ful charges of 1810, or even 1910. To wit, the blanket of "total" communication which has spread over the countryside since the early days of radio.

One slur, a moment of petulant anger, a sentence growled in scorn, is seen and heard on each household TV, belched out from every car radio, so immense is our network of instant, total, complete communication. These bon mots—hustled into the morning news—saturate the body politic to a degree unprecedented in grandmother's time.

Another new factor has emerged, more successful, more effective than Machiavelli ever dreamed. It does not involve the use of hate as name calling between liberal Democrat and opponent. Instead, as we have seen, Republicans have been accused of hating.

Republicans have been accused of deliberate and unscrupulous attempts to smear.

Republicans have been attacked as appealing to the base instincts of the electorate.

Republicans have been called "haters."

Republicans, say the Democrats, sow fear.

The chieftain of Democrat publicity, the man credited by many as having been responsible for the election, and reelection, of Mr. Roosevelt, neatly capsuled this Democrat approach to political ethics. The quote deserves repeating:

"Nobody has ever been able to formulate a political code of ethics. Despite the fine, altruistic language of party platforms, the habit has always been to smite the opposition, regardless of Marquis of Queensbury rules, whenever and however the opportunity offers." [92]

Our problem, the Republican problem, is that we didn't know that if you spewed hate but said on the side you didn't really mean it—it's all part of the game—you could get away with it, and win the White House, and the Senate, and the House of Representatives to boot.

On March 9, 1964, the Supreme Court ruled that wide latitude in the press' criticism of public officials is constitutional. Said Justice Brennan:

"Thus we consider this case against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials." [93]

Falseness of the charges no longer counts. Malice must now be proved, an exceeding difficult proposition in any libel suit. A difficult question is thus posed. By what means can the spread of hate, now free to echo from 10,000 newspapers, be checked?

We, as Republicans, can offer no simple solution. The gulf between Press Agent Michelson's "smite the opposition" and President Johnson's occasional requests for an avoidance of "venom" appears too great to bridge.

But the record of these past 30 years is unavoidably consistent in its documentation of hate and hatemongering by Democrats, for Democrats, even among Democrats. Lest the GOP unconsciously accept the current inference that only among Republicans does the venom flow, this record is offered. For 30 years Republicans have been called every name in the book. For 30 years Republicans have been walloped, smitten, beaten over the head with the vilest of filth.

Again, exactly who is "pouring venom"?

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961

The Senate resumed the consideration of the bill (H.R. 11380) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

Mr. DOUGLAS. Mr. President, what is the present parliamentary status?

The PRESIDING OFFICER. The question is on agreeing to the Dirksen-Mansfield amendment.

Mr. DOUGLAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 579 Leg.]

Aiken	Johnston	Pastore
Anderson	Jordan, N.C.	Pell
Bartlett	Jordan, Idaho	Prouty
Bible	Lausche	Proxmire
Boggs	Long, Mo.	Robertson
Brewster	Long, La.	Russell
Case	McClellan	Smith
Dirksen	McGee	Symington
Douglas	McGovern	Talmadge
Ervin	McIntyre	Walters
Fulbright	McNamara	Williams, Del.
Gore	Metcalf	Yarborough
Hart	Monroney	Young, N. Dak.
Hayden	Mundt	Young, Ohio
Inouye	Nelson	

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Connecticut [Mr. DODD], the Senator from Louisiana [Mr. ELLENDER], the Senator from Alaska [Mr. GRUENING], the Senator from Florida [Mr. HOLLAND], the Senator from Oregon [Mr. MORSE], and the Senator from Oregon [Mrs. NEUBERGER] are absent on official business.

I further announce that the Senator from Alabama [Mr. HILL] and the Senator from Massachusetts [Mr. KENNEDY] are absent because of illness.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from North Dakota [Mr. BURDICK], the Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. BYRD], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Connecticut [Mr. RIBICOFF], the Senator from California [Mr. SALINGER], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BEALL], the Senator from Utah [Mr. BENNETT], the Senator from Kentucky [Mr. COOPER], the Senator from Arizona [Mr. GOLDWATER], the Senator from Iowa [Mr. HICKENLOOPER], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from New Mexico [Mr. MECHEM], the Senator from Iowa [Mr. MILLER], the Senator from Kentucky [Mr. MORTON], the Senator from Kansas [Mr. PEARSON], the Senator from Pennsylvania [Mr. SCOTT], the Senator from South Carolina [Mr. THURMOND], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Kansas [Mr. CARLSON] and the Senator from Colorado [Mr. DOMINICK] are detained on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be directed to request the presence of the absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. CLARK, Mr. COTTON, Mr. CURTIS, Mr. EDMONDSON, Mr. FONG, Mr. HRUSKA, Mr. KUCHEL, Mr. MANSFIELD, Mr. SALTONSTALL, Mr. SIMPSON, and Mr. STENNIS entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. DOUGLAS. Mr. President, there are two main aspects of the question now before us, namely the Dirksen amendment to the foreign aid bill. The first is substantive, and the second is procedural and constitutional. On the substantive side, there is the fact that virtually all the State legislatures are now malapportioned so far as population is concerned, and that this malapportionment has been steadily growing worse as the population has been moving to the cities and suburbs, while the old rural and small town pattern of representation of decades ago has persisted.

The procedural and constitutional aspects involve several features. One of them is the extraordinary inappropriateness of attaching amendment of this type to the foreign aid bill, a point which has nothing to do with the subject matter of the main measure now before us.

Connected with this is the fact that the amendment, far reaching in its importance, was submitted on the floor of the Senate without any prior hearings in any committee, and that the so-called precedent in connection with the civil rights bill does not apply, since that bill had been considered for years in various committees of the Senate, and in this year sections of it had been considered in the Judiciary Committee, in the Committee on Labor and Public Welfare, and in the Committee on Commerce.

