FAIR HOUSING

Fair Housing Act of 1967 - (Introduction) - March 22

Hearings on Fair Housing - Aug. 16

Fair Housing and the Location of Jobs - Aug. 29

Open Housing (Statement by George Meany) - Aug. 29

New York Times article by Fred P. Graham - Oct. 24

Progress in Fair Housing - Dec. 15

urbs. Early in 1967, about 60 percent of those unemployed 15 weeks or more were last employed in such jobs.

Despite the sharp employment increase in the ring, most payroll employment remains in the central city in all of the SMSA's studied, except Boston and San Francisco-Oakland. In every case, however, the proportion of employment in the ring has risen, and in most instances, substantially, as the following tabulation indicates:

Standard metropolitan statistical area	Percent of payroll employment outside the city-county [1]	
	1959	1965
Total of 12 SMSA's [2]	23	27
Atlanta	11	13
Boston	59	61
Chicago	10	12
Cleveland	6	7
Dayton	14	14
Detroit	20	26
Indianapolis	9	10
New Orleans	18	22
New York	15	19
Philadelphia	40	45
San Francisco	53	57
Washington	38	46

[1] Excludes Government workers and the self-employed. For definition of central city, see table 3, footnote 1.
[2] Excludes Los Angeles and St Louis.

Source: County Business Patterns (U.S. Bureau of the Census, 1959 and 1965.)

RESIDENTS OF THE CENTRAL CITY

In 1964, of all the working age people in SMSA's who were poor (according to the Social Security Administration Index), half the whites and 80 percent of the nonwhites lived in the central cities.[10] And for every major industry and occupational group, whether involving relatively low-paid business repair services or higher paid professions, median family income in 1964 was lower among city than suburban residents.[11]

The incidence of unemployment and poverty in central cities is greatest among Negroes.[12]

In 1964 (the latest year for which such figures are available), the median income of all nonwhite households in the central cities of SMSA's was $3,656 compared with $6,034 for white central-city households. Even among those who worked full time all year, the median for nonwhite households was $5,292 compared with $7,718 for the whites.[13]

TRANSPORTATION, INCOME, AND JOBS

Getting to a suburban job, therefore, imposes a greater burden on central city residents than is experienced by the suburban commuter to the city. Thus, transportation difficulties particularly affect Negroes, who are frequently confronted with discriminatory housing practices in the ring.

Public transportation to the suburbs is usually expensive, often circuitous, or simply not available. Detailed fare schedules from the American Transit Association show that fares on public transit lines from the central city to the closest suburban area range from 30 cents one way in 1 of the 14 SMSA's studied to 65 cents in another. The distances for which public transportation is provided vary, but it is obvious that a minimum of $3 a week (or almost $15 a month), plus more than an hour a day, including transfers and waiting, would have to be spent by a city resident to work in the suburbs. Furthermore, rush-hour schedules are not usually arranged to speed transit users to the outside in the morning and to the inside in the evening, as is frequently done for commuters in the opposite direction.

TABLE 2.—PERCENT OF NEW PRIVATE NONRESIDENTIAL BUILDING OUTSIDE THE CENTRAL CITIES OF 14 SELECTED SMSA's, 1960–65 AND 1954–65 [1]

Type of new nonresidential building	Percent of valuation of permits authorized for new nonresidential building in—													
	Atlanta	Boston	Chicago	Cleveland	Dayton	Detroit	Indianapolis	Los Angeles	New Orleans	New York	Philadelphia	St. Louis	San Francisco	Washington
	1960–65													
All types [2]	47	64	65	56	62	69	41	59	42	38	65	41	60	74
Business	44	68	64	60	66	69	49	60	49	39	70	39	63	70
Industrial	71	81	77	61	56	70	52	85	58	61	75	67	84	96
Stores and other mercantile buildings	44	74	67	74	78	80	55	63	66	64	75	75	72	91
Office buildings	25	52	58	38	53	55	21	41	10	21	52	32	38	58
Gasoline and service stations	63	91	54	57	98	58	54	60	60	51	66	55	72	76
Community	60	61	64	44	49	71	33	61	37	31	60	37	58	77
Educational	59	63	64	51	28	68	24	61	35	29	67	67	57	57
Hospital and institutional	59	38	56	15	56	61	14	72	44	25	38	35	52	78
Religious	69	92	73	84	56	81	56	69	35	55	77	86	62	86
Amusement	31	59	80	60	99	86	58	35	41	19	59	85	74	96
	1954–65 [3]													
All types [2]	43	68	63	58	(4)	71	44	62	(4)	44	67	(4)	63	64
Business	41	70	61	59	(4)	73	50	63	(4)	44	69	(4)	64	62
Industrial	66	82	73	60	(4)	75	61	86	(4)	75	76	(4)	84	84
Stores and other mercantile buildings	40	74	67	73	(4)	77	52	66	(4)	71	72	(4)	72	89
Office buildings	21	51	39	37	(4)	58	21	41	(4)	18	51	(4)	37	47
Gasoline and service stations	60	82	59	62	(4)	65	56	62	(4)	65	73	(4)	73	81
Community	48	67	66	44	(4)	70	40	63	(4)	38	68	(4)	64	64
Educational	57	72	69	61	(4)	79	46	59	(4)	34	72	(4)	73	57
Hospital and institutional	32	41	58	33	(4)	62	10	70	(4)	32	43	(4)	53	61
Religious	59	86	68	81	(4)	74	59	70	(4)	61	80	(4)	65	75
Amusement	30	64	75	57	(4)	43	52	50	(4)	33	72	(4)	55	95

[1] Data for groups of years are used to avoid erroneous impressions from erratic year-to-year movements in building construction. Data for southern and western SMSA's reflect a more significant degree of annexation and area redefinition and are therefore less reliable than figures for other regions.
[2] Includes types not shown separately and excludes major additions and alterations for which type of building is not known.
[3] Excludes data for 1959, for which comparable information is not available.
[4] Not available.

Source: Unpublished data of the Bureau of the Census, tabulated at the request of the Bureau of Labor Statistics. Based on a sample of over 3,000 permit-issuing places.

There is substantial evidence that central city residents using public transport spend more money and time to reach suburban jobs than those commuting to the city.[14] Those wanting jobs at a substantial distance, or beyond bus or rapid transit lines, pay an especially high price. According to estimates by the Traffic Commission of New York City, it would cost a worker in Harlem $40 a month to commute by public transportation to work in an aircraft plant in Farmingdale (Long Island), in a parts plant in Yonkers or Portchester (Westchester), or in a basic chemical plant or shipyard on Staten Island. The estimate includes $1.50 a week for the New York City subway, $30 a month for a commutation ticket on the Long Island or New Haven railroad, and $3 a week for transportation from the suburban station to the plant. The public transit cost for a Bedford-Stuyvesant resident to work in the same place would be nearly $50 a month.

Persons whose incomes are most limited are most likely to use public transportation to work.[15] Also, public transit usage declines with auto ownership; auto ownership rises with earnings, even in the suburbs.

Most nonwhite families living in central cities do not have an automobile. Fewer than half owned a car in 8 of the 14 central cities in the SMAS's selected for study. The six cities where half or more of the nonwhite families owned a car were all in the Midwest or the West, where median incomes are highest.[16]

Irrespective of earnings, however, central city residents and workers tend to use public transit most. The accompanying chart shows the patterns in six of the SMSA's. This is a reflection of convenience and availability, since a large percentage of workers in SMSA's live and work in the central city. Almost all the rest live in the ring and work either in the ring or in the central city. The smallest proportion usually are those who travel from the city to the suburbs.

An illustration of the effect of convenience and availability is seen in the influence of a rapid transit system, such as a subway or railway, on public transportation use. This is revealed by results of a multiple regression analysis, which introduced seven selected determinants of public transit use in the 14 SMSA's studied. Of the seven variables used (auto ownership, land area, population density, income adjusted for price and city budget differences, sex, color, and whether or not a rapid transit system is available), clearly the most significant and influential was the availability of rapid transit. The seven indicators together explained virtually all of the variability in public transit use for each

notes at end of article.

group of residents for which the regression was run,[17] except for those living and working in the ring. Even for the latter, well over half the variability is explained; availability of rapid transit remains the most influential determinant.

TABLE 3.—PERCENT CHANGE IN PAYROLL EMPLOYMENT IN SELECTED SMSA'S AND IN THEIR RING, BY INDUSTRY GROUP, 1959–65 [1]

Standard metropolitan statistical area	All industries		Manufacturing		Trade				Construction		Transportation and public utilities		Finance, insurance, and real estate		Services	
					Retail		Wholesale									
	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring
Total of 12 SMSA's [2]	12	30	4	15	15	39	8	46	18	31	14	19	14	55	30	55
Atlanta	32	51	21	39	26	58	38	138	67	80	35	130	44	88	37	81
Boston	9	14	−24	−2	14	24	7	37	27	31	−1	18	12	23	32	42
Chicago	10	34	6	27	16	47	9	60	5	6	(3)	11	10	30	24	60
Cleveland	10	36	3	34	14	35	5	9	18	10	16	33	20	29	27	71
Dayton	17	20	10	20	12	8	33	(4)	36	27	23	20	10	11	42	48
Detroit	16	48	11	36	16	57	11	76	14	80	7	67	19	276	34	82
Indianapolis	11	25	10	20	−1	29	14	10	8	8	14	13	14	20	24	52
New Orleans	24	54	26	12	14	77	−1	17	53	151	20	48	18	125	34	73
New York	9	37	1	15	11	40	4	66	4	24	20	19	7	51	26	58
Philadelphia	9	22	1	12	11	37	3	44	8	14	23	4	17	41	28	49
San Francisco	19	27	6	13	25	37	10	29	19	19	12	21	31	35	36	50
Washington	34	61	34	75	28	58	24	57	43	59	10	13	47	106	47	78

[1] Excludes government workers and the self-employed. Employment in the ring is estimated from employment outside of the county in which the central city is located. The central city and county were coterminous in both years in New Orleans, New York, Philadelphia, and Washington. For the following the ratio of the central city to central county employment in 1960 was 107 in San Francisco-Oakland, 89 in Boston, 70 in Indianapolis, 68 in Chicago, 64 in Detroit, 61 in Atlanta, 53 in Cleveland, and 52 in Dayton. Since the central county was used to establish the central city, the figures for the ring underestimate the suburban trend in all central cities which are smaller than the central city-county.

[2] Excludes Los Angeles and St. Louis; for Los Angeles, data for the central city-county do not permit close enough approximation with the city proper, and for St. Louis, data are not yet available for 1965.

[3] Less than 0.5 percent change.

Source: County Business Patterns (U.S. Bureau of the Census, 1959 and 1965).

Dependence on public transit among poor and relatively low-paid workers lends importance to the change in public transit costs as well as the level. Fares for public transportation have risen twice as fast as the cost of buying and operating an automobile since 1957–59. The rate of increase is more than for any other group of commodities or services in the Bureau of Labor Statistics Consumer Price Index, with the exception of medical care, and even exceeded medical care in Atlanta, Boston, Los Angeles, and Philadelphia.[18]

Of all who traveled from home to work in 1960, the smallest journey-to-work group (less than 10 percent of the total) commuted from central city to the suburbs. This percentage is surprisingly small, considering that high unemployment rates and low-income populations are concentrated in the city, whereas employment opportunities are expanding in the outskirts.

Of the men who did travel to the ring in 1960, half were craftsmen or production workers and another 13 percent were in professional or technical work. Of the women, about 1 of 5 were clerical or production workers. These occupational distributions for those traveling to the suburbs are not greatly different from those of the major group, which both lives and works in the central city. The occupational distribution of central city-to-suburb commuters varies most from the suburban residents who commute to the city and who are more likely to be in professional and managerial work. The central city-to-suburb commuters' occupational pattern differs little from those who live and work in the ring. Among the latter, the proportions of men and women are about the same, and, as in all four journey-to-work groups, women tend to be much more concentrated in clerical and service jobs than the men. The men predominate in industrial jobs. They are not more professionally oriented than in the other groups and are less so than among the commuters to the city from the ring.

Even without a detailed occupational classification, it is possible to judge that a great many of those who work in the suburbs (or of those engaged to work in the new job openings there) are paratechnical, subprofessional, clerical, sales, or semiskilled employees in plants, stores, warehouses, hospitals, and the like. These are the kinds of jobs for which the unemployed and underemployed in cities could be hired directly, or trained by employers or the Government with little effort or expense. But these jobs are not accessible or always open to unemployed or underemployed city dwellers, many of whom are Negroes. This significantly limits the contribution expanding job opportunities in the ring could make toward overcoming the competitive disadvantage and unused skill potential of those living in the city.

FOOTNOTES

*Of the Division of Economic Studies, Bureau of Labor Statistics. With the assistance of Laura L. Irwin and Sylvia S. Small.

[1] See "The Economy in 1966," *Monthly Labor Review*, February 1967, p. 5.

[2] "Suburbs" and "ring" are used interchangeably in this article to represent the entire area outside of the central city or cities of the Standard Metropolitan Statistical Area, as defined by the U.S. Bureau of the Budget.

[3] See *Income, Education, and Unemployment in Neighborhoods*, a series of reports on 34 cities by the Bureau of Labor Statistics, based on 1960 Census data for Census tracts (January 1963); "Poverty Areas of Our Major Cities," *Monthly Labor Review*, October 1966, pp. 1105–1110; from the U.S. Bureau of the Census, *Special Census Survey of the South and East Los Angeles Areas: November 1965* (Series P–23, No. 17, Mar. 23, 1966); *Changes in Economic Level in Nine Neighborhoods in Cleveland: 1960 to 1965* (Series P–23, No. 20, Sept. 22, 1966); *Characteristics of Selected Neighborhoods in Cleveland, Ohio: April 1965* (Series P–23, No. 21, Jan. 23, 1967); and Mollie Orshansky, "The Poor in City and Suburb, 1964," *Social Security Review*, December 1966, p. 30.

[4] Data on the valuation and number of nonresidential buildings authorized by building permits, by type of building, in individuual localities and counties throughout the country are compiled by the Bureau of the Census from almost all known permit-issuing places. These comprehensive statistics are available for individual localities and areas, and are used to develop national and regional estimates. For a large proportion of Standard Metropolitan Statistical Areas (SMSA's), reports from building-permit officials on building permits authorized in the individual localities or counties that comprise the SMSA's are complete or virtually so. The data for this section of this study are based on information for selected SMSA's for which the data are complete or virtually so, and on Census estimates for 4 regions and the Nation.

The valuation placed on a building at the time of permit issuance varies from the true construction cost, and is usually somewhat lower. The differences between permit valuation and final construction cost are assumed to be relatively consistent within localities and are estimated not to affect the trends and relationships reflected in the data presented in this article.

Permits which are issued are almost invariably used, according to special Census surveys. For further information on the building permit series, see *Construction Statistics, 1915–1964: A Supplement to Construction Review* (U.S. Department of Commerce, Business and Defense Services Administration, 1965). See also Bureau of the Census, *Construction Reports*, Series C–40 and Series C–42.

[5] *The Negroes in the United States* (BLS Bulletin 1511), pp. 3–17 and 66–70. See also *Census of Population: 1960, Standard Metropolitan Statistical Areas*, PC(3) 1D, lists 1, 2, and 3 on pp. XVI–XIX, and table 1 (U.S. Bureau of the Census). See J. R. Meyer, J. F. Kain, M. Wohl, *The Urban Transportation Problem* (Cambridge, Mass., Harvard University Press, 1965), chapters 1 and 2 and accompanying footnotes to related literature.

[6] The 14 SMSA's selected for study are among those for which building-permit data were most comprehensive and comparable, based on evaluation by experts in the Bureau of the Census. These SMSA's were studied also for the effects of annexation, and for changes in definition during the period 1954–65. The effects, while relatively sizable between some years for a few areas, could not be said to bias the results in any area for cumulative data covering 5 years or more.

[7] Excludes the self-employed and Government workers.

[8] See also "Transportation Implications of Employment Trends in Central Cities and Suburbs," by Edmond L. Kanwit and Alma F. Eckartt, presented at the 46th annual meeting of the Highway Research Board, in Washington, D.C., January 1967, especially pp. 10–15.

[9] Orshansky, op. cit., table 7, p. 31.

[10] For a few readings on the extent and influence of residential segregation, see George and Eunice Grier, *Equality and Beyond: Housing Segregation and the Goals of the Great Society* (New York, Anti-Defamation League of B'nai B'rith, 1966); Harry Sharp and Leo F. Schnore, "Changing Color Composition of Metropolitan Areas," *Land Economics*, May 1962; and Karl and Alma Taeuber, *Negroes in Cities* (Chicago, Aldine Publishing Co., 1965).

[11] Census Bureau, op. cit., Series P–[illegible], No. 48, Table 8, pp. 20–21.

[12] Orshansky, op. cit., pp. 30–31; see also footnote 2.

[13] See "Income in 1964 of Families and Unrelated Individuals by Metropolitan-Nonmetropolitan Residence," *Current Population Reports, Consumer Income*, Series P–60, No. 48, table 1, p. 13 (U.S. Bureau of the Census). Data relate to families and unrelated individuals.

[14] Meyer, Kain, and Wohl, op. cit.; a national study of urban transportation patterns by John B. Lansing, *Residential Location and Urban Mobility: The Second Wave of Interviews* (Ann Arbor, University of Michigan, Survey Research Center, 1966); and independent analysis of Cleveland and Washington, D.C., transit schedules.

[15] These data are chiefly from the *Census of Population: 1960, Journey to Work*, PC (2)–6B, table 2, and *Census of Housing: 1960, United States Summary*, HC(1), No. 1, table 19 (U.S. Bureau of the Census). Additional tabular material is available upon request to the author.

[16] *Census of Housing: 1960, United States Summary, States and Small Areas*, HC(1), No. 1, table 19 (U.S. Bureau of the Census).

[17] Those living and working in the central city; living in the central city and working in the ring; living in the ring and working in the central city; and living in the ring and working in the ring.

[18] Public transit fares outside as well as inside the central city are used in computing the Index.

SENATOR DOMINICK PINPOINTS FALLACIES OF GUN BILL ARGUMENTS

Mr. HRUSKA. Mr. President, the Subcommittee on Juvenile Delinquency has held 11 days of hearings thus far this summer on the pending Federal firearms legislation: the administration proposal, amendment 90; Senator DODD's bill, S. 1; and my own, S. 1853; and S. 1854.

In my opinion, a most succinct and helpful presentation to the subcommittee was made by the distinguished junior Senator from Colorado [Mr. DOMINICK], who clearly delineated the fallacies in the arguments of those who would have us enact all-encompassing Federal regulation of firearms.

At the same time, however, the Senator from Colorado underlined the need to regulate the abuse of firearms. He expressed agreement with the necessity of certain corrective amendments to the Federal Firearms Act and to the National Firearms Act and said:

> Enactment of these proposals coupled with vigorous enforcement would close existing loopholes in the law which have been a source of aggravation and frustration for our law enforcement personnel.

Mr. President, it was with great pleasure that I noted Senator DOMINICK's endorsement of the approach I have taken in my bill, S. 1853. I welcome the reasoning he expressed to the subcommittee and urge the Members of the Senate to consider seriously his logical analysis of the problem. Let us pay heed to his call that:

> Any federal legislation be acted upon with a calm sense of deliberation and awareness of the need for balance and reason.

I ask unanimous consent that Senator DOMINICK's testimony of July 28, 1967, before the Subcommittee on Juvenile Delinquency be printed in the RECORD.

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

STATEMENT OF SENATOR PETER H. DOMINICK ON FIREARMS LEGISLATION BEFORE THE SENATE SUBCOMMITTEE ON JUVENILE DELINQUENCY, JULY 28, 1967

Mr. Chairman and members of the subcommittee: I am delighted to be here this morning to testify on the various proposals pending before this subcommittee on federal firearms legislation.

Coloradans have a vital interest in these bills. We probably have a greater percentage of our population as legitimate owners and wholesome users of firearms than most states in the country.

Mr. Chairman, the proponents of strict federal legislation justify it primarily on the basis of the impact they assume it will have on crime. With rising crime rates, mass murders, and numerous civil disorders in our cities, we all share the concern for finding more effective tools to assure law and order. But will regulation of guns cut down crime?

I recognize there are any number of contributing factors to crime. Surely our efforts to remedy the problem must be many-faceted. However, I have yet to be convinced that tight federal restrictions on firearms are going to affect significantly the surging crime rates.

