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(5) No State may enforce a literacy test with respect to a registrant who has completed the 6th grade in a non-English-speaking school;

(6) Criminal penalties of 5 years in jail or a \$5,000 fine, or both, can be imposed upon anyone convicted of depriving, attempting to deprive, or conspiring to deprive any person of his voting rights on account of race or for destroying, defacing, mutilating, or altering ballots or official records; and

(7) The Attorney General is empowered to bring a suit for an injunction when he has reasonable grounds to believe that any person is about to engage in any act prohibited by the Voting Rights Act.

Do not the remaining 17 sections of the act, not counting sections 4 and 5, give adequate redress to any citizen?

Mr. ERVIN. They certainly do, in an overwhelming manner. The brethren who advocate sections 4 and 5, however, do not think that people who reside in Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Louisiana should be accorded a judicial trial before they are condemned by law, so they want Congress to do the condemning and deny them any adequate way to ever recover from the condemnation insofar as obtaining a right to exercise their constitutional authority again is concerned.

Mr. ALLEN. I thank the Senator.

Is it not true that the provisions of sections 4 and 5 provide an automatic triggering device aimed at certain States?

Mr. ERVIN. Aimed at certain States which were carefully selected first, and then the triggering device was carefully devised so as to condemn those States and no others.

Mr. ALLEN. The target was arrived at first, and then the means of hitting that target devised?

Mr. ERVIN. I said in a colloquy with the Senator from Michigan that President Johnson, who was from the State of Texas, suggested this law, and that the law was administered, under the supervision of President Johnson, by Mr. Ramsey Clark, another Texan. The law was so phrased as to condemn Louisiana although the record of the State of Louisiana was far superior with respect to voter registration and voting than the record of Texas. It was also designed to condemn 39 counties in the State of North Carolina, when the record of registration and voting in those 39 counties was far higher than it was in the counties of Texas. The President and the Attorney General did not want to condemn Texas.

Mr. ALLEN. They did that by coupling with the 50-percent requirement the fact that a State must also have a test or device which allegedly abridged or denied the right to vote.

Mr. ERVIN. That is true. That was done because Texas has no such literacy test. I guess they figured all Texans were smart enough to vote even though they were not able to read or write. I have heard a lot of wonderful things about Texans.

Mr. ALLEN. I ask the Senator whether it is fair and equitable to provide that in States with more than 50 percent registered or voting in the 1964 election, the

counties with fewer than 50 percent would be subject to the provisions of the law; whereas if a State had less than 50 percent voting and some of the counties had more than 50 percent, yet the law applied to those counties that had the 50 percent of qualified voters?

Mr. ERVIN. I think the opinion of the Senator from Alabama coincides exactly with that of the Senator from North Carolina on that question.

Mr. ALLEN. On the 50-percent requirement, was any basis established that had a bearing on whether there was any discrimination against minority races? Would it have been possible for a State to remain outside the provisions of the law if all 50 percent of the participating voters were white and not a single colored person was registered in the State?

Mr. ERVIN. There is no question about that. To reverse the answer to the question, if a State had a population of 40 percent black and 60 percent white, and all 40 percent of the blacks were registered and all 40 percent of the blacks went out and voted and only 9 percent of the whites voted, that would show that that State was discriminating against black people.

Mr. ALLEN. In other words, if all of the voting-age population who were colored were registered and did vote, if it fell below the 50 percent then the act would apply?

Mr. ERVIN. That is right. To show how foolish the act is, applying it to Guilford County, N.C., under the triggering device, Guilford County has been held to have discriminated in registering and voting notwithstanding the fact that it is represented by a black man in the State legislature, notwithstanding that the courts are presided over by a black woman judge, and not withstanding the fact that at least two members of the city council of the county seat of that county are black men.

Mr. ALLEN. I should like to ask the distinguished Senator from North Carolina, also, if he thinks it is fair in the year 1970 to apply as a criterion for action at this time, conditions which existed in respect to States in November 1964.

Mr. ERVIN. That question answers itself. In my judgment, that requirement is an affront, an insult, to justice.

Mr. ALLEN. I certainly agree with the distinguished Senator. I thank him for the information he has given.

Mr. ERVIN. I thank the distinguished Senator from Alabama.

