

extensive debate in the other body and was amended by the adoption of an amendment in the nature of a substitute which contained many provisions not contained in the bill which the House adopted.

In my statement this morning, I wish to outline in general terms the meaning and intent of the Senate amendment in order to promote an understanding of this committee and to help assure prompt and favorable action.

However, before turning to the bill, I believe the words of President Johnson 2 years ago describing the challenge which we confront are more pertinent today. The President said:

The task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental, and spiritual—and to pursue their individual happiness.

I believe that H.R. 2516, as amended by the Senate, meets that challenge. I am convinced it would significantly promote the causes of social, political, and economic progress through the rule of law to which this Nation is firmly committed.

In the first place, in general terms, the provisions of sections 101 through 103 of title I parallel the coverage of H.R. 2516, as passed by the House. The Senate amendment sets forth provisions designed to protect against violent interference with the exercise of a variety of benefits and activities. Each area of protected activity is specifically described. They include: voting, public accommodations, public education, public services and facilities, employment, jury service, use of common carriers and travel in interstate commerce, and participation in federally assisted programs.

The proposed statute would also protect citizens who lawfully aid or encourage participation in these activities as well as those who engage in speech or peaceful assembly opposing denial of the opportunity to participate in such activities. Persons who have duties to perform with respect to the protected activities—such as public school officials, restaurant owners and employers—would also be covered. The bill prescribes penalties graduated in accordance with the seriousness of those results of violations, ranging from misdemeanor penalties to life imprisonment.

The bill, as amended by the Senate, does differ, however, in the following three respects:

First, to assure that dual State-Federal jurisdiction is carefully exercised by the Federal Government, the bill requires advance certification of prosecutorial authority by the Attorney General or the Deputy Attorney General; in other words the local U.S. attorneys cannot take action unless they get advance approval;

Second, the Senate bill exempts proprietors of "Mrs. Murphy" public accommodations from the prohibitions of the act; and,

Third, the bill expressly states that police shall not be considered in violation of the new law for lawfully carrying out the duties of their office or for enforcing Federal or State law.

Title I also established penalties for incitement to riot. These provisions penalize interstate travel or the use of interstate facilities, including the mail, to incite, organize, or promote a riot. Violations of the act are punishable by a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both. To commit a punishable offense under this section, one must not only use interstate facilities with the