Similarly, let us not be disillusioned into thinking that mass murders will be prevented if federal controls are enacted. We all recall that tragic day in August, 1966, when Charles Whitman killed 13 people and wounded 31 others from a tower at the University of Texas—or Duane Pope's spree when he killed 3 Nebraska bank employees in 1965. Following both instances, there were outraged cries for a gun bill. But what were the circumstances? One weekly news magazine described Whitman as "an exemplary boy, the kind that neighborhood mothers hold up as a model" and Pope as "an All-American, God-fearing, corn-fed Kansas boy" with "a solid past and a promising future". It is doubtful whether any firearms law—local, state, or federal—could have averted those sad events.

In recent days riots have been erupting in our nation's cities with a frequency and savageness that is frightening. This wholesale lawlessness and looting cannot be tolerated. It must be met with the firmness which the circumstances require. Resolutions were introduced in the Senate this week containing various proposals to investigate riots and civil strife and make recommendations on an emergency basis. I believe a thorough examination to be imperative. The lack of adequate factual material in this respect became apparent to me earlier this week when I attempted to obtain information on the use of firearms by those involved. A representative of the Alcohol and Tobacco Tax Division of the Internal Revenue Service, responsible for enforcing the National and Federal Firearms Acts, advised me investigations were still underway in Newark. He was able to state that during the Watts uprising there were 734 firearms reported stolen from merchants. I suspect that most of the firearms brandished in the more recent riots will also turn out to have been stolen rather than purchased. The account of the situation at Newark in the July 21 issue of *Time* magazine seems typical:

"One ransacked store near Springfield Avenue yielded rifles, shotguns and pistols. Soon shots were snapping from windows and rooftops, aimed at police patrols and firemen in route to battle the dozens of blazes that broke out."

Frankly, if there were sufficient evidence to sustain a correlation between the purchase of firearms and violence in our streets, I would feel compelled to advocate broad revisions in our laws at all levels of government.

Certainly public disgust is understandable when these reported abuses of guns are made. Whether and to what extent there should be changes made in existing gun laws is a complex and emotional issue, one which is the subject of great national concern. I know that this subcommittee has held extensive hearings on this subject. I am aware of the sharp divisions among the members of the Judiciary Committee in reporting out the Hruska bill in the 89th Congress. In view of this, I am pleased to see you conduct an extensive examination again this year for I am deeply concerned that these bills not be acted upon in haste.

Despite my reservations about some of the proposals, there are corrective amendments to the Federal Firearms Act and to the National Firearms Act which I support as being useful and necessary.

First, I am in accord with provisions to curb traffic in the so-called destructive devices. I think few will disagree that there are virtually no sporting purposes suitable for rockets, grenades, bazookas, mines, etc. The better approach is that of Senator Hruska's bill, S. 1854, placing the regulation of these weapons under the National Firearms Act. Because of their very nature, they should not be lumped together with the sporting-type firearms under the less stringent Federal Firearms Act.

Second, it should be made unlawful to mail any type of firearm into a state in violation of the state and local laws in the state where the purchaser resides.

Third, it should be made unlawful for a person to bring into his state of residence any type of firearm purchased elsewhere when it would have been unlawful for him to purchase it in his own state. I am speaking here solely of those instances where an out-of-state purchase was made by an individual in order to circumvent the local laws of his own state. I understand that the Massauchusetts State Police traced 87 per cent of the concealable firearms used in crimes in Massachusetts to out-of-state purchases. According to the Alcohol and Tobacco Tax Division, there were approximately 5,000 St. Louis residents who purchased firearms across the river in Illinois during the period February 1966 to February 1967. I might add these were primarily handguns and 200 of the purchasers had felony records. I am unsure how many of these out-of-state purchases would have violated the laws of Massachusetts or Missouri, but the possibility for abuses is obvious.

It seems to me that enactment of these proposals coupled with vigorous enforcement would close existing loopholes in the law which have been a source of aggravation and frustration for our law enforcement personnel. At the same time there could be no question of imposing undue burdens on the more than 20 million citizens who now possess firearms.

If federal legislation is to go beyond this point, then we should proceed with the highest degre of caution. Our goal should be to preserve primary responsibility for the control of guns in the states, the federal government entering the field only to such an extent as may be necessary to encourage more effective enforcement of state and local laws. Each state should be left to deal with firearms in a manner which it determines to be best suited to its particular circumstances.

Mr. Chairman, Colorado issued 424,806 firearms hunting licenses in 1966. Of course, there are many guns held for target, skeet and trap shooting or other wholesome nonhunting purposes which are not included in this figure. Since our population is approximately two million people, the heavy concentration of guns is obvious. We are not a crime-free state, but our citizens do not live in perpetual fear of being robbed, yoked, or mugged on the streets. Our state General Assembly has not found it necessary to enact tight restrctions on guns. The firearms problems of Colorado simply are not the same as those of New York or Washington, D.C.

If there are to be further extensions of federal authority, then let us limit them to the area of greatest abuse. The record is clear that the handgun is the most formidable and

commonly used weapon of the criminal. In 1965, 70 per cent of the murders committed with firearms involved a handgun. There were about 45,000 armed robberies committed with firearms and FBI Director Hoover reported that "most" of these were with handguns. In 1966, 71 per cent of the approximately 6,000 criminal homicides entailed the use of a handgun. In checking with Mr. Hoover's office, I was informed no figures were available on the type of guns used in the estimated 41,700 aggravated assaults and more than 50,000 armed robberies in which firearms were used, but I think it reasonable to say that the same pattern of misuse of the handgun exists.

Statistics in Colorado paint a similar picture. The Chief of Police in Colorado Springs advised me that one major problem is in dealing with the acquisition and possession of pistols and revolvers. And the Chief of Police for the city and county of Denver estimated that handguns are used in 95 to 98 per cent of the crimes committed with guns in the metropolitan area.

Mr. Chairman, it is inescapable that Senator Hruska's bill, S. 1853, is founded on sounder rationale and is headed in the right direction. It would focus almost entirely on the handgun while continuing to permit mail order sales and over-the-counter purchases by non-residents following a notice and waiting period. It would also preclude mail order sales of handguns to minors. I understand it is designed primarily for the object of giving notice to local law enforcement officials of the interstate traffic in this type of firearm. Any further action is left to the discretion of the state. Though I have some doubts as to the effectiveness of the affidavit procedure, the legislative approach taken by the Hruska bill is by far the more realistic and reasonable.

Under no circumstances can I support the Dodd bill, S. 1, or the amendment suggested by the Administration (Amendment 90) in their present form. Both would prohibit the sale of handguns by mail order and over-the-counter purchase by a non-resident. The principal difference between the two is that the Administration would prohibit the mail order sale of rifles and shotguns, while Senator Dodd's bill would utilize an affidavit procedure.

As near as I have been able to determine, Coloradans overwhelmingly oppose either of these. Since January, 1967, I have received more than four times as much correspondence from people in my state objecting to these proposals than all other letters on guns combined.

Frankly, I see no reason for such all-encompassing federal regulation. There are those who argue they will provide better controls over interstate commerce in firearms. Let us be candid, Mr. Chairman. The Administration bill in effect stops interstate transfer of all firearms among anyone other than a federal licensee. The Dodd bill does the same for handguns, and then in a whipsawing manner strikes back to regulate the flow of rifles and shotguns.

I was somewhat alarmed by the individual views of Senator Kennedy of Massachusetts filed in the report of the Judiciary Committee in October, 1966, stating that he considered the Dodd bill introduced in the last Congress a "first step" in controlling firearms abuse. Some measure of the dissent this bill has caused is amply demonstrated by the point raised earlier before the Subcommittee that the Legislatures of 8 states have adopted resolutions in opposition to it—Alaska, Alabama, Arkansas, Louisiana, Michigan, Montana, Oklahoma, and Texas. If a measure this severe is to be the first step in new federal government regulation of guns, what lies ahead? I would like to make it crystal clear that this is one Senator who will fight to the finish any steps to require a national registration system for firearms.

In conclusion, Mr. Chairman, I'd like to reemphasize my concern that any federal legislation be acted upon with a calm sense of deliberation and awareness of the need for balance and reason. It should not be enacted on the erroneous theory that national firearms controls will be any solution to our crime wave.

SUPPORT FOR NATURALIZATION OF OLDER IMMIGRANTS WITHOUT THE ENGLISH LANGUAGE REQUIREMENT

Mr. YARBOROUGH. Mr. President, several days ago, I introduced a bill (S. 2294) to provide for the waiver of the English language requirement in the Immigration and Naturalization Act for persons 50 years of age with 20 years of residence in the United States.

Since that time, the bill has received widespread support across Texas, where a major portion of the 10,000 people who would be affected reside. The citizens of my State have shown increasing concern about the situation of the older people who were arbitrarily excluded from the exemption in 1952. I hope that the Senate will take early action to correct this situation.

If it is passed, the bill will correct an omission of 15 years' standing. It will free thousands of people from the otherwise insuperable limitations imposed on them in their pursuit of citizenship. It will also give the United States a new group of mature, loyal, and valuable citizens which it might otherwise have been denied.

Mr. President, I ask unanimous consent that an editorial entitled "Full Citizenship," published in the Alamo Messenger, San Antonio, Tex., of August 24, 1967 be printed in the RECORD.

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

FULL CITIZENSHIP

Texas' Senior U.S. Senator Ralph Yarborough last week introduced legislation to ease citizenship requirements for longtime foreign residents of the United States, who are at least 50 years old, by exempting them from English language requirements.

The bill amends the Immigration and Nationality Act to allow individuals, living in the country for 20 or more years to become citizens—although they do not speak English.

According to Sen. Yarborough, the language requirement is "an unnecessary barrier to achievement of citizenship by many old people who intensely desire to become citizens. They have usually been good and productive members of society for 20 years, and often they have raised families of children as citizens."

The Immigration and Naturalization Service estimates the bill would affect 10,000 older immigrants in the United States. Most of them are Mexican nationals, concentrated chiefly in Texas and California.

There is precedent for such action. A similar language exemption was included in the 1952 act, but it pertained only to persons who qualified as of Dec. 24, 1952. As the senator points out realistically, thousands of worthy people, born after 1902, or who came to this country after 1932 were arbitrarily excluded.

The new bill would set aside this arbitrariness of the 82nd Congress which accepted the principle but limited the effect.

Young immigrants, with all of our educational facilities open to them at a time when they are most capable of learning, can be reasonably expected and as a matter of fact to desire to acquire an adequate knowledge of English. When they do so, and when they meet the other requirements, they can become citizens in only five years.

But there are thousands of people, who age presents special barriers to attaining English literacy. Often these people have sacrificed their own advantage to give their children the education they lack themselves. The point is, whether or not they speak English, 20 years of residency and maturity of judgment ought to qualify them for the citizenship they so strongly desire.

This legislation is primarily a humane measure. We recommend it not only because the country would gain worthy and useful citizens but especially because these older persons love the country, having rendered service to it directly and they continue to do so through their children and grandchildren. And we commend Sen. Yarborough for his farsighted and compassionate move to extend the privileges and obligations of full citizenship to thousands, now denied it by an inadequate law.

A NATIONAL INSTITUTE FOR URBAN DEVELOPMENT AT WAYNE STATE UNIVERSITY

Mr. HART. Mr. President, several days ago, the Senate was reminded by President Johnson and the able majority leader of the 23 proposals to heal our cities which the President had recommended and have been before us all year.

This list of undone work is impressive. But it is not nearly so impressive as the good that would come from the expenditure of $6 billion involved in those recommendations. With less than 4 percent of this year's Federal budget we could begin to correct problems that we know fester in our cities—and because seven out of 10 Americans live in them, that fester in the hearts of Americans.

Today I would like to single out one of the President's earlier proposals which he did not include on his list.

On March 14, in his message on urban and rural poverty, President Johnson recognized that less than one-tenth of 1 percent of our total Federal research and development funds have been devoted to housing and urban affairs.

He asked that "we move to build a basic foundation of urban knowledge." Partly, this was to be done by appropriating $20 million to the Department of Housing and Urban Development for general research.

Another suggestion—one less costly for the taxpayers—was that HUD encourage the "establishment of an Institute of Urban Development as a separate and distinct organization."

The task of such an institute, as President Johnson saw it, would be "to look beyond immediate problems and immediate concerns to future urban requirements and engage in basic inquiries as to how they may be solved."

While it was a good idea back in March, it did not light any fires. At least 5 months have passed and no such institute has been created.

But surely the upheaval of the past weeks in our cities should now make us recognize that while we know some of the solutions to the problems of the

cities we do not know them all. And it is small wonder. For years we have been studying better ways to wage a war—better ways to grow corn—better ways to make men airborne—better ways to measure the weather—better ways to do all kinds of things. Each massive effort has been successful. Failure, thus far, is a word foreign to Americans dedicated to getting a job done. One of the major reasons for this is that we are a Nation blessed with technological minds that attack a problem with a vengeance and come up with a plan that will work. And we do not allow mistakes to change our commitment—as witness our reaction to the death of three fine spacemen on the pad at Cape Kennedy.

Why then, we might ask, when we are faced with our greatest domestic problem—cities rotting into slums, cumbersome transportation systems, putrid air, joblessness, overcrowding, and all the attendent problems—have we not put proved methods to work? Why indeed?

Today, then, I too call on the Secretary of the Department of Housing and Urban Development to take appropriate steps to create the Institute of Urban Development envisioned by President Johnson.

Further, I request that serious consideration be given to Wayne State University, in Detroit, as the site for this Institute.

There are many good reasons for this choice, and I should like to cite a few.

An obvious reason for selecting Wayne State University, of course, is that it is located smack in the middle of Detroit—a city which many described as a model city until it erupted this July into the worst civil disorder in U.S. history. As a laboratory then for students of where we have been wrong in the past and how we can be right in the future, it could be excelled by none.

Second, the university already has made a total commitment to the type of research which we would expect of the Institute.

A significant sign of this was the establishment last year of the Center for Urban Studies. This center was begun with a $25,000 grant from the university last year. This year the budget has been raised to $150,000. The center's goals are:

First. Social, economic, cultural, political, governmental, and environmental research directed to the accumulation of knowledge and the development of insights basic to action dealing with long-term and persistent problems of the Detroit and other Michigan metropolitan regions, and providing the basis for developing long-term opportunities of the area.

Second. The development of a library and data collection—and retrieval system—which will in due course establish the center as a major Midwest information resource on urban-metropolitan problems, making it possible more easily to build upon previous research efforts.

Third. The encouragement of formal and informal educational programs for undergraduates, and graduates, for public and private community leaders and others concerned with urban problems and the metropolitan community, and the establishment of curricula permitting students to concentrate on courses dealing with the urban-metropolitan community, so as to add to the number of persons informed on and specializing in subject matter relating to the urban-metropolitan community.

Fourth. Development of programs and mechanisms designed to relate research findings and basic data to the processes of decisionmaking and to provide for effective interaction between decisionmakers and faculty members.

To realize these objectives the program of the center, emphasizes:

The provision of research professorships—as described more fully below—and research scholarships, fellowships, and assistantships.

The provision of a physical location where scholars—both faculty and students—concerned with urban life may meet together to work, to discuss, to interact with one another and with members of the community.

The provision of a specialized urban library and data collection, staffed by librarians, statistical clerks, and assistants with special interests in urban subjects and located so that the research professors have easy and continued access to these resources.

The provision of a small administrative staff to plan and administer center activities.

In addition, as part of the university's centennial celebration next year $70,000 has been allocated for seven symposia. The symposia will seek to "bring the virtues of intelligence and good will to the resolution of questions and problems regarding the nature of our cities."

Third, Wayne several years ago—in cooperation with the University of Michigan—established the Institute of Labor and Industrial Relations. A basic function of this institute is research activity.

Work has ranged from studies of discriminatory practices in employment, to pilot research on community mobilization and Federal programs designed to aid the disadvantaged, to study of the hardcore unemployable, to study of manpower adjustment to technological change, to preretirement education.

In addition, the institute has initiated an impressive new journal, Poverty and and Human Resources Abstracts. Issued bimonthly, it contains 50 abstracts of material, published and unpublished, in the critical problem areas of poverty, human resources, manpower development, and social legislation.

Fourth, Wayne State University has an extremely active division of urban extension. Its activities have included training for Headstart teachers, establishing a degree program in police administration, and administering the Applied Management and Technology Center. Another activity was "Detroit adventure," a project to bring cultural activities to students in the intercity.

Fifth, discussions are now under way for an exchange of personnel and ideas between the Center for Urban Studies of the City University of New York, and Wayne.

Mr. President, as I said, Detroit preriot was a fascinating laboratory for students of urban affairs. Since the riot this fascination has magnified. Wayne already has been contacted by a number of persons seeking use of facilities—or financing—for valuable studies.

Some research to determine the whys of the Detroit riots already is underway. A $130,000 grant from the National Institute of Mental Health put researchers on the streets of the wrecked area while snipers were still at work. The goal is to determine what causes riots and what sociological, physical, and welfare changes are needed to avert future uprisings.

A grant request from the Department of Labor for a study of the selectivity of the rioting and looting is in process of submission.

Mr. President, there is no question that much more could be done—and must be done. Other centers are at work. All labor under the shortage of funds. All could profit from a central informational clearinghouse.

We need information, much more information, if we are to lick the problem of our cities as we have licked other problems. It seems to me that President Johnson was entirely right in proposing that an independent institute could aid in this job.

The financing for such an institute could, I believe, be shared by Government and private sources. Indeed, this would be the ideal way, for then the research could go on with a beholdence to no one. That way the facts can be unearthed and the chips can fall where they may.

Mr. President, for decades this country has been able to achieve amazing defense and aerospace goals by pulling together impressively well coordinated and effective research and technological complexes.

When we wanted to create an atomic bomb, we teamed intellectuals with engineers, theorists with technicians, academicians with industrialists.

When we wanted to whip the problems of space, we again assembled an impressive research and technological complex drawn from Government, universities, and industry.

These complexes have been created by public funds to attack massive problems.

Well, the problems of our cities are certainly massive. Would not these problems respond to the same sort of attack? Should we not be willing to make the same sort of commitment?

An Institute of Urban Development would be a useful first step toward such a commitment.

We have already wasted 5 months when we could have been learning how such a commitment would be most effective. Again, I join in the President's request that we establish this Institute—and quickly.

OPEN HOUSING

Mr. MONDALE. Mr. President, open housing is at the heart of the major problems of our big cities. Obviously, its lack means, for instance, the continuance of segregated schools and a lack of equal opportunity in those schools.

At the same time, open housing has been all too often misrepresented. George Meany, president of the AFL–CIO, contributed substantially to the removal of current misunderstandings in his testimony before the Senate Subcommittee on Housing and Urban Affairs. I ask unanimous consent that his statement be printed in the RECORD.

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

STATEMENT ON S. 1358, THE FAIR HOUSING ACT OF 1967, AND RELATED BILLS

(Statement by George Meany, President, American Federation of Labor and Congress of Industrial Organizations, before the Subcommittee on Housing and Urban Affairs of the Senate Committee on Banking and Currency, Aug. 23, 1967)

Mr. Chairman, my name is George Meany. I am president of the AFL–CIO. I am glad to have this opportunity to present our views on S. 1358, which you introduced by Senator Mondale and 21 other Senators of both parties.

I would also like to comment briefly, during the course of my testimony, on S. 2114 and S. 2280, offered by Senator Hartke.

We are pleased that S. 1358 is a bipartisan bill from its inception. Surely the long-delayed achievement of equal rights and equal justice for all Americans is not a proper matter for political dispute.

Let me emphasize our profound conviction that the bill before you is extremely important. It is not just a piece of housecleaning, aimed at picking up a few loose ends left over from the Civil Rights Act of 1964. On the contrary, its ramifications extend into many areas of civil rights already dealt with by that and other measures.

It is not an exaggeration to say that open housing is absolutely essential to the realistic achievement of such accepted goals as desegregated schools and equal opportunity. Indeed, until open housing becomes an operating fact, much of the statutory civil rights progress of recent years—great as it has been—will be no more than inoperative theory.

Schools are the most obvious example. The typical public grammar school is a neighborhood operation. The composition of the student-body, therefore, is determined by that of the residents. The result can, in effect, be de facto segregation.

To some degree this has always been true. In the long history of this country there have been neighborhoods which were in effect segregated by nationality. Some of them are with us yet. Those neighborhoods have had, in their own way, segregated schools.

But the problem of the Negroes is different. The Irish, the Italians and the other nationality groups had one ultimate weapon—mobility. They could and they did move out of their ghettos as their means permitted. Yes, they met some resistance, but it was seldom more than social ostracism of short duration.

Negroes simply do not have that kind of mobility. They may spend their working hours as part of a thoroughly-integrated work-force, but they come home at night to a segregated neighborhood, with its segregated school for their children.