Mr. President, I yield the floor.

ORDER FOR RECOGNITION OF SENATOR EAGLETON TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, following the address of the able Senator from Arkansas (Mr. McCLELLAN) tomorrow, and prior to the period for the transaction of routine morning business, the distinguished Senator from Missouri (Mr. EAGLETON) who now so graciously, ably, and skillfully presides over the Senate, be recognized for not to exceed 15 minutes.

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

APPEARANCE OF SENATORS RIBICOFF, TALMADGE, AND MONDALE ON NBC'S "MEET THE PRESS"

Mr. BYRD of West Virginia. Mr. President, yesterday there appeared as guests on NBC's "Meet the Press" the Senator from Connecticut (Mr. RIBICOFF), the Senator from Georgia (Mr. TALMADGE), and the Senator from Minnesota (Mr. MONDALE). The moderator was Lawrence E. Spivak, and the panel consisted of Haynes Johnson of the Washington Post, Claude Sitton of the Raleigh News & Observer, Jonathan Spivak of the Wall Street Journal, and Ron Nessen of NBC News.

The three Senators presented varying views on the problem of school integration. It was a very enlightening and interesting program. Therefore, I ask unanimous consent to have printed in the RECORD the transcript of NBC's radio and television program entitled "Meet the Press" of yesterday, March 1, 1970.

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

MEET THE PRESS

Produced by Lawrence E. Spivak, Sunday, March 1, 1970.

Guests: Senator Abraham A. Ribicoff, Democrat, of Connecticut; Senator Herman E. Talmadge, Democrat, of Georgia; Senator Walter F. Mondale, Democrat, of Minnesota. Moderator: Lawrence E. Spivak.

Panel: Haynes Johnson, Washington Post; Claude Sitton, Raleigh News and Observer; Jonathan Spivak, Wall Street Journal; Ron Nassen, NBC News.

Mr. SPIVAK. Our guests today on "Meet the Press" are three Senators who represent varying views on the problem of school segregation: Senator Abraham A. Ribicoff of Connecticut, Senator Herman E. Talmadge of Georgia, and Senator Walter F. Mondale of Minnesota.

Senator Ribicoff's support of the Stennis Amendment has stirred up a new nationwide controversy on segregation in our schools. The amendment calls upon the Federal Government to deal uniformly with public school segregation in all regions of the country regardless of the origin or cause of such segregation.

I'd like to start the questioning now with Senator Ribicoff. Senator Ribicoff, there has been considerable confusion over what the Stennis Amendment would accomplish. Now, in the light of yesterday's Senate vote, what do you think it will accomplish? What does it really mean?

Senator RIBICOFF. Well, it means that in establishing guidelines under Title 6, that HEW will treat both the North and the South the same way under de jure and de facto segregation.

Mr. SPIVAK. Do you expect that is going to be voted finally.

Senator RIBICOFF. I hope so, Larry.

Mr. SPIVAK. Senator Talmadge, you voted for the Stennis Amendment and I assume you are enthusiastically for it.

What do you think it means now? Would it speed school integration in the north or will it slow it down in the south?

Senator TALMADGE. That remains to be seen. I think largely it is psychological. It is the first time the Senate has, by affirmative vote, since I have been a member of the body, some

13 years, agreed that the south ought to be readmitted to the Union and that all laws ought to apply the same throughout the nation.

Mr. SPIVAK. Do you expect it will speed desegregation in the South?

Senator TALMADGE. I don't know what action they will take in the Department of HEW and in the federal courts, but I do know that all laws, whatever they are, all rules, all regulations, whatever they are, ought to be applied uniformly in all fifty states.

Mr. SPIVAK. Senator Mondale, you voted against the Stennis Amendment. What do you think it has accomplished? What do you think it means?

Senator MONDALE. I don't believe the Senate Amendment does a thing about race isolation, so-called de facto isolation. I think it is designed solely to slow down and impair the activities of the HEW and other governmental agencies to require school districts to obey the law of the land which prohibits official discrimination. Also, I believe symbolically along with other recent actions, it raises serious doubts as to whether this nation any longer truly believes in an integrated society, is truly committed to a society in which race is irrelevant. If that is its true significance, if that is the direction in which we are going, I think we are going to be a very sick society indeed.

