Mr. BAYH. Mr. President, I will not belabor the point to any great length. But I think it is important that we address ourselves to the relevant fact, and that is where do we go from here.

The Senator from Minnesota and I, as well as others who were present on the scene yesterday, are glad to be joined by the Senator from Maryland in the letter to the Attorney General of the United States asking him in the strongest terms to call a Federal jury.

I think it is important not only to find out who is responsible for the blatant misuse of authority, but also to take the steps necessary to let the students at Jackson State and black citizens all over the country know that this Nation is concerned that this type of thing can happen and will use all of the vehicles of our governmental system to see that those who perpetrated such a miscarriage of justice be brought before the bar of justice and punished accordingly.

Mr. President, it goes back to what I said earlier, that it is not confined solely to Jackson, but is also confined to all communities in this country. We have to let everyone know that we will keep the system open and see that those who are aggrieved can find justice and address their grievances through the system, and that they do not have to resort to revolution and violence.

The system can and will respond. That is why we went to Jackson.

Mr. MONDALE. Mr. President, I thank the Senator.

In our letter to the Attorney General, we point out that in this audience of some 100 students, most of whom had been on the scene at the time of the shooting, only one in the entire audience had been questioned by local authorities.

That one had been wounded in front of the girls' dormitory. He pointed out that he had not even been asked to identify, if he could, who it was that had been shooting at him.

We think it is perfectly clear that the local authorities have no intention of doing anything about the Jackson State massacre and that the only hope is for the Federal Government to use its legal authority to convene a Federal grand jury and thoroughly investigate the matter and determine who was responsible and issue an appropriate indictment.

If this is not done, it seems to me, as we have pointed out, that to fail to do so would encourage the committal of further atrocities and the black people in that area would despair of working within a system that looks the other way while their children are slaughtered.

Mr. President, as we finished today surveying the scene and listening to witnesses, an elderly black lady came up to me.

She said:

You know, Senator, in one sense we have seen this many times before around here—black people being killed at the college and elsewhere. But, you know, they have never shot at a girls' dormitory before.

If anyone thinks that we are progressing as a society, perhaps that is one thing he ought to think about.

Mr. President, I ask unanimous consent that our letter to the Attorney General of this date may be printed at this point in the RECORD.

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

MAY 21, 1970.

DEAR MR. MITCHELL: We urge you in the strongest possible terms to convene a Federal Grand Jury in Jackson, Mississippi, to determine whether the killing of innocent people at Jackson State University constituted a violation of federal law.

We were summoned to Jackson on May 20 by state civil rights leaders as an ad hoc committee of inquiry to view the scene of the killings and to hear the testimony of student witnesses and state and local officials.

After inspecting the bullet riddled men's and women's dormitories, the committee members assembled in the Lynch Street Masonic Temple where we listened to testimony with an audience of some 200 students and townspeople. City and state officials who had been sent invitations to participate were not in evidence.

Our investigation revealed the following:

While there was some name-calling by the students there was no evidence of greater provocation than the throwing of one dustpan and of one bottle or small brick. There was no testimony or evidence of sniper fire, as alleged. Every person we talked to on the campus and during the hearing, including campus security guard M. L. Stringer, said they heard no sniper fire. In our opinion the shooting was essentially without provocation.

About 75 state and local police, accompanied by an armored truck, arrived on the scene while firemen were extinguishing a burning dump truck in a field opposite the men's dormitory. The fire had been set, presumably by students, after a rumor spread through the campus that Charles Evers had been murdered. Firemen had withdrawn from the scene when police massed in front of the men's dormitory. There was some name-calling and a dustpan was thrown from an upper story window. Several officers moved to the east side of the building and fired through the upper story windows. No one was wounded at this point.

Police then moved easterly up Lynch Street and massed in front of Alexander Hall. A large number of boys and girls were standing in front of the hall between the street and the building. There was more name-calling. A bottle or small rock was thrown into the street. An officer was seen to raise a bullhorn to his mouth, but no one heard him speak. The crowd grew quiet and then, without warning, there was a volley of automatic weapons fire and shotgun blasts lasting from 30 seconds to one minute. The police fired directly into the crowd and through every window in the five story west wing of Alexander Hall facing the street. About 20 shots were also fired through windows in the middle wing. Pockmarks on a cement wall about 30 feet from the north curb of the street opposite the dormitory indicate some police turned and fired automatic weapons in that direction. This is where the body of James Earl Green was later found.

The interior of the west wing was a shambles, with broken glass everywhere, with blood all over the ground floor entrance where the wounded sought shelter, and with bullet holes through the interior cement

block walls. It was a deadly fusillade and it is a miracle more people weren't killed.

After the shooting the police busied themselves picking up spent shell casings while the wounded cried for help. We found no indication the police attempted to help the wounded beyond summoning ambulances with the words, "we shot some niggers."

The police made no attempt to disperse the students before firing on them. They gave no order to disperse. They fired no overhead warning shots. They did not use tear gas. They fired directly into the crowd and into the front of the women's dormitory without warning. They made no effort to aid the wounded afterward. In short, the act had all the characteristics of a mass lynching.

The statement you made in Cleveland, Mississippi, about violent demonstrations and repressive reactions could not have been construed to apply here since—and we cannot emphasize the point strongly enough—there was no provocation to warrant the bloodbath that took place. The claim of self-defense is absurd considering this was a women's dormitory that was stormed.

It is also revealing that of the approximately 100 students at our hearing, only one had been questioned by representatives of local or state police agencies. This was one of those wounded in front of Alexander Hall. He reported two Jackson police officials questioned him for about 45 minutes after the shooting and never once asked him if he could identify the man who shot him, although he told the hearing panel he thought he could do so.

It is perfectly clear, Mr. Mitchell, that neither state nor local officials have any intention of doing anything about the Jackson State massacre. If you don't do anything, then nothing will be done. We assert here that the moral responsibility for any consequences resulting from your failure to act will rest squarely on your shoulders. We can foresee two possible consequences: One, that the state and local police will be positively encouraged to commit further atrocities and, two, that the Black people will despair of working within a system that looks the other way while their children are slaughtered.

The Black people of Jackson and the students at Jackson State University have displayed remarkable restraint so far. That restraint is a gesture of good faith that can be abused only at great peril.

So we ask you, Mr. Mitchell, to act now by convening a Federal Grand Jury to investigate this tragic episode and to bring to trial those responsible for the deaths of James Green and Phillip Gibbs, the wounding of nine others and the assault on the entire group standing before Alexander Hall.

Sincerely,

Senator BIRCH BAYH,
Senator WALTER F. MONDALE,
Congressman WILLIAM CLAY,
Congressman DON EDWARDS,
Mr. CLIFFORD ALEXANDER, JR.,
Mr. JOSEPH L. RAUH, JR.,
Mr. ROY WILKINS.

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

The Senate continued with the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

Mr. COOPER. Mr. President, I move to amend section 47 of H.R. 15628, the Military Sales Act, as follows:

Beginning on page 4, line 24, strike all to the end, including line 6, page 5, and insert in lieu thereof the following:

SEC. 47. Limitations on U.S. Involvement in Cambodia: In concert with the declared objectives of the President of the United States to avoid the involvement of the