Local school officials, under pressure from the federal courts, have contrived a variety of devices to overcome de facto segregation. These devices may well be necessary as stopgaps to meet the immediate need; but in the long run, the soundest way to attack the segregated neighborhood school is to attack the segregated neighborhood.

This has long been an objective of the labor movement. The 21 fair housing laws that have been passed by state legislatures, and the 43 enacted by cities and counties, were warmly supported and often initiated by organized labor. In the words of the Sixth Constitutional Convention of the AFL–CIO, in December 1965:

"A key feature of labor's housing program is its drive for equal housing opportunity for all Americans. There is no place in America for racial ghettos. Equal access, without regard to race, creed, color or national origin, to every residential neighborhood in every American community should be assured for every family in America."

Moreover, we have fitted our actions to our words. More than 150 housing projects have been sponsored by trade unions and others are on the way. One of the earliest, built by the Amalgamated Clothing Workers in New York City, is now 40 years old. All these projects, large and small, are available to tenants or buyers without regard to race, creed, color or national origin.

The experience of the labor movement amply proves that integrated housing works; that people of different races can live in harmony as neighbors. It should also help put to rest the only other argument against open housing that deserves any consideration at all—the notion that neighborhood standards decline when Negro families move in.

This is an ancient superstition, perpetuated by far too many unscrupulous real estate agents. But the fear it arouses in the hearts of some home-owners cannot be ignored. In the generally affluent society of recent years, vast numbers of young families have bought homes of their own. These homes represent, in most cases, the biggest investment they will ever make, not only absorbing their accumulated savings, but also involving a long-term mortgage obligation of substantial size. The loss of this investment would be a disaster.

Therefore the fears—though baseless—should not be denounced with righteous indignation, but dissipated by exposure to the truth.

Actually, it is our belief that the fears are not as widely held as some assert; especially if they are not drummed up by reactionaries, racists and real estate profiteers. A very heartening example was the gubernatorial election in Maryland in 1966, which I am sure the members of the committee remember. One candidate based his entire campaign on the slogan, "Your home is your castle"—which in this case meant total opposition to open housing. He went down to a resounding defeat at the hands of an electorate in which a great majority were registered members of his own party.

Most encouraging of all were the heavy votes against him in the "bedroom" communities in Montgomery and Prince Georges counties, where the immense population growth of recent years has been largely comprised of the young families I mentioned earlier. In the face of a campaign designed to capitalize on their fears, these voters ignored their party affiliation in order to repudiate a racist appeal.

They were right, not just morally but in terms of dollars and cents. For the old superstition about neighborhood standards and property values is simply not true.

It has its foundation, of course, in the unhappy fact that a great many Negroes live in slums. But the Negroes did not create the slums; they inherited them from other ethnic groups that were lucky enough to escape. And what they inherited was bad housing made worse by time and by lack of maintenance by its absentee owners.

There is no need to go beyond the limits of the District of Columbia to learn that neighborhood standards are not a matter of race. Let any skeptic take a tour—not a traditional tourist's round of national monuments, but a tour of the places where the city's Negroes live. He will find shameful slums; he will also find block after block of spic-and-span houses, bright with flower beds and well-kept lawns.

The simple exercise of observation should be even more persuasive than statistics, but statistics are also available.

Many studies have shown that Negro home-owners are just as concerned with neighborhood standards and just as diligent in maintaining them as any other group. One such study that came to this conclusion should, in this context, be above suspicion; it was conducted more than 20 years ago by the National Association of Real Estate Boards.

The matter of property values has also come under scrutiny. I am sure the members of the committee are familiar with the study by Dr. Luigi Laurenti, undertaken for the Commission on Race and Housing and published in 1960. It covered 20 neighborhoods in San Francisco, Oakland and Philadelphia where Negroes had moved in over a 12-year period. In brief, the results showed that in 85% of the cases, property values either rose or remained stable. In the other 15%, there were moderate declines. But most significantly, there was no pattern attributable to the entrance of non-whites; other influences, taking effect simultaneously, had more effect. Similar studies in Chicago, Kansas City, Detroit and Portland, Oregon, conducted independently by others, came up with the same findings.

Therefore the ancient superstition is no more than an evil falsehood, and the bill you are considering should go far toward wiping it out. And it should also go far toward retraining those who perpetuate it.

In this connection I am referring particularly to Section 4(c), which as I read it would forbid discriminatory references in real estate advertising.

In addition to the intrinsic merit of this provision, I have a special interest in it. And I question whether it goes far enough to meet the subtle discriminatory appeals of much real estate advertising.

Let us consider the peculiar posture of the daily press on this matter.

A considerable number of newspapers, to their great credit, have warmly supported the cause of open housing. One of them is a paper which I suppose all of us read every morning—the *Washington Post*.

Most of these same papers—perhaps all of them—have real estate sections at least once a week, crammed with advertising, much of it from real estate developers and real estate agents who are dedicated to the preservation of racial discrimination. One of these papers is the *Washington Post*.

On July 24 the *Washington Post* published an editorial, one of many on the general issue, offering commendations to the Montgomery County, Maryland commissioners for enacting a fair housing ordinance. As a citizen and a homeowner in that county I was moved to write to the *Washington Post*, as follows:

"Dear Sir:

"As a resident of Montgomery County, I join with the Washington Post (July 24) in hailing the new fair housing ordinance. It is, as you say, 'a standard of single importance' dealing with 'the most urgent domestic issue of this decade.'

"It is, I am proud to report, a decision that is four-square with the policy of the AFL–CIO.

"My purpose in writing, however, is to suggest that the Washington Post is in a unique position to aid the cause of fair housing by simply instructing its advertising department to abide by the principles that its editors espouse.

"I propose a simple declaration that the Washington Post will accept real estate advertising only from advertisers that guarantee the property, either for rent, or for sale, is available without regard to race, creed, color or national origin.

"Such a decision to put principle before profit could set 'a standard of national im-

portance' for newspapers throughout the nation and I urge that the Washington Post establish this standard."

As we all know, Mr. Chairman, the *Washington Post* publishes many letters from readers, even critical ones. Sometimes, if it is aggrieved, it follows a critical letter with a defense, in italic type. A newspaper or magazine can take criticism in stride, if it has any sort of case, because it always has the last word.

However, the *Washington Post* did not follow this course. It did not publish my letter at all.

Instead, I received a letter dated August 10 and signed by James J. Daly, vice president and general manager of the *Washington Post*, which reads as follows:

"Dear Mr. Meany:

"The Editor of *The Washington Post* has referred to me your letter of July 24, commenting on the Montgomery County fair housing ordinance and proposing that *The Washington Post* adopt a policy that it will 'accept real estate advertising only from advertisers that guarantee the property, either for rent or for sale, is available without regard to race, creed, color or national origin.' I appreciate this opportunity to comment on your proposal.

"I feel that you must be familiar with what I consider to be the extremely fine historical record that has been made in the field of real estate advertising by *The Washington Post* over the past several years. Long before there was any legislative action by any governmental body in this field, *The Washington Post* adopted standards of advertising acceptability which were designed to discourage, if not prevent, the advertising of property on a discriminatory basis of race, creed or color. Our policy, our views, and our objectives have certainly not changed, and we welcome the progress that has been made in the public field to facilitate the implementation of these wholesome and non-discriminatory objectives.

"However, upon reflection, I am confident you will realize the dangers of adopting a policy of affidavits of guarantee or any other form of prior restraints upon advertisers of any kind respecting their intention to comply with the law. We would regard this as an abuse of both the authority and responsibility that a free press possesses in the fields of news and advertising.

"On the other hand, you can be sure that in applying our standards of advertising acceptability we will continue to refuse to accept copy which we believe is detrimental to the objective of non-discriminatory practices. Thank you again for your thoughtful letter."

Mr. Chairman, it would be an exaggeration to say that I was shocked by Mr. Daly's letter, but I was certainly saddened by it.

I freely acknowldge that the *Washington Post* long ago began rejecting real estate advertising labelled "whites only" or—conversely—"colored". By the moral standards of the publishing industry it took an advanced position.

But the display advertisements in the *Washington Post's* real estate sections drip with discrimination. What is meant by a phrase like "a private community"? Or "conventional mortgages only"? Or by "with club membership you become eligible to buy"? Any sophisticated reader can understand all this, and we think Mr. Daly and his colleagues are sophisticated. They know the people whose money they are taking.

In attempting to hide all this under a specious paragraph about "freedom of the press", Mr. Daly is insulting my intelligence. I did not appreciate this when I received his letter and my feelings have not mellowed in the two weeks since.

It is indeed ironical that the news column in Section A of the *Washington Post* can report in honest detail a demonstration or a court action against a discriminatory developer, while the real estate section will not only carry the same developer's advertising, but a puff story on the special merits of his enterprise.

One example is the Levitt organization, which discriminates nowhere, any more, except in the Washington area. Mr. Levitt has quite candidly said that he is following "local customs" in his three developments here. His operations get respectful, if not worshipful, treatment in the real estate pages of the *Washington Post*, whose editorials deplore him.

Let me say flatly that the *Washington Post* has every legal right to pursue this devious course, under present law. We do think the readers of the *Washington Post*, which applies such lofty standards of conduct to others, are entitled to know what standards it sets for itself.

I have devoted this much attention to the *Washington Post* because it symbolizes an ailment that corrupts newspapers with the loftiest editorial principles. Actually I am flattering the *Post*, by saying, in effect, if it can happen to the *Post*, it can—and does—happen to papers everywhere. So I support Section 4(c), and an even stronger one if possible.

In the broader sense, of course, we in the AFL–CIO support all the provisions of this bill. We are in complete accord with its objectives and we believe its administrative structure is designed to reach those objectives speedily, effectively and fairly.

Now let me say a few words about Senator Hartke's two bills, both designed to meet a major problem facing Negroes who can afford to buy homes and who want to buy homes but are thwarted by the discriminatory practices of certain private lenders.

Everything that I have said about real estate interests applies, Mr. Chairman, with equal vigor to banks, mortgage loan agencies and other private lending institutions who engage in discriminatory practices. There must be some way in which this practice can be halted by the federal government and the Senator has proposed alternative ways of dealing with this problem. Like the Senator, we want these practices halted and we trust the committee will examine his proposals with care and adopt a measure to right this wrong.

But there is another point that must be made, even though it is not within the scope of the legislation now before you.

It is a variation in detail, but not in spirit, of a point we stressed in every civil rights struggle.

We said then that an equal right to be served in a hotel or restaurant was an empty right to a man without money. We said that an equal opportunity on the job was meaningless when there were no jobs to be had.

And so it is with open housing. A statute which establishes the right of every American to rent or buy any living quarters he wants and can afford is clearly necessary, and this bill will do it. But to have meaning—in the same sense that this bill will give meaning to other aspects of civil rights—open housing must go hand in hand with enough housing and housing available at price levels workers can afford.

Because of long neglect and inadequate appropriations, the housing legislation already on the books has never fulfilled its stated purposes. It must now be reawakened.

The facts are appalling. Low-cost public housing was launched by the Housing Act of 1937. In 1949, the Taft-Ellender-Wagner bill authorized the construction of 135,000 housing units a year. But by 1966, all the units built over 30 years could house only 605,000 families. There are 11 million urban families whose incomes are below the top limits for public housing tenants.

This is only one example of the immense backlog of housing needs. And as we all know, matters get worse day by day. In the next 20 years there will be more than 20 million additional households in America—65 million more people, at least 80 percent of them added to the urban areas where the housing deficiencies are already unbelievable.

A massive effort, both public and private, is essential.

The bill you are now considering should in itself widen the role of private builders, for they will be serving a substantial segment of the population they previously shunned. But to the extent that private construction falls short—and it is bound to—federal projects must fill the gap.

Let me make an analogy. Over the years we have said, and we still say, that when unemployment is a problem, the Federal Government must be the employer of last resort.

We say with equal conviction that when other alternatives have failed, the Federal Government must be the landlord of last resort.

One way or another, there must be adequate housing for all—open, yes, but adequate, too.

Therefore, Mr. Chairman, in giving our wholehearted support to this bill, we ask you and the other members of the committee to support in turn the other measures that are needed to make it meaningful.

A recent column by Msgr. George Higgins points out that a white gangster would have less trouble buying a home in an "exclusive" neighborhood than a Ralph Bunche or a Thurgood Marshall.

Your bill would overcome that kind of outrage—one that offends the whole concept of American society. If it is accompanied by a bold, broad and imaginative program to provide enough housing—adequate housing for all Americans, of all races and all levels of income, the dream of a truly better life will be much closer to fulfillment.

THE TAX MESSAGE: "A STUDY IN IRRELEVANCE, AN EVASION OF RESPONSIBILITY"

Mr. HARTKE. Mr. President, Professor Romoser, of the University of New Hampshire, says that the President's tax message is "a study in irrelevance, an evasion of responsibility."

Professor Romoser's analysis of the inverting of priorities is particularly telling. I am sure many of his colleagues in the University would share such views on this vital issue—an issue than transcends economics—an issue that is inextricably involved with the war in Vietnam, with the riots in the cities, and the faltering of our national drive for progress.

I ask unanimous consent that Professor Romoser's letter to the New York Times be inserted at this point in the RECORD.

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

NEW TAX MEASURE

To THE EDITOR: President Johnson's tax message is a further demonstration of the

disastrous political conditions now prevailing in this country.

The President proposes an inequitable tax surcharge, which will affect middle- and lower-income groups the hardest, and which is an evasion of the need to overhaul the distribution of tax burdens and plug the loopholes which benefit the well endowed.

The President requires additional money to further prosecute our disastrous policies in Vietnam, which are lacking in any tactical, strategic, political or moral justification.

The President emphasizes rigid economies in unspecified domestic programs. He thereby encourages those who, with monumental irrelevancy, seek the causes of civil disorders not in the failure of our leaders to create a livable society for the underprivileged, or in our own cult of violence in Vietnam and elsewhere, but in the activities of "agitators."

Like the President's other recent remedies for existing and looming dangers, the tax measure is a study in irrelevance and an evasion of true responsibility. However, words have lost their meaning. Any deity the President seeks to invoke will certainly not understand a rhetoric in which incompetent policies are sought to be sanctified by invocations of "America's responsibility and purpose", and in which the Vietnam fiasco is identified with "the light of a proud tradition," as in the President's tax message.

One might, however, borrow from the President's favorite rhetorical stock the old saw: "God helps those who help themselves"—by sober and realistic policies attuned to demonstrable facts.

Until the latter come into being, we may undoubtedly look forward to a rapid increase in the strains which threaten the fabric of this country's existence.

REPUBLICAN LEADERSHIP MAKING AN IMPACT ACROSS THE NATION

Mr. HATFIELD. Mr. President, my distinguished colleague from Pennsylvania [Mr. SCOTT], has recently commented upon the leadership being reflected in the actions of this Nation's 25 Republican Governors. His eloquence in describing how these Governors, as well as other Republicans, have faced up to today's problems by offering fresh new ideas for solutions is worthy of the attention of each of us.

The need for new approaches and new ideas for solutions to our national problems have never been more pressing both in the foreign and domestic fields.

From this great supply of talent we can expect to continue to receive effective responsible leadership. I commend Senator SCOTT for his recognition of this leadership and ask unanimous consent that his comments be printed in the RECORD.

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

I am happy to be in a progressive Commonwealth, led by a progressive Governor, and to visit with you who are members of a vigorous, hard working and revitalized Party, whose valiant efforts returned Massachusetts to constructive Republicanism and sent to us in Washington your splendid and popular new Senator Ed Brooke, to carry on in the tradition of Massachusetts' great Senator Leverett Saltonstall.

Republican leadership and Republican programs are making an impact in 25 of our 50 States with Republican Governors, from New England to Alaska. A majority of all Americans live under Republican State Administrations. Republicans control the Governorships of States with over 108 million population, while Democrats govern in States with 80 million persons.

Floundering, ineffective State government has been rejuvenated when Republicans moved into the Statehouse. Bankrupt, debt-ridden State treasuries have been rescued with no loss in services and benefits to the citizens. This is true in Massachusetts, Pennsylvania, Michigan, New York and other Republican States in the Union. Honesty and good government have been reinstated in places where those words had gone out of use.

Republican Governors have not been content to languish as satraps of the Federal bureaucracy. They have piled up impressive accomplishments of their own.

This same kind of Republican leadership and imagination can work the same miracles in Washington.

In the States, Republicans have come forth with fresh and exciting ideas and programs. The voters have responded.

In 1968, that response will be nation-wide and will herald the beginning of a new era of creativeness in Washington.

America cannot move forward in a society of mutually exclusive interests. Every part of our society must mesh if accomplishments are to be realized. Republicans are laying the groundwork for a creative partnership between all levels of government, private enterprise, and people—plain, ordinary people. That is the most important thing we have in this country. And that is what our government is of, by, and for—plain, ordinary people.

When people begin to look upon the Federal government—as many do today—as an unyielding, unresponsive bureaucracy, unapproachable and incapable of effective action, then it is time to make some changes.

The machinery of government under the Democrats has become so cumbersome that they could not change its present course even if they recognized the need for change.

The only idea they can come up with to meet the country's problems is a tax increase.

From Newark to Vietnam, the need is for imaginative new ideas and a new voice to lead the Nation.

I will not criticize President Johnson's conduct of the war in Vietnam. While we have boys fighting and dying there—and by the President's own projections the troop strength will soon be double what it was at the height of the Korean war—we must do all we can to back them up.

But the only realistic solution to the war is an honorable settlement through negotiation, and I do not believe the Communists wish to negotiate with the present administration.

In social and economic affairs at home, the Republican record is already being written in the States and in Congress. Your Senator Ed Brooke has greatly enhanced that record and helped invigorate the Party.

In response to the recent urban riots, when there was little leadership from Washington, many Republican Governors, including Governor John Volpe and my Governor, Raymond P. Shafer of Pennsylvania, met in New York and approved a plan of action for State leadership to meet the growing problems of social injustice and lawlessness. This remarkable 60 point document includes plans for State action to transform the physical environment of slum areas, to increase job opportunities, to improve educational opportunities, to improve services to individuals, to bring about flexibility, speed and realism in Federal programs, and to encourage individual citizen and private institutional participation.

Here is a creative blueprint for action drawn by men who are close to the problems and share the greatest responsibilities.

Another Republican approach is Senator Charles Percy's Home Ownership Plan for low-income families, which has been endorsed by every Republican in Congress. Its purpose is to break away from the stale, never-too-successful public housing concept and to offer the possibility of home ownership to people who could never otherwise dream of their own home. It too, envisions cooperation between government, the community, and private enterprise.

It is such a good idea that the Democrats, lacking any positive new approaches of their own, have taken it nearly word for word and tacked on a shock of hair. Republicans are happy indeed to see this awakening on the part of the Democrats. More and more, they are adopting Republican proposals to fill the gaps in their own thinking. Faced with their own failures, they are finally, although reluctantly, beginning to grope around outside their own bureaucracies for solutions.

Another program sponsored by a majority of Republicans in Congress is the Human Investment Act. It provides for a Federal income tax credit for employers to help offset the cost of training employees or potential employees in needed skills. It is designed to provide an efficient and effective answer to the problem of structural unemployment, and was drawn up with the realization in mind that business, not bureaucracy, creates jobs.

In addition to the new programs, we must tighten up existing programs and eliminate the waste which presently exists. There is no Federal program which is not in need of such treatment.

Republicans have also drawn up several plans to provide for the sharing of Federal taxes with the States, with no strings attached.

This latter plan would help unleash the talent and imagination which exists at the State and local level and allow greater flexibility in dealing with the unique problems of a given area.

The Democratic Party promises of recent years have been unequal to the problems of today. The American people want solutions which are practical and programs that work.

That is what Republicans intend to offer them in 1968.

DANGEROUS DELAY IN IMPROVEMENT OF BALTIMORE-WASHINGTON PARKWAY

Mr. BREWSTER. Mr. President, for some years I have been deeply concerned by an increasing number of serious accidents on the Baltimore-Washington Parkway.

This parkway, under the jurisdiction of the National Park Service, was built to serve as a magnificent entrance to our Nation's Capital and to provide adequate access for Government employees to a growing cluster of Federal agencies.

Now, as many Senators are aware, the Baltimore-Washington Parkway is the major bottleneck for all traffic entering the District of Columbia from the northeastern United States. It has the dubious distinction of being one of the most traveled, and most dangerous, limited-access roads in the Nation. It is lined with pitfalls and potential death traps.