Mr. NESSEN. Senator Ribicoff, ten days ago the Senate approved the Stennis amendment. You voted for it and a lot of people said this meant the end of 16 years of trying to integrate Southern schools. Then yesterday the Senate turned around and in effect nullified any bussing and freedom of choice amendments and you voted to nullify them.

What happened in 10 days? Why did the Senate turn around in ten days?

Senator RIBICOFF. They haven't turned around at all, sir. It shows how consistent the Senate really is. The Senate, by its vote yesterday, indicated that it supports the Supreme Court and is for desegregation. This was the significance of the vote yesterday, and I am for that, too, and always have been. But ten days ago when we voted for the Stennis amendment, the Senate in its wisdom—and I think it was wise—said as a policy "If you are going to have desegregation, it should be equal desegregation, North and South, all over the nation, to treat all the states the same, irrespective if the segregation was due to de facto or de jure causes.

Mr. NESSEN. Well, Senator Talmadge says the effect of the Stennis amendment is psychological. Isn't that true, isn't it encouraging the South to resist? Some judges in fact have already thrown out integration plans since the Stennis amendment was passed.

Senator RIBICOFF. I am not aware of what you say, and I don't think that is the reason at all. The purpose of the Stennis amendment as I personally see it, in my motive is to make sure that we have a national policy consistent with the national problem, and we will never solve the national problem and have the national policy until Northern whites realize that they have to move away from their hypocrisy and recognize that they just can't sock it to the South, because they must take action themselves in the North to eliminate de facto segregation which in many instances is worse than it is in the South.

Mr. SITTON. Senator Talmadge, specifically what steps would you advocate that the federal government take to implement the Stennis policy of desegregation North and South?

Senator TALMADGE. I think ultimately we are going to have to resolve the situation in accordance with the Constitution and the Act of Congress, the Civil Rights Act of 1964. The 14th Amendment and the Brown deci-

sion so held in 1954 that we can no longer classify children by race in our school system.

Now, the 1964 Civil Rights Act also implemented that, and they held that you cannot assign or bus students back and forth to achieve a racial balance. I think the court is going to have to say and this country is going to have to say that schools shall be open to all, regardless of race, creed or color, that anyone can go to any school he sees fit. In effect have freedom of choice just as the same as we have in our living conditions, our working conditions and every other area of human activity.

Mr. SITTON. Then would you vote money for a national effort to eliminate all segregation, North and South?

Senator TALMADGE. Well, we have eliminated all segregation North and South, first by the Brown decision in 1954 and also by the Civil Rights Act of 1964. But when you eliminate segregation then where are you? Are you going to run out and run down people and drag them into schools where they don't want to attend and do the same for teachers, and if you are going to adopt that policy, are you going to make it universal about neighborhoods, working conditions and otherwise? I don't think you can have a police state, and that is what would be required to achieve it.

Mr. J. SPIVAK. You proposed establishing a committee to examine the problems of segregation in the North and in the West.

What would we learn as another study of this that we don't know now?

Senator MONDALE. This committee which has now been established and which I will chair, is the first serious study perhaps in the history of the Congress. We don't really know what to do with what is called de facto segregation. This was segregation which does not arise from official policy, school board discrimination and the rest, but because of residential living patterns. What is racial imbalance? What should be done to deal with it? Busing, fair housing enforcement, the construction of new schools and their location. The redesign of school boundaries and the whole question of quality compensatory education as it collides with the issue of racial isolation.

I think this host of issues comprises the most important and the most explosive issue affecting the health of our nation and it is one which I hope the Senate and the Congress can grapple with.

Mr. J. SPIVAK. What steps at this point seem most fruitful to you to deal with the problems in the North and the West?

Senator MONDALE. Let me say there, one thing we should not do is to delay the enforcement of the orders of the Supreme Court and that is why I opposed the Stennis Amendment. There are nearly two million black children as of the fall of 1968 attending all black schools in the 17 southern and border states. De jure segregation is very much a fact of life in the South and in some other areas in the North as well, and I strenuously object to abandoning this objective of a uniform national policy of elimination of de jure segregation.

