

Mr. WASHINGTON. We have this problem, Mr. Chairman. For the most part, people coming here to Washington want to use federal lands, either around the monument or in some relationship to the Lincoln Memorial or something like that. Frequently, we are not aware of any such request or knowledge of it at all of their visit. You say this is in October. We probably would not get any information on it until the decision is made. Then we start working cooperatively with respect to any arrangements necessary for health or safety in and around the grounds. This is something that is handled principally and primarily by the Interior Department, Park Service, as it is in this situation.

Mr. STEIGER. What you are saying is that you are not aware of this application?

Mr. WASHINGTON. No.

Mr. STEIGER. And none of the other gentlemen?

Mr. WASHINGTON. No.

Mr. WHITENER. Mr. McMillan?

FAILURE TO ENFORCE LAWS

Mr. McMILLAN. Mr. Whitener, before you leave, Chief Layton, I want to ask one question. During the first day of this so-called riot in April, my phone was busy all day, calls from persons asking if I could not give them some relief. I advised them that I did not know anything that a Congressman could do. Our authority ended when we make the laws. And they stated that the police were standing outside of their stores, outside of their doors on each occasion, and they asked for help, and the policemen told them that they could not—they had orders not to touch anybody. I have the names of those persons and they have been urging me to let them come down here to testify. I think they have the names of the policemen. You tell me that nobody gave any such orders?

Chief LAYTON. That is correct. And I would like to have the benefit of having the names, both of the merchants and the officers who stated that. We did make arrests as testified. And, as I say, the magnitude of the problem that the police were faced with was such that I know there were occasions when we simply did not have enough men to effect the arrest of all violators, but there were no instructions to the men not to make arrests. At the proper time I would like to have the names of both the merchants and the police officers, if they are known.

Mr. McMILLAN. How about when people come in and knock down the owner of the store and his wife and beat them up right before the police and the police did not arrest them?

Chief LAYTON. I cannot answer as to why it did not take place. There should have been an arrest, those being the circumstances, Mr. Chairman.

Mr. McMILLAN. I think, at least, something could and should have been done—some force could have been used.

Chief LAYTON. Of course, how much force the officer would be legally authorized to use under those circumstances would depend on the amount of the force that a person is attempting to subdue used, whether against the officer or against somebody else.