Two years ago, I called a meeting aimed at correcting this intolerable situation. At that meeting, representatives of the National Park Service, the Bureau of Public Roads, and the Maryland and District of Columbia Highway Departments all promised to cooperate in developing and coordinating plans to improve

Thus far the analogy holds, but not much farther. The support for George Wallace is much greater than that for Thurmond. If Truman had lost the whole South, he would have lost the Presidency. A Reagan is not an Eisenhower—especially if a Republican President is elected in the House with Southern aid. But above all else, the mood of the country is different: Black "revolution" is stirring white "counter-revolution," an atavistic return to a dark dead past.

The "dump-Johnson" people, such as James Wechsler, prefer to parallel 1968 with 1952. That was the year Truman decided not to run, allegedly because he was scared off by the New Hampshire primary. Anti-Johnson liberals hope to scare LBJ off from running in 1968.

If this is carried one step further, though, it becomes most unappetizing. Upon Truman's withdrawal, the Democrats named Adlai Stevenson, the liberal's dream boat, for the Presidency. He ran a bright, brittle campaign in which he restored the English language to its proper place in Western civilization. But it was not he—it was Ike and Dick—who ended up in the White House. And four years later there was more of the same, only more so.

Should the history of 1952 repeat itself, liberals would have a chance to relive the agony of the Ike age in a time of trouble and turmoil. Ike put the New Deal on ice; a Republocrat President in 1968 and beyond would put the nation on fire.

The liberal community has not, until recently, been even dimly aware of the dangerous potential. The great preoccupation has been with Vietnam—both pro and con—almost exclusively. The far greater danger arising from the political crisis *within* the country has gone almost unnoticed.

Until recently, some of the loudest voices in liberal circles spoke out for a third party. The big moment was to be the meeting of the National Conference for New Politics in Chicago over the Labor Day weekend. Whatever evils issued from that confab, it was an ill wind that blew some good. It killed a national third-party, for this year. The formal burial took place at the ADA national board meeting in September, when the organization formally went on record as opposed to a third party. Nobody spoke for the corpse, including those who—in the recent past—were for it.

With the collapse of third-partyism, some of its sponsors together with other anti-Johnson elements began to beef up a "dump-Johnson" campaign. The plan is to run anti-Johnson delegates to the Democratic national convention.

At the September meeting of ADA—the commonly alleged establishment of the liberal community—the question of a "dump-Johnson" movement was at the core of the agenda. Although the press reported this as a gathering to formulate policy on Vietnam, the ADA board was actually without any authority to act on that subject because the Spring convention of the organization had already mapped policy. The board meeting dealt with *political*—rather than *foreign*—policy, concentrating on matters such as third-party, "dump-Johnson," convention and endorsement strategy.

The heaviest blow against the "dump-Johnson" movement was struck by Joe Rauh—Mr. ADA—in a memorandum he had circulated on July 28, 1967. He opposed the movement on practical grounds; it would fail, and it would discredit the movement for peace: "Just as the Kennedy-Fulbright draft will fail to produce delegates because Kennedy will repudiate it in most dramatic form, so any other similar effort in behalf of anti-Johnson delegates will fail because no responsible people inside the Democratic party will allow their names to be connected with a drive against a Democratic President, and especially so hopeless a drive. Here, too, the net result is bound to be few, if any, delegates and a minimization of the peace strength in America to a fraction of its true proportions."

The positive alternative proposal in the Rauh document was a drive to write a peace plank into the Democratic party platform. There were several attempts to reverse the Rauh approach at the ADA board, probably the best attended in its history. The first proposal—to have ADA back the "dump-Johnson" movement—was defeated 73 to 12. Two other moves were defeated: one to allow chapters and individuals to join the dumpers in the name of ADA; the second to instruct ADA to seek an alternative candidate to LBJ.

The board decision, however, has not inhibited a handful of individuals in ADA (though without ADA authority) from going ahead with their "dump-Johnson" effort. From their view, they cannot lose: If LBJ is beaten at the convention, they will have won; if LBJ is defeated in 1968, they will also have won. They talk about 1968 but they mean 1972. They are thinking like Louis XV standing on his head: *Après le déluge, moi.*

If one must look for historical analogies for 1968, it is less in the America of the 1940s and 1950s than in the Germany of the 1930s. Then the great danger was Hitler. But to a sector of the Left—the Communists—the real enemy was social democracy. The coalition that might have halted Hitler was torn with fratricide. The Communists termed the Social Democrats "social-fascists"; they turned the "main fire" against those closest to them; they welcomed Hitler to power with the proclamation: *Nach Hitler, Kommen Wir.*

No doubt this analogy—like most historical parallels—is faulty. But in terms of long-range historic impact, what hapepned in Germany in the '30s may be closer to the danger we face in 1968 than what happened in America in either 1948 or 1952.

OPEN HOUSING

Mr. MONDALE. Mr. President, in the New York Times of Sunday, October 8, Mr. Fred P. Graham wrote an article concerning the Jones against Mayer Co. lawsuit pending before the U.S. Supreme Court.

The article concludes by stating that should the Court rule for the complainants, the effect would be to eliminate the need for new fair housing legislation.

This, in my judgment, does not follow. Legislation will still be necessary even should the Court declare for the complainants in the Jones against Mayer case. I ask unanimous consent to have printed in the RECORD a letter from David A. Brody, of the Antidefamation League, dealing with this subject. His letter makes very clear that legislation will be necessary, and it explains why.

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

THE COURTS MAY SETTLE OPEN HOUSING

(By Fred P. Graham)

WASHINGTON.—Events are quietly under way here that could lead to the creation of an effectual Federal fair housing law—not by an act of Congress, but by a decision of the Supreme Court.

As the Court opened its 1967 term last week with the usual round of secret conferences on pending petitions for review, two factors made this result possible.

One was the presence among the petitions of an appeal which contends that the United States already has a law against racial discrimination in housing—an 1866 statue that has been enforced once in this century as a fair housing law but has since been almost forgotten.

The other was a series of discussions that were held in the Justice Department, where some top officials are arguing that the Government should enter the case as a friend of the court and urge the Supreme Court to resuscitate the old law so that the lower courts can use it to bar discrimination in housing.

These events date back to the summer of 1965, when Joseph Lee Jones and his wife Barbara Jo picked out a pleasant lot in Paddock Woods, a new subdivision in suburban St. Louis, and offered to pay the advertised $28,195 price to have a house built on it. But Mr. Jones is a Negro and his wife is white, and their offer was rejected.

A LONG SHOT

Congress at that time had not even begun to consider the ill-fated fair housing law that succumbed to a Senate filibuster in 1966. So the Jonses' lawyer tried a long shot. He sued the developers on the theory that existing statutes and constitutional amendments, read in the light of the latest Supreme Court decisions, already add up to an enforceable fair housing law.

At the heart of the argument is the civil rights act of 1866, passed to implement the 13th Amendment, which outlawed slavery. The law said: "All citizens of the United States shall have the same right, in every state and territory, as is enjoyed by white citizens thereof, to inherit, purchase, lease, sell, hold and convey real and personal property."

This law has been recodified and blended with subsequent legislation down through the years, but it still exists on the statute books, currently in Section 1982 of the United States Code.

In 1903 a Federal judge in Arkansas did enforce it to block a landowner from refusing to lease land to a Negro, but otherwise most lawyers have assumed that a succession of Supreme Court interpretations of the reconstructions laws and amendments have made it unenforceable.

These decisions held that the 13th Amendment, which can be enforced against individuals, could be used only to stop people from treating Negroes as slaves. Efforts to eliminate racial discrimination against the freed slaves were held to be enforceable only under the authority of the 14th Amendment.

Since the 14th Amendment forbids only discrimination by state action and does not touch bais by private persons, lawyers assumed that the 1866 law could not be enforced against individuals to block racial discrimination in housing.

On these grounds the Joneses lost in Federal District Court and in the Court of Appeals for the Eighth Circuit.

PLAUSIBLE REASONS

But now the case is up on appeal to the Supreme Court, where the Joneses (and a coalition of civil rights groups that have taken up their cause) have offered the Justices a number of plausible legal reasons for upholding their right to sue.

They claim that Negroes' inability to purchase homes on equal terms with whites is a remaining "vestige of slavery" that can still be attacked under the 13th Amendment.

Further, they contend that the state was involved in the developers' discrimination in violation of the 14th Amendment, because it had the legal power to stop it but permitted it to happen.

Finally, they cite statements in opinions signed by six of the Justices in a 1966 civil rights decision to the effect that "state action" is no longer necessary in certain 14th Amendment cases.

Lawyers can differ on the relative soundness of these arguments, but most would agree that they are substantial enough to support a decision for the plaintiffs if a majority of the Supreme Court is disposed to

If the spirit of violence should flag either in the ghetto or in the surrounding white community, there are racist and reactionary forces to whip up the fury. Legislators can do it by callous disregard; Right extremists can do it by financing the sparks to set the fire; parochial politicians will do it as a cheap and easy way to fame and fortune.

In 1968, there will be a vigilante vote—as well as vigilante violence. It may prove the pivotal power for putting a like-minded man in the White House.

Peace in Vietnam is not apt to reverse or check racial conflict. Indeed, quite the opposite is probable. If peace was made in Southeast Asia before the first of the year, the most immediate impact on the American economy would be a dip in employment. Demobilization of Negro soldiers, fewer job openings, a higher rate of Negro joblessness—especially among the young—could only add fuel to the flame. While it is entirely possible and desirable for America to work out "peacetime" plans to take up the slack, such plans would get little backing in the present Congress—and in no event could they have an effect in time to provide needed employment before the fall of 1968.

For the militant Negro idealogue or demagogue, American withdrawal from Vietnam would provide conclusive proof that this civilization is on the way out, about to be pushed into oblivion. This conviction would be incendiary propaganda in the mouths of the militants.

Thus whatever the merits may be for hastening a settlement in Asia, it is a vast misjudgment to assume that the fate of the ghettos will be settled in Vietnam. The notion that peace over there means peace over here is a self-delusion induced by incantations in a dovecote.

Regardless of Johnson's actions in Vietnam between now and Election Day, moreover, the issue will be with the country on that fateful Tuesday. If he makes a settlement it will, of necessity, be frayed with loose ends: boundaries, role of the Vietcong, presence of guarantors, etc. The Republicans will grab each loose thread to unravel the Administration, wrapping their yarn around the accusative query: "Is this what our boys died for?" If Johnson continues on present course, he will be hit from both sides: either "get out" or "go all out" or both.

Johnson would overcome both these obstacles—violence and Vietnam—with a united liberal front. But this unity is lacking . . . at the moment. Within the progressive community in 1967 there is a group whose basic strategy is negative: "beat Johnson." Its logic runs in three steps:

1. Any Republican, including Richard Nixon or Ronald Reagan, is more likely to settle Vietnam than Johnson, in the same way that Eisenhower settled Korea after Truman.

2. Even if this does not happen, in 1972 the Democrats could oust the Republicans.

3. At that time, the Democratic party will be in the hands of its liberal wing.

For a brief moment, this faction in the liberal community toyed with a third-party movement: the Spock-King ticket. The Negro nihilists knocked that notion out of their heads at last month's National Conference for New Politics in Chicago. So the "beat Johnson" faction now turns to the Democratic party (a) to name convention delegates to nominate someone or anyone other than LBJ; (b) to undermine Johnson in the election of 1968; (c) and then in 1972 to use this movement to name a true liberal to take the White House.

The strategy is simple and suicidal.

The first victims of this "beat Johnson" movement will be the Representatives and Senators in the "peace wing" of Congress. A battle over convention delegates will deeply divide the Democratic party ranks. Congressmen and Senators will not escape the conflict unscathed. In the case of a George McGovern (D.-S.D.), or others like him, who are already in deep trouble because of their "dove" posture, a further division within their party is a guarantee of defeat. Put otherwise, in a divided and splintered liberal coalition, the first to suffer will be the men who are liberals on domestic issues and who are foreign policy doves. But they will not be alone. The resolve of the peace-at-all-cost people to defeat the Johnson crowd will also hit the liberals who back the Administration on Vietnam. In short, the "beat Johnson" movement inevitably, if not intentionally, becomes a beat-the-liberals-for-Congress movement: both liberal doves and liberal hawks.

A conservative Congress—much more conservative than the present—will not only affect legislation but may very well turn topsy turvy all calculations on the presidency in 1968. In this regard, 1968 could be unlike any other election in American history.

A George Wallace candidacy would have a peculiar effect on the *electoral*, as distinguished from the *popular* vote. In terms of *popular* vote, Wallace would help LBJ win a plurality. Johnson's liberalism—especially on civil rights—has lost him many voters who in 1968 would go Republican. If Wallace runs, however, many of the same voters would vote Dixiecrat instead of GOP, thereby cutting into Republican strength.

But in terms of the *electoral vote*, the Wallace candidacy could have an altogether different impact on 1968—and on the future of American politics. If he carries as much of the South as predicted, he will garner some 100 electoral votes. In that event, it would be necessary for either the Democratic or Republican candidate for President to win at least 270 electoral votes out of the remaining 438—to be elected. Had this happened in 1948, or 1960, neither Truman nor Kennedy would have had enough electoral votes to win.

If neither Democrat nor Republican get a majority of the votes in 1968, then the contest goes to the House of Representatives—at which point the political complexion of the House becomes decisive because it is the body that will now pick the President out of the top three runners.

In the House, the balance of power would be in the hands of the South. Indeed, its power is heavily exaggerated since each state including the thinly populated states of the South, casts only one vote: Louisiana equals Illinois; Mississippi equals New York; and Alabama equals California.

Southern strategy in this situation must be envisioned against the background of riots in the summer of 1968. The first impact of such disturbances would be to swell the Wallace vote—both North and South. The second impact would be on the Southern Congressional delegations that would *normally* vote for the Democratic candidate for President if the contest went to the House. In 1968, they might do otherwise.

The South may now lead America down the path to reaction—by playing an independent role. Discussing 1968 at a political action meeting of the AFL–CIO, Bayard Rustin recently said: "The nation moves toward 1968, a year of historic importance, in a mood of confusion, unrest, uncertainty. Exploiting Vietnam and the Negro's agony, the Right wing prepares to launch a comeback. If successful, it will profoundly alter the direction of American politics and most grievously set back the Negro." In setting this altered direction, the South would be in the driver's seat.

Given the choice between a Johnson and a Reagan, the Southern delegations could decide to go for Reagan or—if wooed by LBJ—to succumb at a devilish price: my body for your soul. Given the alternate choice between a Johnson and a Rockefeller, the South could say, "a plague on both your houses," and cast its vote for Wallace to elect no President. (This is constitutionally possible, since the top three names for President go before the House and a *majority* is needed for election.)

The latter course, a stalemate in the House, is unlikely because as matters stand right now the GOP candidate will not be Rockefeller but someone more congenial to the Southern spirit. But if Rockefeller (or someone like him) is the candidate and the South should decide to stalemate the election, the political potential becomes bizarre: The Senate chooses the Vice President on a one-man-one-vote basis, and if the House cannot agree on a President, then the Veep becomes Prexy.

This improbable, but possible, freak could put a Reagan directly in the White House, although he runs for Vice President rather than President. At present, the strongest ticket the Republicans can field against Johnson is Rockefeller-Reagan. Should it turn out that the Senate—and not the House—chooses the President, Reagan becomes a real possibility for the Presidency, riding into the White House on Rocky's coattails.

The Southern Democrats in House and Senate would normally not bolt their Presidential candidates. But 1968 will not be normal. The election is apt to be run against a background of flaming cities, with a reactionary South discovering new allies in the North and a last best hope to run America. The year 1968 may be as abnormal as 1860, when a new party on a newly realigned base came to power. In terms of issues, 1968 could be 1860 played backwards.

Ordinarily, if Southern Democrats bolted their party they would be jeopardizing the prized seniority and chairmanships that the Dixie solons enjoy. But in a "realignment" the South could easily make a deal with GOP leadership—and the President-to-be—to "organize" both houses in an overt conservative coalition thus preserving Southern superiority in the Senate and House committees. (In the New York State Legislature just a couple of years ago, it was the Republicans—together with "Wagner" Democrats—who gave Anthony Travia and Joseph Zaretski the necessary votes to head the Legislature. There is no constitutional provision to prevent the same from happening in the U.S. Congress.)

Such an eventuality would be a bit of historic irony for liberals who have long urged party realignment. So far, the liberals have failed to convert the New Deal coalition into a "party." In Congress, the conservatives have long had such an informal "party" on Capitol Hill, voting in consistent concert. In 1968, this Congressional coalition of conservatism may have its first chance to elect its President by its own acts—with the South holding the power and mapping the strategy.

In discussions about the forthcoming elections, 1968 has been analogized with other recent contests, particularly 1948 and 1952, with pro-Johnson people pointing to the former and liberal anti-Johnson people the latter. In fact, both analogies are right—and wrong.

In 1948, Harry Truman—like Lyndon Johnson today—appeared to be in trouble. His "left" wing was being torn away by Henry Wallace and the Progressive Party; his "right" wing by Strom Thurmond and the Dixiecrats. The "left" Democrats were hitting Truman because of his cold war policy, the "right" Democrats were hitting him for his pro-civil rights policy. Americans for Democratic Action started a "dump-Truman" movement and turned to Dwight Eisenhower as an alternative, just as some individual liberals (though not ADA this time) are now involved in a "dump-Johnson" movement that seeks another General as a possible candidate, James Gavin. In the election itself Truman came galloping up to win—with liberal backing, as may happen with LBJ.

do so. On far shakier grounds than these the Court last spring upheld California's fair housing law, despite an overwhelming vote by the people in favor of abolishing it.

Since then, the Court has acquired its first Negro Justice, Thurgood Marshall. His presence should strengthen sentiment on the Court in favor of taking the plunge on housing discrimination, as the Court did on the school segregation issue in 1954.

Congress is frozen on fair housing, as it was on school desegregation, yet political reaction against a bold housing decision might not be too severe; a majority of both Houses of Congress voted on the side of fair housing before the filibuster killed it in 1966.

If the Court should hand down the sweeping decision the Jones appeal asks, the effect would be to eliminate the need for new fair housing legislation; Federal courts could bar racial discrimination in housing—in any form, including private sales between individuals—anywhere it occurred in the country.

ANTIDEFAMATION LEAGUE,
Washington, D.C., October 11, 1967.

Senator WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: As Fred P. Graham points out in his timely and informative column in the New York Times of Sunday, October 8, if the Supreme Court should agree to hear the case of *Jones* v. *Mayer Co.* and later uphold the contention of the petitioners that the 1866 Civil Rights Act bars housing discrimination by private individuals even were there is no state involvement, that decision would mean that the nation already has a national fair housing law. But, it would not, as Mr. Graham goes on to state, eliminate the need for new fair housing legislation.

If the 1866 law should be held to bar housing discrimination by private persons, enforcement of the right to equality of housing opportunity would be left to individual suits brought by the aggrieved individual. While the private law suit has accounted for many of the Court's landmark decisions in the area of racial discrimination, most notably the 1954 school desegregation cases (indeed *Jones* v. *Mayer Co.* itself may prove to be such a landmark case), it is a retail, costly, time-consuming and not too effectual approach for dealing with the still pervasive and persistent problem of discrimination.

Experience has demonstrated that if civil rights statutes are to be meaningful and more than mere wholesome declarations of policy, the responsibility for carrying out the mandate of the law must be shifted from the individual complainant to the specialized administrative agency which must have the power to initiate proceedings on its own motion without first waiting for individual complaints, as well as the power to issue judicially enforceable cease and desist orders after a full administrative hearing. Consequently, as welcome as a decision by the Court would be that the nation already has a federal fair housing law, additional legislation would still be needed. Vindication of the statutory right must not be left solely to the victim of the discrimination. What would still be required is effective administrative enforcement machinery and authority for the Attorney General to institute suits against recalcitrant builders and realtors who may continue to practice discrimination in violation of the law as provided for in S. 1358, the Fair Housing Act of 1967 introduced by you and a bipartisan group of 21 Senators. Only in this way can the right of equal housing opportunity be effectively secured.

Sincerely,

DAVID A. BRODY.

INDIA'S VIEW OF THE WAR IN VIETNAM

Mr. McGEE. Mr. President, I ask unanimous consent to have printed in the RECORD a dispatch from New Delhi, published in the Washington Post of Saturday, October 21. It gives an informed analysis of India's view of the war in Vietnam. The dispatch, by Bernard D. Nossiter, goes to the heart of the dilemma posed for India by its desire for peace but its lingering suspicion of western powers in Asian affairs.

India's concerns are, as Mr. Nossiter points out, primarily her own concerns. She wants to feel secure, and for that reason wants American forces in Asia, if not in India.