Secondly, we must sort out the facts on de facto segregation, which is not illegal, but undesirable, and find out how we might best achieve an integrated society, how we might best achieve good education because at the same time these children are being separated they are being desperately denied in terms of a decent education and these are the kinds of issues I hope we can grapple with.

Mr. JOHNSON. Senator Ribicoff, given the attitudes in this country both black and white, separatism, decreasing polarization, there are some who say that really integration really isn't realistic any more. Do you believe that? As a goal.

Senator RIBICOFF. As a goal, it is realistic, but you have to take every community by itself. It is not realistic in the city of Washington where 94 per cent of the students are black. No matter what you do, you can't take 94 and 6 and make it fifty-fifty.

In the City of Chicago, where you have 30 square miles of blacks, it isn't realistic in Chicago, but it is realistic in many sections of the country and that is what we have to address ourselves to. Where it isn't realistic, we must make sure that we have quality education for black schools as well as white.

Mr. JOHNSON. When you say "quality education," you don't mean the separate but equal system we had under segregation?

Senator RIBICOFF. I don't mean that, but I want as good a school as I can find every place, whether they are segregated or desegregated, and we have a society, unfortunately, that is segregated and as long as you have a segregated society, you are going to have segregated schools and I think the most unfortunate thing in America is to try to solve all our problems on the backs of children.

Mr. NESSEN. Senator Talmadge, there is a lot of confusion about President Nixon's position in this debate over bussing, freedom of choice, integration.

As a Southerner, what do you think his position is? Is he for you or "agin' you?

Senator TALMADGE. I don't know. I wish I did know. Once he makes up his mind, I hope he and Secretary Finch will be on the same side.

Mr. SITTON. Senator Mondale, let's go back to this question of origin. Why is origin so important? Shouldn't the goal be to eliminate these inequities wherever they exist, North and South; de facto, de jure; what-have-you?

Senator MONDALE. Yes, I agree with that, but as a matter of fact, the United States Supreme Court, for 16 years has declared it to be a violation of the Constitution of the United States to officially sort children out. That is a matter of school board policy, and send the black children to one school and the white children to another. This is still very much a fact of life in any number of school districts and affects nearly two million black children in this country.

That must be eliminated, in my opinion, and the distinction between de jure segregation, which is a violation of the law of the United States, and de facto segregation, which is perfectly legal, but in my opinion undesirable, is one that must be kept in mind because it affects the enforcement policies of our courts and of the administration and it affects the way in which we will deal with de facto segregation as well.

Mr. SITTON. All right, specifically what should the Federal Government do to eliminate de facto segregation in the North and in the South? De facto exists in the South too.

Senator MONDALE. Absolutely, and I am glad you made that point because I think if we can eliminate official discrimination we will still be left with a national pattern, an increasing pattern of racial isolation. I will be frank to admit I don't know the answers. I will be frank to admit that I think the Congress and the North and the Executive have been very negligent in this field.

I have indicated, in response to an earlier question, some of the types of answers that might be applied.

I think they will vary district by district and it is the hope of this equal-educational committee to focus on this in the most searching terms, not only with hearings in Washington, but with field trips to see if we can't come up with a national policy which will deal with the disgrace of racial isolation in the North and elsewhere, as well as the problems of official discrimination found principally in the South.

Mr. J. SPIVAK. Senator Ribicoff, in your speech in which you supported the Stennis amendment, you suggested the solution to the problem of segregation in the central cities lay in the suburbs.

Senator RIBICOFF. That is correct.

Mr. J. SPIVAK. What steps can realistically be taken in the North and in the West to integrate city and suburban schools?

Senator RIBICOFF. First, there is an obligation of private industry that when it moves into the suburbs it assures that housing is available for its black employees. Eighty per cent of the jobs created in the last two decades have been in the suburbs.

Secondly, no federal installation should be built in any section of our country unless there is an assurance that black employees have housing.

Thirdly, the Federal Government should give special aid and assistance to those suburbs who are willing and make it possible for blacks to live in these particular areas. This is very important; to give them assistance for additional schools, additional recreational facilities, and additional health facilities. This becomes very important.

Mr. J. SPIVAK. Would you favor the Federal Government or the states taking steps to combine metropolitan school districts merging city districts and suburban districts?

Senator RIBICOFF. No, I think physically that is almost impossible to do because I don't think the Federal Government has authority to tell the states how to combine their communities. But it becomes absolutely essential for the Federal Government to encourage, and private industry to encourage, the suburbs to open up its doors for blacks.

Mr. JOHNSON. Senator Talmadge, as a southerner and as a Democrat, how would you assess President Nixon's political prospects in the South today, given the strategy that some say he is employing to get the South on his side, by placating conservatives and the rest?

Senator TALMADGE. I think it is too early to tell. I think by and large most southerners think to date the President has done a fair job, but he doesn't seek re-election now for two years. No one can foretell what will happen at that time.

Mr. JOHNSON. How about Governor Wallace?

Senator TALMADGE. Well, Governor Wallace carried five southern states two years ago and my judgment is he probably would carry that many or more today.

Mr. NESSEN. Senator Mondale, are the parents of your state of Minnesota willing to have their children bused to achieve racial balance, and, if not, then why do you ask the South to do that?

Senator MONDALE. Well, first of all, the busing issue in official segregated schools is a red herring in my opinion. They are the granddaddy busers of all. There is more busing going on earlier in order to sort children out and distribute them to colored schools and to white schools than would be the case if they did it on the basis of geography.

The citizens of my community of Minneapolis and St. Paul have proven time and time again that they are willing to accept a series of changes to deal with racial imbalance in our schools. I am proud to report that we don't have a single all-black school. Most of our black children in Minnesota go to schools which are predominantly white and I am proud to say that Minnesota is one of those states that still believes that we can't have a healthy America unless we live together.

Mr. NESSEN. But more generally speaking, hasn't the experience of the past 16 years with whites fleeing to the suburbs basically been that most white parents do not want their children to go to school with black children all over, North, South and West?

Senator MONDALE. If I were to say that integration doesn't have problems, I would obviously be misleading you. I will say that there has been far more success in integrated schools than has been reported. Hundreds of thousands of black children are going to school with white children and it is working out very successfully. The whites are doing as well as ever and the blacks are doing far better, and they are learning to get along with each other.

There are still problems with integration, but if you want to have real problems, abandon this objective of a united society. Start separating us out on race, and then you will really start having problems in this country.

Mr. SUTTON. Senator Ribicoff, just one question: President Nixon's counsel, Pat Moynihan, says that the time has come when the racial issue would benefit from the benign neglect. Do you agree with that?

Senator RIBICOFF. I don't know what benign neglect means, but I would say Pat Moynihan is one of the most knowledgeable, sophisticated and realistic men in this country when it comes to the problem of dealing with our cities and race and everything that Pat Moynihan has to say I listen to with great interest.

Mr. J. SPIVAK. Senator Talmadge, in response to an earlier question, you said the job of ending segregation in the South and in the North is over, yet the most recent statistics from the Federal Government for the 1968 school year indicate that over eighty percent of the Negro school children in the south will go to all-Negro—predominantly Negro—schools.

Is that enough to say that the job is over at this point?

Senator TALMADGE. It is true all over the United States. The most segregated school system in America here is in Washington, D.C., where it is less than one percent.

In Los Angeles, California, 60.7 percent of all schools are racially segregated. Chicago, Illinois, 64.3 percent. Gary, Indiana, 55.6. Baltimore, Maryland, 53.9. Cleveland, Ohio, 63.9. Dayton, Ohio, 50.7. Philadelphia, Pennsylvania, 31.3. Milwaukee, Wisconsin, 50.3.

Mr. J. SPIVAK. Do those figures indicate the job is completed though in this country of ending segregation?

Senator TALMADGE. Well, I don't know how you can ever get a mathematically perfect ratio in your school system. I don't think you can, any more than you can get a mathematically perfect ratio in jobs, housing patterns, living conditions, cocktail parties, social functions. I don't think it is feasible.

What the 14th Amendment prohibits is discrimination, and once you outlaw discrimination, then the citizens generally can work out their arrangements to suit themselves and I think they will, but I think it would be wrong to send out the Army or the National Guard or the Police Department to reassign students in living areas and school conditions according to some mathematical ratio.

Mr. L. SPIVAK. Gentlemen, we have only four minutes.

Mr. JOHNSON. Senator Mondale, President Nixon pronounced his theme of bringing this country together and it is obvious, even from what we have been hearing on this program, we are not together racially in this country yet. What do you think the President should do that he hasn't done?