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

VIETNAM WAR POSES A DILEMMA FOR INDIA

(By Bernard D. Nossiter)

NEW DELHI, October 19.—Of all the puzzles in India's foreign policy, there are few as perplexing as this government's ambiguous stand on Vietnam.

The confusion arises because New Delhi is pulled in two directions. It has a direct interest in peace in Southeast Asia and harbors some lingering suspicion of the role played there by a Western power such as the United States. At the same time, India looks on China as its primary enemy and is not unhappy that the world's most powerful military force is present in the region to check Peking.

Today was the fifth anniversary of India's clash with China and Prime Minister Indira Gandhi reminded her countrymen:

"Whatever else has changed in the last five years, China's aggressive posture has not stopped. Indeed, China has continued to show open hostility to India . . . Let us be on guard against this continuing menace."

CROSSED SIGNALS

The twin pulls, the wish for peace and fear of China, lay behind the crossed diplomatic signals India sent out earlier this month. The Defense Minister and likeliest candidate for the Foreign Ministry post that Mrs. Gandhi now fills, Sardar Swaran Singh, told the U.N. General Assembly that he was "confident" that Hanoi would "respond favorably" to a halt in American bombing. The next day, Mrs. Gandhi observed tartly that this was just one man's opinion.

India is in constant touch with North Vietnam. Both nations maintain consuls general in each other's capitals. Indian diplomats have been pressing Hanoi to give some pledge that they will make a reciprocal response if the United States halts its bombing. New Delhi has not tried to specify what the response should be, because the talks have never gone that far.

India has gotten no assurances in reply. Instead, the North Vietnamese have repeated that they will make an appropriate response to a bombing halt.

Whether this means that Hanoi would stop sending troops south, sit down to peace talks or something else, the Indians do not know.

WORTH THE RISK

Nevertheless, New Delhi believes that there is little to lose and probably much to gain by stopping the bombing. Officials here cite American statements that bombing has not materially affected Hanoi's infiltration of the South. They believe that a cessation would lead Hanoi to peace talks, that North Vietnam would then stand up to strong Chinese pressure for continued fighting. The Indians acknowledge that this is an opinion, and that bombing halt could disadvantage the United States. The argument here is that this is a risk worth taking.

If peace was restored, New Delhi believes two important consequences would follow. North Vietnam would be free of Chinese pressure and, with aid from the Soviet Union and its own anti-Chinese tradition, would drift away from its close ties to Peking.

Both the United States and the Soviet Union would be free to invest more heavily in the development of Southeast Asia. The Indians believe that the Chinese are a threat primarily to unstable regimes and that a big investment program would make the region less vulnerable.

There is an even more direct Indian interest in peace in Vietnam. New Delhi sees itself protected from China by two powerful forces, the United States and the Soviet Union. Continued division between Peking and Moscow is an essential condition for support from the Soviet Union, support that now takes the form of both arms and economic aid. Indians fear that if the Vietnamese war is prolonged, the great split in the Communist world could be healed and China would have a more open road into the subcontinent.

India's stake in Vietnamese peace does not mean that New Delhi wants American forces to withdraw from Southeast Asia. Indians simultaneously believe that stable regimes can withstand the Chinese and that it is a good thing to have American troops nearby.

TROOPS TO STAY

New Delhi hopes that American forces will remain in Laos and Thailand. India would like to see Cambodia and Burma someday welcome American airmen and soldiers. Even in a peaceful Vietnam, Indians say there is no conflict between their interests and a continued American military presence. In other words, India likes the idea of having U.S. troops on all sides, but not in India itself.

New Delhi's fear of China is leading to a renewed effort for a settlement with Pakistan. India would like to convince its neighbor that China is their big mutual worry.

India and Pakistan are about to restore telephone and telegraph links broken after their 1965 war. Negotiators will next work at reviving air travel between the two.

Sometime next year, India plans to propose talks that would reopen trade, which has also been cut off since the war.

However, it is questionable whether Pakistan will go along with this. From Pakistan's standpoint, the burning issue is not China, but India's possession of Kashmir. And despite India's fear of China and talk of a settlement with Pakistan, New Delhi regards Kashmir's adherence to the Indian Union as an irrevocable fact.

GOVERNMENT ACTION KNOCKS DOWN PRICE OF HIDES

Mr. HRUSKA. Mr. President, I invite the attention of the Senate to an article entitled "Cattle-Hide Prices Reach 2-Year Low as U.S. Demand Shrinks and Exports Drop," published in the Wall Street Journal.

The opening sentence of this article reads:

A shortage of cattle hides that prompted the Government to curb exports 19 months ago is turning into a glut; prices have fallen since late summer and currently are at a two-year low.

Low hide prices mean, of course, either lower prices for live animals, or higher prices for meat, or both.

About a year and a half ago, in response to pressure from the buyers of cattle hides in this country, the Federal Government hastily imposed quotas on the exports of hides, on the theory that the country faced an impending shortage.

That action was most ill advised. No shortage was impending. Within a few months it became apparent that the country had a surplus, not a shortage of

hides. The principal effect of that action was to frghten our foreign customers into looking for alternative sources of hides. In other words, it was destructive of our long-range position in foreign markets, and harmful to the price of hides, and to the price of cattle. It was a class action; it favored one economic group—the makers of leather and of shoes and other leather products, at the expense of another group, the livestock industry.

In response to heated protests from Members of Congress and others, that restriction on exports was lifted a few months later, but not until much damage—permanent damage—had been done

Mr. President, last week the Congress of the United States was treated to some stern lectures on the importance of the export trade by four members of the President's Cabinet, who appeared before the Senate Finance Committee to denounce various proposals to regulate the flow of imports of several key commodities into this country. The committee was told in no uncertain terms that it must not meddle with our foreign trade policy, and that the President's official family was best qualified to handle such matters, and also that they were engaged in protecting and promoting our export trade at every opportunity. One of those who appeared was the Secretary of Commerce, Alexander Trowbridge.

It is regrettable that the Department of Commerce was not as sedulous in promoting our export volume of hides early last year. It was the Department of Commerce which imposed the restrictions on hide exports in March of 1966. Presumably the Department of Agriculture concurred, or at least made no objection. Now, it is obvious that a tragic mistake was made from which the livestock industry of this country will suffer, but which it is now too late to repair.

I ask unanimous consent that the Wall Street Journal article be printed in the RECORD.

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

COMMODITIES: CATTLE-HIDE PRICES REACH 2-YEAR LOW AS U.S. DEMAND SHRINKS AND EXPORTS DROP

(By Laird B. Anderson)

CHICAGO.—A shortage of cattle hides that prompted the Government to curb exports 19 months ago is turning into a glut; prices have fallen since late summer and currently are at a two-year low.

The price decline means lower raw-material costs for shoes, gloves and a host of other leather products. But it also means higher costs for beef processors who count on hide sales to offset part of what they pay for live steers.

"I can't see where the market is going to show any improvement," says one hide broker gloomingly as he surveys the outlook for the troubled commodity.

Hide prices have been swinging sharply in recent years, in large part because of a head-on clash between new patterns of leather consumption and Government efforts to ensure enough hides for domestic needs.

The upside part of that price swing started almost two years ago. At the time, greater affluence overseas was spurring foreign demand for leather shoes. But, at the same time, Argentina, a major world supplier of hides, was being forced by drought and other factors to reduce its offerings to the world market to 6.8 million in 1965 from 12.1 million hides in 1962.

On the Chicago market, the quote for light native cow hides, a high-quality grade used to make the upper part of shoes, nearly doubled in little more than a year, to a six-year high of 26 cents a pound in February 1966 from 13.5 cents a pound in January 1965.

GOVERNMENT STEPS IN

Then the Government stepped in. Commerce Department planners, concerned that U.S. hide merchants were exporting too many hides needed for the U.S. and other leather industries, decreed in March 1966 that exports had to be cut 16% from the 1965 level. Such exports in 1965 had climbed to 13.3 million hides from 11.5 million the year before. The Commerce Department was predicting then that exports would continue to rise to over 14 million in 1966. By the agency's reckoning, this would leave U.S. users in 1966 with 21.1 million hides, or 2.7 million less than they needed.

As might be expected, domestic prices fell on the quota plan. By May 1966, when the Government had eased somewhat its export restrictions, the Chicago price for hides had declined from the previous February's 26-cent level to 23 cents a pound, and the price continued to slump to a 1966 low of 15.5 cents a pound in October.

By then, however, Commerce Department strategists had decided it was time to withdraw the export restrictions. Again, the Chicago hide market reflected the change. Prices turned up sharply from October's 15.5-cent low to 19.5 cents at the end of 1966, and continued to rise through February of this year to 21.5 cents a pound.

By about that time, however, according to industry officials, a backlash against the Government's export quotas was beginning to hit the domestic industry. The quotas actually had failed to hold exports below the level that Commerce Department statisticians had predicted before the controls were imposed. Even with the restrictions, U.S. hide exports climbed to 14.1 million hides last year from 13.3 million in 1965.

COURTING DISENCHANTED CUSTOMERS

But John K. Minnoch, president of the National Hide Association here, says the quotas were eminently successful in convincing foreign buyers that they had better look outside the U.S. for their hide supplies. Argentina, where production was just starting to recover, began aggressively courting disenchanted customers and started lifting sales sharply by the close of last year. Argentina's sales climbed to 8.1 million hides in 1966 from 1965's depressed level of 6.8 million.

That switch away from the U.S. is intensifying this year. U.S. exports, unencumbered by any Commerce Department restrictions, declined 11% in the first eight months of this year, to 8 million hides from more than 9 million a year before. Argentina's exports, by contrast, rose 4.5% to more than 5.6 million from 5.4 million in January-August 1966.

Synthetic materials also are being used increasingly by foreign shoemakers as substitutes for the leather they had been buying in the U.S.

And, to the woe of both U.S. hide merchants and U.S. leather product manufacturers, more of these foreign-made products (with their foreign-origin leather) are being imported into the U.S., thereby reducing the demand for domestic hides.

HIGHER IMPORT BARRIERS URGED

In the first eight months of this year, shoe imports into the U.S. soared almost 30% from the 1966 level, to 88.6 million pairs valued at $141.4 million. According to the Tanners' Council of America, leather handbag imports jumped 38%, glove imports climbed 40% and imports of such smaller products as wallets were up 38%.

Understandably, U.S. production declined as imports swelled. Output of leather shoes and boots by domestic makers dropped 9.1% in the first seven months of the year from the 1966 pace, to 341.3 million pairs. The decline, says Irving R. Glass, executive vice president of the Tanners' Council, is as "serious as anything I've seen."

Some shoe manufacturers are predicting that domestic output may bounce back by the end of the year. Others, however, aren't so sure, and both tanners and shoemakers are pressing Congress to erect higher import barriers against foreign-made leather goods.

What's more, to the further chagrin of the U.S. hide industry, synthetic materials are being used increasingly in the number of shoes being produced in the U.S. Du Pont Co. said shoemakers last year bought enough Corfam, its leather substitute, to make 12 million pairs of shoes. That would account for only 2% of U.S. shoe production, but it was almost 2½ times the amount of Corfam sold in 1965. Still further gains are being posted this year, Du Pont says. Industry sources say that a Japanese substitute, Clairino, also is boosting sales.

For Mr. Minnoch of the Hide Association, the double onslaught of declining export and shrinking domestic demand has prompted dire forecasts that the industry may end up the year stuck with 500,000 to one million spoilable hides.

On the Chicago hide market, the declines have triggered a predictable price slide. The key grade of light native cow hides currently is quoted at 14.5 cents a pound, up slightly from the 13.5-cent quote in effect during late August and early September, but still off substantially from the 24.5-cent level of eight months ago.

For shoe manufacturers, who figure that hides account for 20% to 25% of the cost of making a better grade of men's shoe and 30% of the manufacturing cost of a woman's shoe, the lower hide price means lower outlays for materials. But some big shoe manufacturers, even so, recently posted price increases of 3% to 4%, saying spiraling wage costs and technical improvements have more than offset the lower hide prices.

In the packing industry, by contrast, lower hide prices mean higher net costs. At current prices, packing houses can sell the hide from an average 1,200-pound steer for only about $10, down from nearly $14 this past February. That $4 difference is reflected in higher meat prices.

HO CHI MINH, "MAN OF THE YEAR"

Mr. McGEE. Mr. President, columnist Howard K. Smith, in the Sunday Star, counters the propaganda widespread even in this country, which pictures Ho Chi Minh as a "wise little Uncle Ho."

It is not so, says Smith, piling up the record of a despot, including the numbers of dead left behind as Ho consolidated his power in North Vietnam, then moved to extend it to the south. It is a fraud. But it is a fraud being fed these days by a handful of writers permitted to take conducted tours of North Vietnam. They come back and joke about Ho's claims that there are no North Vietnamese troops in South Vietnam. It is a bald faced lie, but they joke. Then they turn the President of the United States on a stake labeled "credibility gap" because he withholds a bit of information for state reasons.

Perhaps Ho Chi Minh is indeed w[illegible]. But he is certainly playing some people for fools.

housing supply and which apply alike to owners, builders, brokers and mortgage lenders. Nine of the 17 states (Alaska, Colorado, Connecticut, Indiana, Massachusetts, Michigan, New Jersey, New York and Rhode Island) now prohibit discrimination in 100 percent of all residential property advertised for sale and in most rental housing.

Also, there is clearly a movement toward achieving more effective implementation of the laws: 11 of the 16 state commissions administering fair housing legislation now have specific power to take affirmative action by initiating complaints and investigations of discrimination on their own motion; and seven are authorzed to ask for court injunctions or have other means of holding the housing in question in *status quo* until cases are settled. In addition, several commissions are moving to streamline their operating policies and practices. Some states have established the right of an applicant to see a unit in which he may be interested, and refusal to show the unit is a violation of the law.

(NOTE. No. 2.—Four of the 34 city ordinances have been struck down by referenda, and one was held invalid by the courts on technical grounds (see page 10).)

Manifestly, the trend toward broader coverage of the market and for provisions to insure more effective implementation are in response to demonstrated needs and weaknesses, and to widespread recognition that affirmative vigorous action is essential if the fair housing laws are to achieve their purpose: the end of discrimination and segregation in housing and the development of a free society in which every man in fact receives equal treatment and equal service in his search for a home.

STATE LAWS PROHIBITING DISCRIMINATION IN THE GENERAL HOUSING MARKET

1. Alaska: Effective April 4, 1962. Covers sale or rental of all housing; also applies to business transactions of real estate brokers and builders. Enforcement commission empowered to initiate complaints of discrimination on its own motion. Penalties; fines up to $500, 30 day imprisonment, or both. Enforced by Alaska Commission for Human Rights, 24 Reed Bldg., Anchorage 99501.

2. California (See note below): Effective Sept. 20, 1963. Covers sales or rentals involving buildings with 5 or more units, and all existing publicly-aided housing; also applies to all transactions of brokers, builders and mortgage lenders. Provides for injunctive relief, or damages up to $500. Enforcement by California Fair Employment Practice Commission, 455 Golden Gate Ave., San Francisco 94101.

3. Colorado: Effective May 1, 1959. Amended 1965. Covers all publicly-offered sales or rentals (including vacant lots), exempting the rental of rooms in single-family dwellings. Also applies to commercial space, and to brokers, builders and mortgage lenders. Makes refusal to show available housing a violation. Provides that if a respondent fails to comply with a cease and desist order issued by the enforcement commission, the complainant may seek damages in a civil action. In such cases, the court may not only award damages and costs, but may require the respondent to provide housing comparable to that which was at issue in the complaint. Commission empowered to initiate and to seek injunctive relief. Enforced by Colorado Civil Rights Commission, 1525 Sherman St., Denver 80203.

(NOTE.—California's fair housing legislation was restored to full force and effect on May 10, 1966, when the State Supreme Court struck down Section 26 of Article I of the State Constitution (Proposition 14) which was designed to nullify the anti-discrimination housing laws and prevent enactment of such measures in the future. The high court ruled that this initiative constitutional amendment, adopted by referendum in 1964, was in violation of the 14th Amendment to the Federal Constitution. California decision upheld by U.S. Supreme Court, June 1967.)

4. Connecticut: Effective Oct. 1, 1959. Amended 1961, 1963, 1965. Covers all sales and rentals (including vacant lots) except rental of an apartment in an owner-occupied two-family house and rental of rooms in private residences; also applies to brokers, builders and mortgage lenders. Commission empowered to initiate complaints. The commission may also seek injunctive relief, but must give bond in an amount determined by the state circuit court to compensate the respondent for damage suffered if the commission fails to prosecute the action. Penalties: fines up to $100, 30 days imprisonment or both. Enforced by Connecticut Commission on Civil Rights, 92 Farmington Ave., Hartford 06115.

5. Indiana: Effective July 7, 1965. Covers all sales or rentals (including vacant lots); also applies to commercial space, and to brokers, builders, mortgage lenders and real estate advertising. Provides that the enforcement commission may not issue cease and desist orders against owner-occupants of buildings with less than 4 dwelling units. Enforced by Indiana Civil Rights Commission, State Office Bldg., 100 N. Senate Ave., Indianapolis 46204.—Amended, 1967.

6. Maine: Effective September 1965. Covers rental housing, exempting the rental of a unit in an owner-occupied two-family house and owner-occupied one-family dwellings which rent four or less rooms. Penalties: fines up to $100 or imprisonment up to 30 days, with each additional violation punishable by fines up to $500 or imprisonment up to 30 days. No administrative machinery provided for enforcement.

7. Massachusetts: Effective July 21, 1959. Amended 1960, 1961, 1963, 1965. Covers all publicly-offered sales or rentals (including vacant lots), except rental of an apartment in an owner-occupied two-family house (rentals of rooms in private residences are covered by the state's public accommodations statutes by administrative ruling); also covers commercial space, and brokers, builders, mortgage lenders and advertising. Provides for revocation of license of brokers who refuse to obey an enforcement order. Commission empowered to initiate and to seek injunctive relief. Enforced by Massachusetts Commission Against Discrimination, 41 Tremont St., Boston 02108.—Amended, 1967.

8. Michigan: Effective Jan. 1, 1964. Michigan's new State Constitution has been interpreted by the Attorney General to prohibit discrimination in all housing and in all mortgage lending transactions. The enforcement agency is empowered to initiate complaints. Enforced by the Michigan Civil Rights Commission, 900 Cadillac Square Bldg., Detroit 48226.

9. Minnesota: Effective Dec. 31, 1962. Amended 1965. Covers sales or rentals (including vacant lots), with the following exceptions: 1) owner-occupied, privately-financed one-family houses (homes with outstanding FHA or VA mortgages are covered); 2) rental of an apartment in an owner-occupied two-family house; and 3) rental of rooms in private homes. Also applies to brokers, builders and mortgage lenders with respect to housing covered by the law, and to all real estate advertising. Commission empowered to initiate complaints. Provides that at least 5 days prior to the commencement of a hearing before the commission, the respondent may demand that the matter be referred to the district court for determination. In such event, the commission may no longer handle the case and may not conduct a hearing or issue a cease and desist order. Enforced by Minnesota Commission Against Discrimination, 55 State Office Bldg., St. Paul 55101. Amended to cover most of market, May, 1967.

10. New Hampshire: Effective Aug. 29, 1961. Amended 1965. Covers all sales and rentals involving buildings containing more than one dwelling unit, exempting rentals in owner-occupied houses with three or less units. Also exempts the rental or rooms in owner-occupied housing accommodations. Violations are criminal offenses punishable by fines up to $100. The New Hampshire Commission for Human Rights (care of John S. Holland, chairman, 1838 Elm St., Manchester 03104) may receive and attempt to conciliate complaints.

11. New Jersey: Effective Sept. 13, 1961. Amended 1966. Covers all real estate sales, including vacant land and commercial property; and all rentals except rental of an apartment in an owner-occupied two-family house or the rental of a room in a one-family accommodation. (The rental of an apartment in a two-family owner-occupied house or of rooms in a one-family house are covered if the house was built with or has an outstanding FHA- or VA-guaranteed mortgage.) Applies to owners, builders, brokers and salesmen, mortgage lenders, and to real estate advertising. Enforcement agency may initiate complaints and is empowered to seek injunctive relief from the courts. Enforcement by the New Jersey Division on Civil Rights, 52 West State St., Trenton 08608.