Senator MONDALE. Well, first of all I think the President should reaffirm this nation's cherished objective of an integrated society and of support of the 14th Amendment. His record in the field of human rights I think has been one of political expediency, which has sacrificed the cause of human rights.

We have seen the head of the Department enforcing civil rights fired for only enforcing the law. We have now had two nominees to

the Supreme Court who are distinguished by their disinterest in human rights. The President is trying to gut the Voting Rights Act. In a series of other efforts it is quite clear that he wants to call a retreat, if not abandon our effort to achieve a society truly committed to human rights. I think it is a tragedy. I think he is tearing us apart, and to add to that, Mr. Agnew, who seems to be able to think of somebody new every night to attack, I think he is doing great damage to this country.

Mr. NESSEN. Senator Ribicoff, let me ask you the same question I asked Senator Mondale. These figures that Senator Talmadge read, and the flight of the whites to the suburbs, doesn't that mean that most white parents all over the country don't want their children to go to school with blacks?

Senator RIBICOFF. That is correct. The pattern in this country is, when the blacks move in, the white move out.

Mr. NESSEN. Can't government do anything about that?

Senator RIBICOFF. No, the government can't do anything, but the government can assist in opening up the suburbs where the jobs are and where the housing, and assist in jobs and housing to allow the blacks to come into the suburbs in proportion of what they are in the population.

Mr. SUTTON. Senator Talmadge, in view of the Senate's action yesterday on bussing, it appears now that some bussing is going to be inevitable. Now here with the South's opposition to bussing, are there other workable means of desegregation you think the South should use?

Senator TALMADGE. I would like to call your attention first to the Civil Rights Act of 1964, two sections, 401(b) and 407(a), that specifically prohibit bussing and assignment to achieve racial balance.

Mr. SUTTON. That is on de facto but not on de jure, Senator.

Senator TALMADGE. We have no such thing as de jure segregation now. We haven't had since 1954. The Supreme Court decision and the Act of Congress in 1964.

Mr. L. SPIVAK. Senator Talmadge, do you think the South could solve its school problem if left alone by the federal government?

Senator TALMADGE. Well, I think in the final analysis all citizens are going to have to solve their problems on the local level. You can outlaw and you can prohibit discrimination, and we have done that. And I think that is as far as you can go without getting into police state tactics, and have an artificial ratio of some kind—

Mr. L. SPIVAK. Senator, do you think you could solve your school problem if left alone?

Senator TALMADGE. I think we are making great progress in that direction at the present time. We are having difficulty with many acts of our federal government. Here is a letter from a woman in La Grange, Georgia. She has six children from seven to 15. They have assigned them to five different schools. That won't solve any school problem.

Mr. J. SPIVAK. Senator Mondale, in your judgment what is the single most important step the Administration could take in the field of civil rights at this juncture?

Senator MONDALE. Well, first of all it seems to me they should start nominating judges to the Supreme Court who are committed to human rights. If the court backs off, the enforcement of human rights laws of this country—and they have often saved us from ourselves—then I think the cause of human rights could easily be lost.

Secondly, it seems to me they must, much more stronger than they have, support a strong Voting Rights Act, a strong series of appropriations and other efforts to bring quality education to the poor, quality housing, quality nutrition and the rest, to the poor of this country.

Mr. L. SPIVAK. I am sorry to interrupt, but our time is up. Thank you, gentlemen, for being with us today on "Meet the Press."

THE RECORD OF THE SENATE FOR 1970

Mr. BYRD of West Virginia. Mr. President, the Senate convened on January 19, 1970, commencing the second session of the 91st Congress.

Through February 28, 1970, the Senate was in session 29 days, including two Saturday sessions, and conducted business as well on Washington's Birthday.

During this period the Senate was doing business for 183 hours, 27 minutes.

During this period the Senate has had 72 record votes on legislation; by comparison it was September 12, 1969, when the 72d record vote was obtained last year.

During this period—that is, thus far during the second session of the 91st Congress—the Senate has passed a total of 88 measures including the following major legislative items:

Controlled Dangerous Substances Act
Organized Crime Control Act.
Dairy products donation.
Egg Products Inspection Act.
Tomato promotion through paid advertising.