12. New York: Effective Sept. 1, 1961. Amended 1963, 1965. Covers all sales and rentals except rental of an apartment in an owner-occupied two-family house and rental of rooms in private residences. Applies to commercial space; to brokers, builders and mortgage lenders, and to real estate advertising. Enforcement commission may initiate complaints and is empowered to seek injunctive relief from the courts. Commission may also award compensatory damages in appropriate cases. An individual whose complaint is dismissed by the investigating commissioner may apply to the chairman of the commission for review. Provides that violation of a conciliation agreement is an unlawful discriminatory practce. Also provides that the use and occupancy of housing and commercial space without discrimination is a civil right, thus making violators subject to action under the penal code. Enforcement by the New York State Commission for Human Rights, 270 Broadway, New York City 10007.

13. Ohio: Effective Oct. 30, 1965. Covers all sales and rentals exempting owner-occupied one- and two-family buildings. Also applies to real estate brokers with respect to housing covered by the law; to all transactions of mortgage lenders; and to advertising. Provides for the right to inspect available housing. Before exercising enforcement powers, the commission must find that a complainant is a bona fide homeseeker. Enforced by Ohio Civil Rights Commission, 240 Parsons Ave., Room 234, Columbus 43215.

14. Oregon: Effective Aug. 5, 1959. Covers persons engaged in the business of selling or renting real property, including vacant lots and commercial space; advertising. Attorney General can initiate complaints. Persons charged with discriminatory acts are notified upon filing of complaints, are forbidden to sell or rent the property at issue until disposition of the case has been made, and are liable to damages if they do so. Separate statute provides for revocation of license of brokers who violate the fair housing law. Enforced by Civil Rights Division, Oregon State Bureau of Labor, State Office Bldg., Portland 97201.

15. Pennsylvania: Effective Sept. 1, 1961. Covers all sales and rentals (including vacant lots) except owner-occupied one- and two-family houses; brokers, builders and mortgage lenders with respect to housing covered by the law; advertising. Commission is empowered to initiate complaints. Enforcement by Pennsylvania Human Relations Commission, 301 Muench St., Harrisburg 17105.

16. Rhode Island: Effective April 12, 1965. Covers all sales and rentals (including vacant lots) except rental of apartments in owner-occupied two- and three-family houses and rental of rooms in private residences; brokers, builders, mortgage lenders, and advertising. Commission empowered to initiate complaints. Enforced by Rhode Island Commission Against Discrimination, State House, Providence 02902.

17. Wisconsin: Effective Nov. 1965. Covers the sale, rental and financing of all residential property with the following three exemptions: 1) single-family dwellings which are owner-occupied or which were last occupied by the owner; 2) owner-occupied apartment houses with four or less units; and 3) owner-occupied rooming houses with four or less rooms for rent. Covers vacant residential lots and the construction and financing of residences upon such lots. Applies to owners, builders, brokers and salesmen, mortgage lenders and to advertising with respect to transactions involving property covered by the law. Provides for the right to inspect available housing. However, the statute specifically prohibits "testing," requiring that only persons with a bona fide intention to buy or rent property may use the law. Enforced by the Industrial Commission of Wisconsin, Hill Farms State Office Bldg., P. O. Box 2209, Madison 53701.

STATES WITH LAWS BARRING DISCRIMINATION IN PUBLICLY-ASSISTED HOUSING ONLY

1. Illinois: Prohibits discrimination in public housing, and restrictive covenants on urban redevelopment land. No enforcement agency.

2. Montana: Prohibits discrimination in urban renewal housing. No enforcement agency.

3. Washington: Prohibits discrimination in urban renewal housing. (See also note on page 1.)

CITY AND LOCAL LAWS BARRING DISCRIMINATION IN PRIVATE HOUSING

District of Columbia (Art. 45, Police Regs.): Effective Jan. 20, 1964. Commissioners' Council on Human Relations, District Bldg., 14th and E Sts., N. W., Washington 20004.

King County, Wash.: Effective Mar. 3, 1964. King County Sheriff's Office, Seattle 98104. (This fair housing law covers the county's unincorporated areas—excluding Seattle.)

1. Albuquerque, N.M.: Enacted June 18, 1963. Fair Housing Advisory Board, Box 1293, Albuquerque 87101.

2. Ann Arbor, Mich: Effective Dec. 20, 1965. Ann Arbor Human Relations Department, c/o City Hall, Ann Arbor 48101.

3. Beloit, Wis.: Effective Apr. 1, 1964. Beloit Human Relations Commission, c/o City Hall, Beloit 53511.

4. Chicago, Ill.: Effective Sept. 24, 1963. Chicago Commission on Human Relations, 211 West Wacker Dr., Chicago 60606.

5. Des Moines, Iowa: Effective June 4, 1964. Des Moines Commission on Human Rights and Job Discrimination, Armory Bldg., Des Moines 50309.

6. Duluth, Minn.: Effective Oct. 19, 1963. Duluth Fair Employment and Housing Practices Commission, Suite 700, Torrey Bldg., Duluth 55802.

7. East St. Louis, Ill.: Enacted Jan. 29, 1964. East St. Louis Commission on Human Relations, 1602 Missouri Ave., East St. Louis 62205.

8. Elyria, Ohio: Adopted Sept. 21, 1965. No enforcement agency.

9. Erie, Penna.: Effective Sept. 1, 1963. Erie Human Relations Commission, 606 Commerce Bldg., Erie 16501.

10. Gary, Ind.: Effective June 4, 1965. Gary Fair Employment Practices Commission, City Hall, 401 Broadway, Gary 46402.

11. Grand Rapids, Mich.: Effective Dec. 23, 1963. Grand Rapids Human Relations Commission, City Hall Annex, 303 Iona Ave., Grand Rapids 49502.

12. Indianapolis, Ind.: Enacted July 1964. Indianapolis Human Rights Commission, City-County Bldg., Indianapolis 46204.

13. Louisville, Ky.: Effective Aug. 25, 1965. Louisville Human Relations Commission, 101F Mayor's Suite, City Hall, Louisville 40202.

14. Madison, Wis.: Enacted Dec. 12, 1963. Madison Equal Opportunities Commission, 416 Russell Walk, Madison 53703.

15. New London, Conn.: Effective Aug. 1, 1963. New London Fair Housing Practices Board, 181 State St., New London 06321.

16. New Haven, Conn.: Enacted May 14, 1964. New Haven Commission on Equal Opportunities, c/o City Hall, New Haven 06510.

17. New York, N.Y.: Effective Apr. 1, 1958. New York City Commission on Human Rights, 30 Lafayette St., New York 10013.

18. Oak Ridge, Tenn.: Effective July 25, 1965. City Attorney, City Hall, Oak Ridge 37832.

19. Oberlin, Ohio (See Toledo, below): Enacted Nov. 20, 1961. Housing Renewal Commission, c/o City Hall, Oberlin 44074.

20. Peoria, Ill.: Enacted Dec. 30, 1963. Peoria Commission on Human Relations, 302 City Hall, 1821 N. Underhill St., Peoria 61601.

21. Philadelphia, Penna.: Effective June 10, 1963. Philadelphia Commission on Human Relations, 625 City Hall Annex, Philadelphia 19102.

22. Pittsburgh, Penna.: Effective June 1, 1959. Pittsburgh Human Relations Commission, City-County Bldg., Pittsburgh 15219.*

23. Schenectady, N.Y.: Enacted April 1, 1963. Schenectady Human Relations Commission, 1929 Union St., Schenectady 12305.

24. St. Louis, Mo.: Effective Feb. 6, 1964. St. Louis Council on Human Relations, Room 200, Municipal Courts Bldg., St. Louis 63103.

25. St. Paul, Minn.: Enacted Aug 13, 1964. St Paul Human and Civil Rights Commission, 1745 City Hall, St. Paul 55802.*

26. Springfield, Ill.: Effective Mar. 15, 1966. Springfield Human Relations Commission, Municipal Bldg., Springfield 62701.

27. Tucson, Ariz.: Effective May 16, 1966. Tucson Commission on Human Relations, 134 West Council St., Tucson 85701.

28. Wichita, Kan.: Enacted Oct. 6, 1964. Wichita Commission on Human Relations, c/o City Hall, Wichita 67201.

29. Yellow Springs, Ohio: Enacted Aug. 19, 1963. Yellow Springs Human Relations Commission, 314 Dayton St., Box 226, Yellow Springs 45387.

30. Los Alamos Co., N.M.: Effective Oct. 12, 1964.

31. Iowa City, Iowa: Effective Aug. 26, 1964. Amended 1967.

32. Ames, Iowa: Enacted Aug. 16, 1966.

33. Prince George's Co., Md.: Enacted Nov. 21, 1967.

34. Battle Creek, Mich.: Effective July 22, 1966.

35. Burlington, Vt.: Effective Aug. 19, 1967.

36. Kalamazoo, Mich.: Enacted June 6, 1966.

37. Joliet, Ill.: Effective July 8, 1967.

38. Covington, Ky.: Enacted June 1, 1967.

39. Muskegon, Mich.: Effective May 9, 1967.

40. Kansas City, Kan.[1]: Effective July 31, 1967.

41. Kansas City, Mo.[2]: Adopted July 31, 1967.

42. Weston, Ill.: Enacted Feb. 14, 1967.

43. Rockville, Md.: Enacted July 31, 1967.

44. Montgomery Co., Md.: Effective Aug. 19, 1967.

45. Wheaton, Ill.: Effective July 5, 1967.

46. Lexington, Ky.: Effective Oct. 1, 1967.

47. Fayette Co., Ky.: Effective Oct. 11, 1967.

48. Dayton, Ohio: [3] Fall 1967.[1]

44. Topeka, Kan.: Effective Oct. 13, 1967.

50. Anchorage, Alaska: Oct., 1967.

51. Flint, Mich.: Enacted Oct. 30, 1967.

52. Bardstown, Ky.: Effective June 29, 196[illegible]

53. Albion, Mich.: Enacted Aug. 28, 19[illegible]

54. Port Huron, Mich.: Enacted 1967.

55. Lansing, Mich.: Enacted 1967.

56. Annapolis, Md.: Enacted 1967.

57. East Lansing, Mich.: Enacted Feb. 20, 1967.

58. Ypsilianti, Mich.: Effective Sept. 19, 1966.

59. Decatur, Ill.: Enacted May 23, 1966.

60. Maywood, Ill.: Enacted Aug. 11, 1966.

61. Freeport, Ill.: Enacted Oct. 14, 1967.

62. Elgin, Ill.: Enacted April 13, 1967, Amended July 27 & Aug. 10, 1967.

63. Champaign, Ill.: Enacted April 28, 1967.

64. Bloomington, Ill.: Enacted July 24, 1967.

65. Normal, Ill.: Enacted Sept. 18, 1967.

66. East Moline, Ill.: Enacted Oct. 2, 1967.

67. Galesburg, Ill.: Enacted Oct. 2, 1967.

68. Skokie, Ill.: Enacted Oct. 9, 1967.

69. Rock Island, Ill.: Enacted Oct. 9, 1967.

70. Evanston, Ill.: Effected Jan., 1968, Enacted Oct. 23, 1967.

71. Allentown, Pa.: Enacted Oct. 18, 1967.

72. Rochester, Minn.: Enacted Dec. 24, 1967.

73. Easton, Pa.: Enacted July 16, 1967.

74. Steubenville, Ohio: Enacted June 3, 1966.

75. Detroit, Mich.: Enacted Nov., 1967.

76. Brown Deer, Wis.: Enacted Nov. 6, 1967.

77. Bayside, Wis.: Enacted 1967.

78. Fox Point, Wis.: Enacted 1967.

79. Mequon, Wis.: Enacted 1967.

80. Birmingham, Mich.: Enacted Nov., 1967.

81. Shorewood, Wis.: Enacted Dec., 1967.

82. Whitefish Bay, Wis.: Enacted Dec. 1967.

83. Kenton Co., Ky.: Enacted June 1, 1967.

The following cities have enacted fair housing ordinances reaching the private mar[illegible] which have been struck down by refere[illegible] or, in one case, ruled invalid by the courts on technical grounds.

1. Akron, Ohio: Enacted July 1964. Struck down by referendum November 3, 1964.

2. Berkeley, Calif.: Enacted Jan. 15, 1963. Struck down by referendum April 2, 1963.

3. Seattle, Wash.: Enacted Nov. 26, 1963. Struck down by referendum March 10, 1964.

4. Tacoma, Wash.: Enacted Sept. 24, 1963. Struck down by referendum Feb. 11, 1964.

5. Toledo, Ohio: Effective June 9, 1961. Ruled invalid by Ohio Supreme Court March 10, 1965, on ground that the ordinance was so indefinite that enforcement of its provisions would be impossible.

A second ordinance was approved in Toledo on March 20, 1967. This was struck down by referendum on Sept. 11, 1967.

6. Jackson, Mich.: Enacted Sept. 27, 1966. Repealed by referendum April 11, 1967.

7. Springfield, Ohio: Enacted April 3, 1967. Struck down by referendum, Nov. 7, 1967.

MEASURES PROHIBITING "PANIC PEDDLING"

Several states and cities have regulations or ordinances which prohibit real estate operators from engaging in practices designed to incite panic selling due to the entry or prospective entry into a neighborhood of persons of another racial or ethnic background.

The state licensing agencies in *Connecticut, New York* and *Pennsylvania* have regulations under which brokers and salesmen are liable to revocation or suspension of their licenses if they are found guilty of engaging in "blockbusting" tactics. *Ohio* prohibits "blockbusting" under a recently-enacted fair housing law. In *Maryland*, a law

*Amended to strengthen and broaden, 1967.

[1] There remains a possibility of a referendum challenge.

[2] Signatures demanding referendum have been certified. No date set.

[3] Law not in effect pending outcome court test. (These notes are all as of Dec. 5, 1967).

aimed at preventing blockbusting was adopted in 1966.

The following cities have adopted special anti-panic peddling ordinances:

1. Baltimore, Md.
2. Buffalo, N.Y.
3. Detroit, Mich.
4. Kansas City, Mo
5. Park Forest, Ill.
6. San Francisco, Calif.
7. Shaker Heights, Ohio
8. South Euclid, Ohio
9. Teaneck, N.J.
10. Toledo, Ohio
11. Warrensville Heights, Ohio

The following cities have incorporated anti-blockbusting provisions into their fair housing ordinances:

1. Chicago, Ill.
2. East St. Louis, Ill.
3. Elyria, Ohio
4. Peoria, Ill.
5. Washington, D.C.
6. Wichita, Kan

STATE LAWS BARRING DISCRIMINATION IN PRIVATE HOUSING

18. Iowa: Effective July 1, 1967. Covers all sales and rentals with exception of owner-occupied two-family dwellings and owner-occupied rooming houses renting less than six rooms.

19. Maryland: Effective June 1, 1967. Covers all sales and rentals in new developments of five or more houses completed after June 1, 1967, and apartment buildings completed after that date, with exception of owner-occupied buildings of up to 11 units.

20. Vermont: Effective July 1, 1967. Covers all sales and rentals except owner-occupied buildings renting four or fewer rooms.

21. Washington: Not in effect. Referendum scheduled Nov. 1968. Makes real estate brokers' and salesmen's licenses terminable if they engage in discriminatory acts as brokers or salesmen.

22. Hawaii: Effective June 4, 1967.

[From the Milwaukee Journal, Dec. 13, 1967]

LIMITED HOUSING LAW APPROVED BY COUNCIL—ALDERMAN PHILLIPS FAILS IN BID TO EXPAND IT.

After weeks of conflict, demonstrations, debate, negotiations and study, the common council Tuesday enacted an open housing ordinance that proponents and opponents agreed had little effect.

The council, by a 13 to 6 vote, passed an ordinance that virtually copies the state law which already covers the city.

The action came after about one and a half hours of debate and rejection of four amendments to strengthen the law proposed by Alderman Vel R. Phillips, the council's only Negro. She voted against the final proposal.

The measure was a compromise proposed by Ald. Clarence M. Miller after several stronger open housing versions bogged down in committee in the face of strong opposition.

HOW THEY VOTED

Voting for the ordinance were Aldermen Allen R. Calhoun, Jr., Francis E. Dineen, Robert J. Dwyer, Robert O. Ertl, Stephen A. Galligan, Norman J. Hundt, Harold J. Jankowski, Robert J. Jendusa, Sr., Rod Lanser, Miller, Richard B. Nowakowski, Mark W. Ryan and Martin E. Schreiber, council president.

Voting against it were Aldermen Robert A. Anderson, James E. Maslowski, Mrs. Phillips, Fred F. Schallert, Robert L. Sulkowski and Eugene L. Woehrer.

The ordinance was sent to Mayor Maier for his signature. A spokesman for the mayor said the mayor would sign it. It will take effect upon publication.

LIKE STATE LAW

Like the state law, the Miller ordinance makes discrimination in sale, rental or lease of housing illegal, and applies primarily to housing which constitute a business. It exempts owner occupied single family homes, some rooming houses and rental units of four families or fewer.

Aldermen on both sides of the issue said the ordinance had little effect although some said it was a step in the right direction.

It appeared to be an attempt to satisfy civil rights advocates and assuage the opponents of open housing, but neither side emerged happy.

"It is obvious," Jankowski remarked, "that both sides will leave these chambers rankled and somewhat displeased."

But he added that it was a start, "as humble and feeble as it is."

Miller said that although the law duplicated the state's, it was hoped that people would feel freer to bring their discrimination complaints to the city attorney.

The main difference in the law is that the city's ordinance will be prosecuted by the city attorney while the state enforcement is handled by state officials.

Mrs. Phillips, sponsor of a strong open housing ordinance, said the Miller proposal would not satisfy Milwaukee Negroes or whites who have worked with them for a strong ordinance.

THANKS FOR NOTHING

"It is not what we want," she said.

"Thanks for nothing," Mrs. Phillips told the council. "You are very much too late with very much too little."

She said the vote by some aldermen was "a way out, a face saving device." Aldermen now can tell opponents of fair housing in their constituencies that "we gave them nothing more than they had," she said.

On the other hand, she said, they can also tell supporters of open housing that "we now have an open housing ordinance."

She called it a way of "purporting to act although no meaningful gain has been accomplished."

She said it was "a coward's way out at worst and at best a show of good faith."

Sulkowski said he had always advocated state or federal open housing legislation.

"I believe it is wrong for this common council to take any action that would circumvent any action taken by the people of this community that circulated the petitions that this council has adopted," he said.

He referred to petitions filed by the Milwaukee Citizens' Civic Voice, containing 27,000 signatures, which forced the council to call a referendum on the open housing issue. The effort was designed to block open housing.

"This is democracy at its best," Sulkowski said of the petitions. "It isn't easy to get 27,000 signatures."

Ald. Robert J. Dwyer said the legislative approach to open housing had been found lacking. He said he favored voluntary methods.

"Proponents of the legislative approach do not understand democracy," Dwyer said. "They do not understand that democracy is the rule of the majority."

IMPOSING JUDGMENT

He said the supporters of the law were trying to impose the moral judgment of the minority on the majority of the population.

"It is ironic that the same liberals alleging that we have a moral obligation here to impose a moral judgment of the minority on the majority are the same people who are advocating the repeal or loosening of laws against abortion, pornography or even sexual acts between consenting adults," Dwyer said.

Dwyer said, however, that he would vote for the Miller ordinance "only because it changes nothing."

Ald. Eugene L. Woehrer said the Negro population of his ward had increased "voluntarily."

"I don't think any legislation can force open housing," he added.

Ald. Robert J. Jendusa said some people thought the ordinance was a beginning and could be strengthened. He said he would not support such action until the state law was made stronger.

He said that the city attorney had said the city could pass nothing stronger than the state law because of the Civic Voice petition.

The Miller ordinance was passed after the council rejected four amendments by Mrs. Phillips designed to broaden the proposal.

The first, calling for removal of all exemptions, so that the law would cover all housing, was defeated 18 to 1.

OTHERS DEFEATED

After that, Mrs. Phillips proposed an amendment to expand the law to cover all housing except owner occupied duplexes, rooming houses and housing for religious organizations. That lost 15 to 4, with Lanser, Miller and Schreiber joining Mrs. Phillips.

When that lost, another amendment to expand the law to cover the lease or rental of all types of housing, but not the sale, was defeated by the same vote.

Her final amendment, to expand the law to cover all types of housing except where the seller involves the public or a third party (an agent, through advertising, etc.) lost 18 to 1.

In a statement on the common council's action, Mayor Maier said it "at least manifests that Milwaukee already is covered by a state open housing law which is stronger than more than 90% of the open housing laws in existence in our country."

MILWAUKEE SECRET

He said this dispelled what he called a well kept secret nationally about the Milwaukee situation.

"Locally, however," the mayor added, "to quote Winston Churchill: 'It is a riddle wrapped in a mystery inside of an enigma' as to why the county board—which has the power to act in the name of the entire metropolitan area—has never been called upon to act on this question by powers of communication.

"To me, this is just another manifestation of the metropolitan hypocrisy."

About 150 persons attended the council meeting.

Father James E. Groppi and members of the NAACP youth council which he advises sat on the east side of the chamber. The youth council has conducted demonstrations for open housing since last August.

On the other side of the room were members of the Civic Voice, which is leading the opposition.

ENFORCEMENT EASIER

Although the ordinance parallels the state law, its enforcement procedure is less cumbersome. It provides that a person alleging discrimination in violation of the law can complain to the city attorney.

The city attorney then will decide whether a formal complaint should be filed in court. The state law is enforced by the state department of industry, labor and human relations and contains time consuming provisions for conciliation.

The common council has rejected open housing ordinances four times since 1962. All the others were proposed by Mrs. Phillips and contained more stringent provisions than the Miller proposal.

Since this summer, open housing has become one of the most debated subjects in the city's history.

Passage of a law got strong support from a long list of civic, labor and religious organizations. But many aldermen claimed that they had noted, on the other hand, a strong and relatively silent grass roots movement opposing open housing.

Mayor Maier also proclaimed that he would not sign a strong open housing law unless 14 of the 26 suburbs also passed similar ordinances. So far six have.

Maier said he favored metropolitan or statewide open housing because a city-only law would cause a flight of middle class whites to the suburbs, resulting in a loss of tax base.

The coming spring election made the decision on open housing more difficult. Many aldermen were afraid a vote for the law would result in their defeat in April.

MEETINGS HELD

There were efforts to negotiate a settlement with the open housing advocates, and some aldermen—chiefly Mrs. Phillips, Miller, Schreiber and Calhoun—held meetings with them.

In the meantime, groups on both sides circulated petitions.

Later, the council's judiciary committee appointed an 11 man committee of citizens and aldermen headed by Lanser to find a compromise.

After a 19 hour closed door session in the Pfister hotel, the special committee emerged, stating that an open housing law was needed.

PETITION FILED

But the committee said it could not agree on what the law should be. It presented four versions to the judiciary committee for consideration.

The stage was set for a final vote on an ordinance. But the day before it was to come up the Civic Voice filed its petition demanding a referendum. The majority of the aldermen breathed a little easier.

They decided that because of the petition, they could not act on any ordinance that would be stronger than the state law, because the state law already was in effect.

The council voted to hold the referendum in the April election. The American Civil Liberties Union later challenged the action in the federal court. A trial on the ACLU request for a permanent injunction will be held in January.

VIOLENCE DEPLORED

After passing the Miller ordinance Tuesday, the council asked the city attorney to attempt to remove the common council as a defendant in the lawsuit. Aldermen said the Civic Voice should be the defendant.

The council also passed a resolution deploring "violence, threats or intimidation" during the Christmas season.

[From the Milwaukee Journal, Dec. 13, 1967]

ONLY A BEGINNING

Local enforcement of the open housing right within the narrow coverage limits of the state law—this much, nothing more—has finally become the official policy of the city of Milwaukee. It is no great thing, but at least the council did move. It is a beginning.

Enough aldermen were finally made to see that some affirmative posture had to be taken. There was no slightest sign of any new conviction, no new determination to have justice done. Excuses for stopping at the state law were trumped up, apologies were written in advance for going even that far, mealy-mouthed new perversions of "democracy" were expounded.

Ald. Phillips was still the solitary voice for full coverage of all housing. Her compromise proposals to cover all sales only, exempting various types of rentals, gained only the adherence of Aldermen Lanser, Miller and Schreiber, who had been her colleagues in the recent subcommittee effort at solution. And her final concession, to exempt unadvertised and unbrokered sales by owners, found her alone again. This would hurt brokerage business, someone explained.

Hope for any fuller coverage than already exists in higher law does not lie in this council or another one like it. The county board, though now fully empowered by the state, is not a much greater hope. It reflects largely the same politics and prejudices that the council does. The duty and necessity fall back upon the legislature to make the state law complete, and before it adjourns this month.

[From the Louisville Courier-Journal, Dec. 14, 1967]

LOUISVILLE HOUSING LAW APPROVED BY ALDERMEN—9-TO-3 VOTE

(By Vincent Crowdus)

The Louisville Board of Aldermen last night, by a 9 to 3 vote, passed an open-housing ordinance with enforcement powers.

The vote came after the aldermen had listened for 2 hours and 15 minutes to arguments both for and against the proposed ordinance. The decision drew applause and cheers from supporters in the jammed Aldermanic Chambers in City Hall. One boo was heard.

The ordinance now goes to Mayor Kenneth A. Schmied for signing into law or a veto. The ordinance would become law automatically if the mayor takes no action on it before the next aldermanic meeting Dec. 27.

If the mayor vetoes the ordinance, the aldermen could override him with a two-thirds vote of the 12-member board.

Schmied thus far has not indicated what he would do if the ordinance were passed. He told newsmen this week that he wanted to see exactly what was passed before making a decision.

The mayor has said he favored some type of housing law, but he has been opposed to any containing a fine as a penalty provision.

The ordinance approved last night provides for fines up to $100, as well as enforcement through court orders and contempt of court proceedings.

Voting for the ordinance were Dr. Robert Lykins, Henry A. Triplett, Donald Noble, Edwin Love, Aldermanic President James E. Thornberry, Charles H. Miller, Chester Terry, Mrs. Louise Reynolds and Dr. Albert B. Harris.

Mrs. Reynolds and Dr. Harris are the only Negroes on the board.

Voting against the ordinance were John P. Hayes, Joseph Kotheimer Sr. and Arthur D. Yocom.

Thirty-eight persons spoke on the proposal before the voting. There were 20 against the measure and 18 for it.

[From the New York Times, Dec. 15, 1967]

LOUISVILLE PASSES OPEN-HOUSING RULE

LOUISVILLE, December 13.—The Louisville Board of Alderman, by a vote of 9 to 3, passed an ordinance Wednesday night to prohibit racial discrimination in the sale and rental of housing.

The ordinance now goes to Mayor Kenneth A. Schmied. He can sign it, veto it, or allow it to become a law automatically by taking no action before the next aldemanic meeting in two weeks.

The vote came after the board, now controlled by Democrats, listened more than two hours to supporters and opponents of the ordinance.

The meeting was orderly, in sharp contrast to demonstrations and disturbances last spring when the aldermen, then predominantly Repulican, rejected an open-housing law. The Republican's opposition to the law is considered the major reason for their defeat in the November election.

[From the New York Times, Dec. 12, 1967]

FTC COMPLAINS APARTMENT ADS MASK COLOR LINE—FILES ACTIONS CALLING THEM ILLEGAL FOR NOT MENTIONING ALL-WHITE OCCUPANCY—STEP IS FIRST OF KIND—POWER TO POLICE MISLEADING ADVERTISING USED AGAINST DEVELOPERS NEAR CAPITAL

(By Eileen Shanahan)

WASHINGTON, December 8.—The Federal Trade Commission issued complaints today against the operators of nine apartment developments in nearby suburban Virginia, charging them with failing to disclose in their advertisements that they rent only to whites.

The complaints marked the first time that any Federal agency had attacked housing segregation by attempting to police real estate advertising. The commission has broad statutory authority to stop advertising that is "false and misleading."

The complaints represent only the first step in what could be a long legal procedure if the apartment operators choose to fight.

It was expected they would do so because several of them have been picketed nearly continuously by open-housing advocates for several years and have not opened their apartments to Negroes.

HEARING IS FIRST STEP

Testimony on the complaints would first be taken in a hearing presided over by a commission hearing examiner, who would then hand down an opinion.

The commission could then review the opinion, either on its own motion or upon appeal. Finally, if the commission's opinion were adverse to the apartment operators, they could appeal in Federal court.

If the apartment owners chose not to fight, they could change their occupancy policy, change their advertisements or stop advertising.

However, if the advertisements were revised to include some sort of "white only" statement, the apartment owners might run afoul of other Federal laws, including the 1964 Civil Rights Act.

This bars racial discrimination in any federally assisted program. At least some of the apartments involved in the complaints were built with Federal financial assistance.

The commission's complaints charge that their advertisements, placed in Washington newspapers, were "false, misleading and deceptive" because they did not state that "these apartments are not available for rental to applicants who are Negro."

The commission also charged that some of the ads were misleading because they failed to state that the occupancy of one-bedroom apartments would be limited to two persons and that of two-bedroom apartments to four persons.

CHAIRMAN IS DOUBTFUL

Two members of the five-man commission issued special statements about the complaints against the apartment owners.

The commission's chairman, Paul Rand Dixon, argued that the Federal Trade Commission Act, which authorizes the commission to police advertising, contemplated that the commission "should act only in the field of trade and commerce and not in the area of civil rights."

"I therefore think it unwise for the commission," he said, "to venture into this field."

"I agree that the housing problem in America must be resolved. I would suggest, however, that it should be resolved by the Congress and not by an administrative agency created to deal with the problems associated with interstate trade and commerce," he said.

Mr. Dixon also argued that the commission should not have acted against just a handful of apartment owners, but against "all like parties wherever they might be situated who may have advertised deceptively."

Commissioner MacIntyre also objected to the issuance of complaints against a small number of apartment owners when "the problem now before us appears to involve an industry numbering many thousands of operators and directly touching an affected segment of the public embracing millions of persons."

Mr. MacIntyre also raised questions about the commission's authority to act, noting that the apartment owners might not legally

be engaged in interstate commerce and thus subject to the commission's jurisdiction.

The three remaining commissioners, who favored the filing of the complaints, decided that since the Virginia apartment owners had advertised in Washington newspapers, there was no question that interstate commerce was involved.

[From the New York Times, Dec. 4, 1967]

JUSTICES TO RULE ON OPEN HOUSING—INTERRACIAL COUPLE'S SUIT IN SUBURB PUTS ISSUE UP TO COURT FOR FIRST TIME

(By Fred Graham)

WASHINGTON, December 4.—The Supreme Court agreed today to consider whether suburban housing developments must be opened to Negroes on an equal basis with white persons.

The action will bring the issue of discrimination in housing before the Supreme Court for the first time. It has been asked by the Justice Department to rule that those who develop suburban land into going communities cannot legally refuse to sell to Negroes or members of other minority groups.

In an unsigned order, the Court announced without comment that it would review the appeal brought by an interracial couple from St. Louis, Mo., who contend that they were denied the right to purchase a house and lot because the husband is a Negro.

The couple, Mr. and Mrs. Joseph Lee Jones, further contend that even though Congress has balked at enacting a fair housing law, the courts can order the developers to sell housing to them. They assert that this can be done under current interpretations of statutes and constitutional provisions already on the books.

In 1965, the Joneses were rebuffed in their attempt to buy a house in the Paddock Woods subdivision, then being developed in suburban St. Louis.

They took the issue to the Federal District Court, where they asked for $10,000 in damages and a court decree ordering the developers to make the sale.

The District Court and the United States Court of Appeals for the Eighth Circuit both ruled that existing law provides no remedy for persons who say they were denied the right to purchase real property because of their race.

The appeal of Mr. and Mrs. Jones to the Supreme Court rests on two alternative grounds.

One is an almost-forgotten civil rights law of 1866 that guaranteed the recently freed slaves the same right as white citizens to "purchase, lease, sell, hold and convey real and personal property."

The appeal contends that this law was enacted to enforce the 13th Amendment, which prohibits slavery. Since housing discrimination is a "vestige of slavery," the appeal asserts, the courts can invoke the law to prevent individuals from discriminating against Negroes in housing transactions.

CONSTITUTION INVOKED

The second argument is that the 14th Amendment, which prohibits racial discrimination by states, also forbids discrimination by suburban land developers who create new communities and thus assume the character and responsibilities of state agencies.

The appeal contends that the developers' alleged racial discrimination was, in substance, "state action," because the state had involved itself through licensing, zoning and other regulation.

In its friend-of-court brief in support of the appeal, the Justice Department argued that "a private individual who is permitted by the state to perform an essentially public function assumes, along with the governmental powers of the state, its constitutional obligations" not to discriminate against Negroes.

The brief also pointed out that the developers of Paddock Woods had provided streets, playgrounds, a garbage collection system and other features traditionally furnished by the state.

A TREND DISCERNED

In recent years the Supreme Court has been notably receptive to arguments of this type. It has steadily expanded the list of private discriminatory acts that are designated "state action" and are thus held to be unconstitutional.

Among other decisions along this line, it has prohibited enforcement by courts of agreements by landowners that they will not sell to Negroes, and has ruled that a privately owned park in the center of Macon, Ga., could not bar Negroes.

[From the New York Times, Dec. 3, 1967]

FTC PLANS DRIVE ON HOME-SALE BIAS—PANEL WEIGHS SUITS ON ADS THAT DO NOT STATE WHEN ONLY WHITES MAY BUY

(By Eileen Shanahan)

WASHINGTON, December 2.—The Federal Trade Commission is preparing to police the advertising of real state concerns that do not sell or rent to Negroes.

Whether the commission's plans for such a move against discrimination in housing will ever be put into effect depends, however, on a decision by the White House on filing an impending vacancy on the five-man commission.

Under its basic statutory authority to police false advertising, the commission voted this week to file suits against a number of real estate concerns in Washington.

The suits charge that the ads of these concerns are false and misleading because they do not state that the properties offered for sale or rent are available only to white persons. Suits in other areas of the country are also planned.

The vote on filing the suits was 3 to 2, however, and one member of the majority, Commissioner John R. Reilly, is about to leave the commission to return to private law practice.

The commission's chairman, Paul Rand Dixon, who is said to believe that the commission has no business getting into civil rights matters is reported to be holding up the filing of the suits until President Johnson names a successor to Mr. Reilly.

Mr. Dixon's candidate for the job is the agency's general counsel, James McI. Henderson, a Texan, who also opposes the attack on real estate advertising.

The two other major candidates for the job are believed to side with the commission's present majority. They are Neal P. Rutledge, a Washington lawyer and son of the late Supreme Court Justice Wiley B. Rutledge, and Willard F. Mueller, the commission's chief economist.

A number of issues before the often-divided commission, other than the use of its powers to try to force open occupancy of housing, are also at stake in the naming of a successor to Commissioner Reilly. Among these are the commission's role in policing cigarette advertising and its policies with respect to corporate mergers.

Mr. Henderson tends to believe that the commission should play a very limited role in both of these fields.

The planned legal attack on real estate advertising, though it would begin with cases in Washington, is seen by the commission's present majority as just the beginning of an attempt to use its powers to force open occupancy in many other parts of the country.

Officials explained that there were several possible outcomes in event the commission won its suits requiring real estate concerns to state that their properties were available to whites only, where that was the case.

Where there are state or local laws forbidding discrimination in housing, the real estate concerns would be forced either to change their policies or to stop advertising.

PUBLIC SUPPORT A GOAL

Where no such laws exist, the commission's majority believes, appearance of ads stating "whites only" would mobilize public opinion against the discriminating real estate concerns.

The commission's majority also see its planned attack as an aid to the recent drive of the Department of Defense to force landlords near military bases to open their facilities to all.

The department has issued orders covering military personnel of several bases in the Washington, D.C. area, stating the future rent from landlords who will not rent to all.

The commission's majority believes that its planned suits would help the Pentagon identify the offending landlords and also mobilize opinion against them.

The commission has been considering action against false advertising of housing accommodations for at least two years, it was learned. However, there was never a majority for the action until recently, when Senator Edward M. Kennedy, Democrat of Massachusetts, persuaded Mr. Reilly to support it.

Mr. Reilly is an old friend of the Kennedy family and was chosen for the commission by President Kennedy. The two other members of the commission who support the move against false real estate advertising are Philip Elman and Mary Gardined Jones.

In addition to Chairman Dixon, Commissioner A. Everette MacIntyre opposed it.

[From the Washington (D.C.) Evening Star, Nov. 29, 1967]

ALEXANDRIA COUNCIL VOTES HOUSING AGENCY

(By Jerry Kline)

The establishment of an Alexandria Department of Housing and Community Development, duties of which will include carrying out the city's voluntary open-housing policy, received the tentative approval of the city council last night.

In another area, the council received a committee recommendation urging that the local 1 percent sales tax be renewed after it expires next June 30 and that the state sales tax on food be supported. The item was docketed for discussion on Dec. 12.

The new Alexandria department, to be created with the present Urban Renewal Division as its nucleus, is to seek improvements of general housing conditions, assist residents who lack adequate accommodations and create programs to eliminate urban blight, among other tasks.

Besides the present urban renewal personnel, the staff will include at least one housing specialist. Although not specified in the ordinance which creates the department, the specialist's technical concern is expected to be housing for middle and low income Negroes.

Under the ordinance, slated to be adopted at the Dec. 12 council meeting, the city will have separate Urban Renewal and Planning departments for the first time since they were merged under a reorganization proposed by City Manager Albert M. Hair Jr. in 1962.

Councilman Wiley F. Mitchell Jr., who had suggested the hiring of a specialist some weeks ago to coordinate the housing programs, joined the other councilmen in backing the ordinance. He expressed concern, however, that the specialist would be "buried" in the new department.

"I frankly don't know whether this will work or not, but the city manager is the expert in this city," Mitchell added.

The sales tax proposal was contained in a series of recommendations submitted in an interim report by the Advisory Tax Commis-

sion. The optional 1 percent sales tax produced $1,690,000 in revenue to the city last year and $2 million during the current year, the commission said. Forty percent of the total came from non-city residents, according to the committee.

Over $750,000, or about 25 percent of the city's receipts from the 3 percent state sales tax and the 1 percent local tax, is derived from the levy on food, the commission said. Based on 1960 census figures, elimination of the tax on food would amount to less than $35 per year for families with incomes under $3,000 annually, according to the commission.

In a covering letter with the report, Commission Chairman Herbert M. Early told the council that the recommendation to ask the city's legislative delegation to support the food tax "does not represent enthusiasm by the commission for the sales tax on food."

Early said: "Rather, the recommendation is based upon the commission's conclusion that the raising of an equivalent amount of revenue from other available local tax sources would be equally burdensome to low-income families."

Two councilmen, Mitchell and John T. Ticer, expressed immediate opposition to the food tax. If Virginia adopted the pay-as-you-go method of financing capital projects, they said, the tax would be unnecessary.

[From the Washington Post, Nov. 11, 1967]

HOUSING LAW SET IN COUNTY—PRINCE GEORGES ENACTS OPEN OCCUPANCY BILL

(By Peter A. Jay)

An open housing law was adopted yesterday for Prince Georges County, the Washington area's most populous suburban jurisdiction.

The measure, which takes effect Dec. 1, goes beyond a new State law by covering the sale and rental of existing apartments as well as new apartment and subdivision projects.

It also applies to existing single family homes. It stops short of the only other suburban county ordinance—Montgomery's—by allowing individual home owners to discriminate by stating in writing that they do not want to sell or rent on an open occupancy basis.

Despite tris exemption, the Prince Georges law could have more impact than Montgomery's since there are substantially more apartments available in Prince Georges at prices that moderate and low income Negro families in Washington can afford.

Prince Georges, with a population of 600,000, already has more Negroes than any other suburb.

The measure was adopted unanimously by the five-member Board of Commissioners after a series of public hearings at which the bill was attacked as too weak by citizens' groups and too strong by real estate operators and some private citizens.

A number of protesters was on hand again yesterday, warning the Commissioners that their vote would hurt them at the polls next time around.

The ordinance bars racial discrimination in the sale or rental of all housing in the County with the exception of:

Individual homes sold or rented without the aid of a broker, or individual homes whose owners specify to their brokers in writing that they do not wish to sell or rent on an open occupancy basis.

Owner-occupied rooming houses with four or fewer rental units.

Existing apartment buildings with four or fewer apartments.

The ordinance was stengthened beyond its pre-hearing form by the Commissioners to specifically bar brokers from soliciting clients for written instructions to handle transactions on a discriminatory basis.

A controversial quota provision, lifted from the Montgomery law, is included in the Prince Georges measure. The section provides that if an owner or broker can prove he has sold or rented 10 per cent of his units to persons of the same race as the complainant, he is presumed to be in compliance with the law. The complainant must then prove otherwise.

There are no criminal penalties provided by the ordinance, except for a section that sets a $500 fine or 90 days in jail for persons found guilty of engaging in blockbusting tactics to scare whites into selling their homes.

Instead, complaints will be brought to a "fair housing commission," which will evaluate them and certify violations to the County Attorney's office for civil action. Such action could result in fines or jail terms for contempt of court.

A provision in the original ordinance requiring complainants to post a bond—meant to discourage frivolous complaints—was dropped from the ordinance yesterday. The Commissioners said the bond could serve to intimidate persons with legitimate complaints.