Continuing appropriations through February 28, 1970.

Foreign aid appropriations, 1970.
Labor-HEW appropriations, 1970, conference report.

Savings deposit program for certain uniform services members.

Credit unions—Independent agency status.

Federal National Mortgage Association.
Air pollution interstate compact between Ohio and West Virginia.

Newspaper Preservation Act.
Railroad retirement.
Prevent discriminatory State taxation of interstate carriers.

Accessibility of public facilities to physically handicapped.

Urban Mass Transportation Assistance Act.

Foreign service retirement system adjustments.

Legislation to implement the Convention on recognition and enforcement of Foreign Arbitral Awards.

American prisoners of war in Southeast Asia.

Elementary and Secondary Education Amendments.

Temporary emergency assistance to provide nutritious meals to needy children.

Executive Protective Service.
School lunch and Child Nutrition Act Amendments.

Conference report on Medical Libraries Assistance Extension Act.

Conference report on health services for domestic agricultural workers.

Airport and Airways Development Act.
Conference report on Community Mental Health Centers Amendments.

Conference report on public health training.

Intellectual and Industrial Property Conventions.

Labor-HEW appropriations, 1970.

Mr. President, this is a remarkable record, and I think it is indicative of a bipartisan effort on both sides of the aisle to get on with the people's business. I have served in the Senate for 12 years, and I do not recall a year in which the Senate has conducted as much business, proceeded with as many rollcalls, and accomplished as much good as it has in the first two months of the present session. I think this record reflects indeed highly upon the majority leader, the minority leader, the chairman and members of committees and members of both parties who are working together in this body; and it augurs well for the public good. The Senate has been diligent in its business.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. 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. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VOTING RIGHTS ACT AMENDMENTS OF 1969

The Senate continued with the consideration of the bill (H.R. 4249) to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices.

Mr. BYRD of West Virginia. For the information of the Senate, what is the pending question, Mr. President?

The PRESIDING OFFICER. The pending question is on the amendment (No. 519) of the Senator from Pennsylvania (Mr. SCOTT) to H.R. 4249.

Mr. BYRD of West Virginia. I thank the distinguished presiding officer.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, by way of recapitulation of earlier orders, when the Senate completes its business today it will adjourn until 11:30 tomorrow morning. Following the prayer and the disposition of the reading of the Journal tomorrow, there will be a period wherein the able Senator from Arkansas (Mr. McCLELLAN) will be recognized for not to exceed 30 minutes, following which the able Senator from Missouri (Mr. EAGLETON) will be recognized for not to exceed 15 minutes, following which a period for transaction of morning business will ensue, with statements limited to 3 minutes, at the close of which the unfinished business will be laid before the Senate, at which time paragraph 3, on germaneness of rule VIII of the Standing Rules of the Senate, will become operational for the 3 hours subsequent thereto.

DEATH OF REPRESENTATIVE JAMES B. UTT

Mr. MURPHY. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Resolution 859.

The PRESIDING OFFICER laid before the Senate a resolution (H. Res. 859) which was read as follows:

H. Res. 859

Resolved, That the House has heard with profound sorrow of the death of the Honorable James B. Utt, a Representative from the State of California.

Resolved, That a committee of forty-three Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. MURPHY. Mr. President, I offer a resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution offered by the Senator from California will be read.

The resolution (S. Res. 362) was read, considered by unanimous consent, and unanimously agreed to, as follows:

S. Res. 362

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. James B. Utt, late a Representative from the State of California.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now adjourn.

The PRESIDING OFFICER. Under the second resolving clause, the Chair appoints the two Senators from California (Mr. MURPHY and Mr. CRANSTON) as members of the committee to attend the funeral.

Mr. MURPHY. I thank the Chair.

ADJOURNMENT TO 11:30 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, pursuant to the provisions of Senate Resolution 362, as a further mark of respect to the memory of the deceased Hon. JAMES B. UTT, late a Representative from the State of California, and in accordance with the previous order, that the Senate stand in adjournment until 11:30 a.m. tomorrow.

The motion was agreed to; and (at 5:50 p.m.) the Senate adjourned until tomorrow, March 3, 1970, at 11:30 a.m.