The Montgomery law, now subject to a court challenge covers virtually all housing in the County. An effort to petition to referendum the statewide measure was recently upheld by a Harford County judge.

If this decision is reaffirmed by the State Court of Appeals, the measure will be suspended until it can be placed on the ballot. The County laws would remain in effect even if the State law is overturned.

"The time has come for us to take action to meet the legitimate need for decent housing which faces many of our citizens," the Commissioners said in a resolution.

Not all the spectators in the Upper Marlboro hearing room agreed. As the Commissioners left the room after approving the ordinance, William Parreco, a 64-year-old Hyattsville resident, drew a smattering of applause when he launched into a loud ten-minute tirade opposing the measure.

[From the New York Times, Nov. 21, 1967]

FHA ASKS AIDES TO GET HOUSING FOR MINORITIES—WARNS THAT GREATER EFFORT IS NEEDED—SAYS NEGROES LAG UNDER U.S. PROGRAM

(By Robert B. Semple)

WASHINGTON, November 20.—The Federal Housing Administration, appalled by a confidential new survey of Negro occupancy of federally insured housing, has told its local employes in 76 cities that they must make a greater effort to provide housing for minority groups in the white suburbs or risk unpleasant consequences.

One possible consequence, it has been hinted, would be the loss of their jobs to men with greater "loyalty and zeal" for the principle of open housing. Another would be the gradual decline of the housing agency itself as an instrument of social change.

These warnings were contained in a speech delivered here last month by a high F.H.A. official to a conference of the agency's underwriters and district directors.

The speech, which has not been released by the F.H.A. or its parent agency, the Department of Housing and Urban Development,is now beginning to circulate in civil rights circles. These circles regard it as one of the most forceful speeches on open housing ever delivered by a Federal official.

PRODUCE OR "STEP ASIDE"

In blunt language, the official, Deputy Assistant Secretary Philip J. Maloney, told his audience that "you have been measured and found wanting." Urging them to "measure up," to "manifest your loyalty and zeal for these causes," Mr. Maloney added this warning:

"If you can't give this much to your position of leadership in the department, I suggest that, in good conscience, you should step aside for men who can provide leadership in these areas."

He also warned that his agency should either take a more vigorous role in providing housing opportunities for Negroes or "call it quits."

"These are critical times for F.H.A.," he declared. "We either produce, as we have before, or we are an agency with little future."

The Housing Agency has been the target of rising criticism from private groups and from Congress for its alleged failure to carry out the Executive Order of 1962. The order forbids discrimination in federally insured housing and gives the Government various forms of leverage over developers who exclude Negroes. This includes the power to withdraw Federal mortgage insurance.

THE VITAL DECISIONS

Although officials at the Washington level have professed their commitment to the Executive order many times, the real power to carry out that order lies with officials in the housing administration's 76 local insuring offices—that it, the men to whom Mr. Maloney was addressing himself.

Although subject to check from Washington, the local underwriters usually determine who receives F.H.A. insurance. Their vigor—or intertia—also determines the success or failure of any civil rights enforcement program.

Mr. Maloney told the underwriters that their record since 1962 had been unimpressive. He said that a recent survey of all new subdivisions insured by the agency and constructed since the executive order showed that of 410,574 houses sold, only 35,000 had gone to minorities.

Of these, only 13,832—or about three per cent of the total—went to Negroes, 12,765 to Spanish-Americans, 8,784 to Orientals, and 687 to American Indians.

Negroes make up about 11 per cent of the total population. Mr. Maloney said that in some metropolitan areas where Negroes make up an even larger percentage of the population "virtually no minority family housing has been provided through F.H.A."

Mr. Maloney's speech complemented an address given only two days before by the head of the housing agency, Philip N. Brownstein. Mr. Brownstein told the same group that their excessive caution in the past, reflected by a reluctance to insure housing in slum areas, had hurt the agency's image and had thwarted its mission of "restoration of the inner cities."

[From the New York Times, Nov. 19, 1967]

DETROIT APPEALS FOR OPEN HOUSING—LEADERS MAKE "PILGRIMAGE" TO LEGISLATURE AND ROMNEY

(By Jerry M. Flint)

DETROIT, October 12.—A blue ribbon committee, including some of the nation's leading businessmen, made a "pilgrimage" today to Lansing to push for open occupancy, tenants' rights and housing code enforcement laws.

The group, the New Detroit Committee, was formed after July's riot here to plan the rebuilding of Detroit. Its trip signals the beginning of a battle for fair housing legislation in Michigan.

Gov. George Romney, who earlier opposed the inclusion of fair housing legislation in the current special session of the State Legislature, is now expected to propose such action. This is taken here as an indication of the new Detroit Committee's influence as well as an effect of the Governor's recent trip through the nation's Negro slum areas.

Twenty-four of the 39 member-committee made the trip to Lansing from Detroit on a private plane provided by General Motors Corporation and Ford Motor Company. The group included such men as James M. Roche, president of General Motors, who said he had never done anything like it before, and Virgil Boyd, President of Chrysler Corporation.

APPEAL TO CONSCIENCE

William T. Gossett, a committee member and president-elect of the American Bar Association, called the trip a "pilgrimage" and said the community leaders were "working and speaking to the heart and the conscience" of the private sector of the community.

Joseph L. Hudson Jr., president of Detroit's largest department store and head of the committee, said the trip was "evidence that these men feel strongly about the matter."

"They are taking their own time to meet with the legislators and show them that as individuals and organizations and citizens they are willing to speed this thing through," he said.

Max Fisher, a committee member and friend of Governor Romney, said when asked if he had talked to the governor about open housing:

"We are all pretty good lobbyists."

Before New Detroit's intervention, there was little likelihood that fair housing legislation would be introduced into the special session, let alone pass. Passage is not assured yet. The Michigan Legislature is dominated by members from suburban areas and areas outside Detroit, and not all Detroit legislators favor open housing. Such laws have failed in the Legislature before.

"It is going to be difficult, but I think we can swing it," said Representative William Ryan, the Democratic leader in the State House. But he conceded that passing the new state income tax earlier this year "was easier."

GROUP INCLUDES NEGROES

The New Detroit Committee includes not only businessmen but also educators and militant Negroes, the first attempt of what is called the "power structure" to ally itself with the militant factions in the Negro community.

The committee's report on housing, issued today, said whites and Negroes had grown used to the concentration of Negroes in the Inner City and of whites in the suburbs "that many whites seem to believe their economic and physical security is dependent on isolation from Negroes, and few Negroes seem to be motivated to challenge the barriers, even when such challenges are supported by law.

The committee called the tenant-landlord relationship a left-over from "feudal times." In most states "the tenant still remains obligated to pay the rent even when the landlord has broken all his promises," and the tenant's remedy to sue is "a wholly impractical course for a poor tenant" while the law of eviction "put the tenant in a procedural straightjacket," the report said.

"The fact that the landlord failed to keep his promises or failed to observe the local housing code is no defense for the tenant in an eviction proceeding," it added. "The tenant gets put out on the street. His theoretical right to sue the landlord for damages is of no real value."

Housing codes, too, "have not been enforced effectively," the report said. Government officials "who are charged with code enforcement have no enforcement machinery except cumbersome criminal prosecution looking toward the imposition of petty fines."

[From the New York Times, Oct. 29, 1967]

STUDY FINDS GAIN IN HOUSING LAWS—OPEN OCCUPANCY ENACTED IN 21 STATES AND 46 CITIES

CHICAGO, October 28.—The Chicago Commission on Human Relations, a city agency, reported this week that as of last Aug. 31 open housing laws and ordinances were in effect in 21 states, 46 municipalities, and two counties in the nation.

The report was out of date by the time it was printed and submitted to the City Council. The commission said that since Aug. 31 six Illinois municipalities—Evanston, Skokie, Normal, East Moline, Rock Island and Galesburg—had enacted such ordinances bringing the Illinois total to 19.

The commission explained that many municipalities had waited to see if the Illinois Legislature would adopt a statewide open occupancy law.

When it did not, the cities began acting on their own. Now all the major population centers and nearly all the municipalities with significant Negro populations in Illinois are covered by such ordinances, which in most cases ban discrimination by real estate brokers in sale or rental of housing.

MUNICIPALITIES LISTED

Other Illinois municipalities with open occupancy ordinances are Chicago, which in 1963 became the first Illinois city to act; Bloomington; Champaign; Decatur; East St. Louis; Elgin; Freeport; Joliet; Maywood; Peoria; Springfield; Weston, and Wheaton.

The first open housing law was adopted by New York City in 1958.

An earlier survey by the commission found that by April 1, 1963, only three cities and 12 states had passed such laws.

The 21 states where open housing laws are now in effect, plus Washington, which has adopted a law subject to approval of the voters in November, 1968, include nearly 108 million people, or about 54.2 per cent of the nation's population.

The states are Alaska, California, Colorado, Connecticut, Hawaii, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, and Wisconsin.

However, only about 56 per cent of the housing in these states are covered. Thirteen states have laws applying to single-family homes.

Unsuccessful campaigns for statewide laws were conducted this year in Delaware, Kansas, Nebraska, Missouri and West Virginia.

Open housing legislation has been upheld by seven state Supreme Courts.

Municipalities outside Illinois with open housing ordinances were listed in the report as:

Tucson, Ariz.; New Haven and New London, Conn.; Washington; Gary and Indianapolis, Ind.; Des Moines; Wichita, Kans.; Covington and Louisville, Ky.; Ann Arbor, Battle Creek, Detroit, Grand Rapids, Jackson, Kalamazoo and Ypsilanti, Mich.

Duluth and St. Paul, Minn.; St. Louis; Albuquerque, N.M.; New York City; Schenectady; Elyria, Oberlin, Toledo and Yellow Springs, Ohio; Erie; Philadelphia; Pittsburgh; Oak Ridge, Tenn., and Beloit and Madison, Wis.

In addition, such ordinances were in effect in Montgomery County, Md., and Kings County, Wash.

HOUSING RACE BAR CHARGED—FTC CITES NINE IN DECEPTIVE ADVERTISING

(By Paul W. Valentine)

The Federal Trade Commission charged the owners of nine Arlington apartment houses yesterday with deceptive advertising that makes their apartments appear open to everybody while they are actually closed to Negroes.

The unprecedented action, take over the objection of two of the five FTC members, was another in a series of recent moves by Government agencies to curtail alleged discrimination in the absence of national legislation against it.

It also marks the first time the FTC has entered the civil rights field through the door of interstate advertising.

The apartment houses cited include high-rise and garden varieties, ranging from 37 to 1906 units in size and from three to 26 years old, according to Arlington County records. Total number of units affected is 4042. Rents range from $74 to over $200 per unit.

Technically, the FTC filed two complaints involving the nine complexes clustered in the Columbia Pike-Arlington Boulevard area adjacent to the District. The apartments are:

Dorchester Apartments, 2040 Columbia Pike, 408 units, completed in 1960.

Dorchester Towers, 2001 Columbia Pike, 263 units, completed in 1960.

Arlington Boulevard Apartments, 1500 N. 16th pl., 37 units, completed in 1952.

Oakland Apartments, 3710 Columbia Pike, 242 units, completed in 1956.

Quebec Apartments, 4010 Columbia Pike, 172 units, completed in 1953.

Westmont Garden Apartments, 3860 Columbia Pike, 249 units, completed in 1960.

Buckingham Community, 313 N. Glebe rd., 1906 units, largely completed in 1941 with an addition in 1953.

Chatham Apartments, 4501 Arlington blvd., 246 units completed in 1964.

Claremont Community, 2733 S. Walter Reed dr., 519 units completed in 1950.

The FTC voted 3–1 to pursue the controversial action on Nov. 29, but did not reveal its specific targets until yesterday.

Commission Chairman Paul Rand Dixon voted against the decision. FTC member A. Everette MacIntyre did not participate in the Nov. 29 vote but submitted a statement yesterday objecting to the Commission's approach to the issue.

Voting for this approach were Philip Elman, John R. Reilly and Mary Gardner Jones.

The complaints allege that owners of the apartments have represented in advertisements, directly or by implication, that their units "are available for rental to the general public without restrictions or limitations as to race (while) in truth and fact . . . these apartments are not available . . . to applicants who are Negro."

The advertising, which appeared in The Washington Post, Washington Evening Star and other media, is "unfair and deceptive" in violation of the FTC Act, the complaints say.

Jan. 17 was set for a hearing on the complaint against the Buckingham-Claremont-Chatham apartments and Jan. 18 for the other six.

They will be asked why a "cease and desist" order should not be issued against them.

Sen. Edward M. Kennedy, who urged FTC action last May, hailed yesterday's move as "the start of what could be an important new direction in the national effort to erase the last vestige of slavery in the United States."

Clarence Mitchell, director of the Washington bureau of the NAACP, noted that along with the FTC action, the Supreme Court agreed last Monday to consider whether racial discrimination by large residential developers is unconstitutional.

"Our experience has been that when the Supreme Court and an executive agency of the Government move in the field of civil rights, Congress becomes more receptive," he said.

He referred to Congress' failure so far to pass a nation-wide open-housing law. Legislation on the subject is currently bogged down in two Senate committees.

FTC Chairman Dixon expressed alarm at the Commission's willingness to venture into this sensitive area.

"Before the FTC may proceed against an unfair or deceptive act or practice," he said, "the act or practice must be 'in commerce.' Historically, the Commission has restricted itself, wisely, in my opinion, to proceeding only against acts or practices which resulted in the movement of goods or a sale in commerce."

He suggested that the problem of housing discrimination be resolved by Congress.

FTC member MacIntyre objected to the "case-by-case judicial approach" which the Commission has decided to take. It would have been better, he said, to hold hearings on the prevalence of discrimination and, if necessary, issue formal guidelines on proper advertising to the housing industry as a whole.

He compared the case-by-case approach to a person trying to remove a granite mountain with a "hammer and chisel." Dixon said he fears the Commission may now be "inundated" with complaints and the agency will not be able to handle the load.

FTC officials indicated the Commission launched its action in the Washington area because of its interstate nature and the availability of newspaper advertising which is delivered interstate.

The Defense Department has also recently issued directives designating segregated housing as off-limits to servicemen in the area.

LIGHTS ON FOR VIETNAM

Mr. CURTIS. Mr. President, before the first session of the 90th Congress adjourns, I wish to convey to every Member of Congress a message I hope he will take home as a proposal to the citizens of every State comprising this great Nation.

I do not know what the experience of Senators has been, but if it has been anything like mine, they have received many letters and oral comments from Americans deploring the methods used by opponents of the Vietnam war to protest our involvement in the war.

These critics of the protest movement are sickened by the sight of unclean, unkempt, unshaven demonstrators shouting and spitting at law enforcement officers and members of our Armed Forces. They know these demonstrators represent only a small minority of the American people, and they ask me: "What can we do to protest against the protesters? How can we show our support for the brave American men who are fighting for our country and all the principles for which it stands?"

The message which I wish to convey is an effective answer to those questions. It is called "Lights on for Vietnam," and it proved very successful as a community-wide project sponsored by the young Republicans of the University of Omaha at Omaha, Nebr., recently.

The student group publicly urged the residents of Omaha and the surrounding area to turn on all their lights at a certain time—lights in homes as well as business places—and leave them on for 1 hour "to back our men in Vietnam." The time selected was from 8 o'clock to 9 o'clock at night.

The result, Mr. President, was extremely reassuring to anyone who had any doubts about the sentiment of a vast majority of the people of Omaha and the surrounding area.

The Omaha World-Herald published a front-page picture showing the lights burning in every downtown business building for as far as the camera's eye could see along one of the main streets.

Power consumption in the Omaha area increased about 10,000 kilowatts for the first half hour of the period and did not return to normal until the hour was up. An official of the Omaha Public Power District pointed out that 10,000 kilowatts would light 100,000 100 watt light bulbs, indicating the size of the response.

Bruce Allen, secretary of the University of Omaha Young Republicans, reported afterward:

Residents in all sections of Omaha turned on porch and yard lights or all lights in the house. Officials of the Interim City Hall, the Northwestern Bell Telephone Company and the Northern Natural Gas Company showed their support by turning on lights in their buildings.

In addition, a local radio station stated they had dozens of calls from Ralston, Papillion, Millard and Lincoln. Many long distance calls were received from the surrounding towns in Iowa. All of the people wanted to let Omaha know that they, too, had their lights on in support of our boys.

He went on to say:

We feel a national campaign such as this would receive world-wide attention and would give the grassroots citizen a chance to have his opinion heard.

Acting City Council President Robert G. Cunningham, a brother of Congressman GLENN CUNNINGHAM, of Omaha, said the project was especially meaningful "in view of the demoralizing, disgraceful spectacle of the recent antiwar protesters."

I agree wholeheartedly, and I recommend the "Lights on for Vietnam" project to every other area of the United States. I think a national campaign should be organized. I commend it to Senators as they go home to meet and talk with the citizens of their States between now and the convening of the next session of the 90th Congress.

A BIZARRE ALLIANCE

Mr. WILLIAMS of New Jersey. Mr. President, it virtually takes a revolution to get Latin America into the news. Journalistic coverage of our southern neighbors is appalling, especially in relation to both the large amount of dollar investment this country has in Latin America and, more vitally, the strategic importance the South American Republics have in the world power struggle.

The findings of a recent survey made by the Journalism School of Pennsylvania State University illustrated that a large part of the daily foreign news reported in the average South American paper was devoted to news about the United States. Conversely, the average U.S. newspaper was found to devote only about one-twentieth of the amount of space to news of South America that the South American paper devotes to the United States.

Today, the only English-language newspaper in the Nation dealing exclusively with Latin American affairs is the Times of the Americas. This journal, within a concise four pages, features both news and commentary by many outstanding writers on the events and issues facing Latin America today.

I would specifically like to make note of an editorial written by one of my former staff members and a knowledgeable authority in Latin American affairs, Woodruff M. Price. Woody's editorial, characteristic of the expert coverage of this journal, gives some perceptive insights into the situation in Brazil and what that situation forecasts in terms of United States-Brazilian relations.

I am unanimous consent that the editorial be printed in the RECORD and strongly commend its reading by [illegible]ators.

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

A BIZARRE ALLIANCE

(By Woodruff M. Price)

Three years after its conservative revolution of 1964, Brazil has managed to achieve this unlikely combination: a benevolent and progressive quasi-dictatorship, a free press, and a renascent opposition. In contrast to their opposite numbers in Greece, the revolutionary military officers have been at great pains to maintain the trappings of democracy. They even went so far as to create an artificial opposition party, the Brazilian Democratic Movement (MDB), a loyal opposition whose loyalty far exceeds its opposition.

The MDB offered only token opposition to the new Constitution of 1967. This document, which gave a formal blessing to the Revolution of 1964, also guaranteed that General Arthur de Costa e Silva and the leaders of the revolution would maintain effective control over Brazilian political life, and, most importantly, over the succession to Costa e Silva in 1970. But while legally dominating the political scene, the government did not, after an initial series of purges, repress political life or a free press.

This has led to the development recently of a new and bizarre political alliance, the Frente Ampla composed of former presidents Kubitschek, Quadros, and Goulart, and publisher Carlos Lacerda. This is roughly similar in American political terms to an alliance between Bobby Kennedy, Barry Goldwater, John Kenneth Galbraith, and Richard Nixon. An interesting twist is that all three former presidents have been deprived of political rights and only Lacerda is eligible for the presidency.

The impact of the Frente Ampla is hard to gauge at this point. The reaction of the government so far has been mild. An attempt was made to question Kubitschek about his involvement with the Frente; Kubitschek showed up at a police station and refused to answer any questions. The public scandal forced the government to back off, and Kubitschek has since left the country. So far the government's public reaction has been one of bland unconcern, and without appearing totally undemocratic, there is little it can do about the Frente. It is not a formal party and it has confined its program to a demand for the "redemocratization' of Brazil and direct elections for the President.

In sum, the Frente by acquiring prestigious support and limiting itself to a fairly narrow issue—direct election of Presidents—has maintained its existence as a limited opposition party and received wide press coverage. Any form of legal responsible opposition in Brazil should be welcomed by Americans. But, from our point of view, it is questionable whether Lacerda's election to the Presidency is anything to be hoped for. His economic nationalism verges on xenophobia and his accession to power, unlikely though it seems now, would presage a stormy period in U.S.-Brazilian relations.

LEGISLATIVE SUMMARY OF COMMITTEE ON PUBLIC WORKS

Mr. MANSFIELD. Mr. President, it is a real pleasure to submit the legislative summary of the Committee on Pub[illegible] Works, headed by the very able and d[illegible]tinguished senior Senator from West

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