The constitutional aspects of this measure are very grave. It was proposed that Congress should enact a law either setting aside or postponing the interpretations of the Constitution given by the Supreme Court.

Mr. President, this is a highly irregular, and, in my opinion, an unconstitutional proposal. The Constitution of the United States is interpreted by the Supreme Court, and that is the Constitution unless and until it is superseded by a constitutional amendment. It is improper for Congress to try to overrule the Supreme Court in matters of constitutional law. That is precisely what the Dirksen amendment would do.

Therefore, our objections to the Dirksen amendment are founded on these facts. First, long continued and accu-

[92] Michelson, "The Ghost Talks," p. 204.

[93] The New York Times, Mar. 10, 1964, p. 22.

mulating abuses in reapportionment were for the first time being redressed by the decisions of the Supreme Court and the inferior Federal courts to reapportion in some fairly close proportion to population; and the cities and the suburbs were for the first time being given hope that they could escape from the legislative shackles with which they were bound.

The Dirksen amendment would prevent these decisions from going into effect for a period of time, and during this time it was the avowed intention of the senior sponsor of the amendment to propose a constitutional amendment permanently forbidding the Federal courts from interfering in such matters. This would have been submitted to the present malapportioned State legislatures. Those malapportioned State legislatures, by ratifying the constitutional amendment, could then put themselves beyond reach of a court order.

This proposal is one of the most dangerous ever submitted to a legislative body. I am proud that some of us who are proud to call ourselves liberals have been trying to prevent the Senate from falling into this folly. I personally have tried to address myself to the first of the major issues; namely, to the malapportionment of existing State legislatures, both in the so-called lower houses and in the upper houses. I have left to my brethren, who are lawyers and constitutionalists primarily, the discussion of the second set of issues.

In keeping with my belief that both issues are important and that both sets of evidence must be considered, I should like to resume today my discussion of how the large cities and the suburbs of the large cities are now grossly underrepresented in our State legislatures, and how the apportionment of seats in such cities and suburbs has not kept pace with the regional drift of the population away from the farms and small towns to the metropolitan centers. By that I mean not merely to the central cities, but to the suburbs also.

In past addresses I have discussed the underrepresentation of the cities and suburbs, both in average terms and also in terms of comparison between the districts which are most underrepresented, and the districts which are most overrepresented. Still more material needs to be introduced to indicate the whole set of injustices which should be laid bare.

In my present presentation I shall draw primarily upon a valuable statistical study which was made in 1961, by two professors at the University of Virginia, Paul T. David and Ralph Eisenberg, who published this very valuable monograph entitled "The Devaluation of the Urban and Suburban Vote."

Mr. David was the coauthor of a very important work some years ago on the presidential primaries and the selection of candidates for the Presidency by the two major parties.

The significance of the approach made by David and Eisenberg was that they made an analysis in terms of counties. There are about 3,100 counties in the United States. David and Eisenberg developed punch cards for each county, showing its population in 1910, 1920, 1930, and 1960, and its representation at each period of time in the house of its State and in the senate of its State. From this information they could compute the number of persons per senator or per representative in each of these counties for each of these decennial periods.

This is a valuable study. It needs to be noted and analyzed. Perhaps I should start by saying that as to States where the town, rather than the county, is the predominant unit of local government and of representation—and this is true of the New England States—it is not perfectly adequate. As we know, in New England the town is the primary unit of local government. It is the primary unit of representation in the State legislatures. However, as I have said, there are fantastic disparities in the New England States in the representation of small hamlets and of large cities. Again and again, I have called attention to the State of Vermont, where the smallest town, having a population of 36, sends one representative to the lower house of the Vermon Legislature, and the largest city, having a population of 38,000, sends one representative.

Similar fantastic situations exist in Connecticut, where each town is allowed two representatives in the lower house, and cities like New Haven and Hartford, having populations, as I remember, of well over 200,000, receive only the same representation in the Connecticut house as towns having populations of 100, 200, or 300.

New Hampshire has almost a similar disparity, not quite so glaring as Vermont's, but very great.

In Rhode Island, the disparity is not so much in the lower house as it is in the State senate. Until recently each town—I think there are 43 in Rhode Island—had one representative in the State senate. Providence, having more than 200,000 people, had the same representation as East Greenwich, with about 250.

When the county is taken as the basis, some of the disparities between are glossed over, because a county may contain grossly overrepresented small towns and possibly grossly underrepresented cities.

Mr. MANSFIELD. Mr. President, will the Senator yield with the usual reservation?

Mr. DOUGLAS. Mr. President, the Senator from Montana has an important announcement to make, but I ask that the following facts be printed at this point in the RECORD.

Table I is from David and Eisenberg, page 9, with 100 being taken as equal representation on the basis of population, it shows that in 1910, the small counties of the country had on the average 113/81 or 1.4 times the representation per person of those in the largest counties and that by 1960 this had risen on the average to a ratio of 171/76 or 2¼ times the average representation per person of those in the largest counties. It is significant that these disparities existed in general not only in the largest 15 States but also in the smallest States as well.

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

TABLE I.—*Relative values of the right to vote for representation in State legislatures, national averages, and averages for major groups of States, 1910, 1930, 1950, and 1960*

Categories of counties by population size	1910	1930	1950	1960
National averages for all 50 States:				
Under 25,000	113	131	141	171
25,000 to 99,999	103	109	114	123
100,000 to 499,999	91	84	83	81
500,000 and over	81	74	78	76
Averages for the 7 largest States:				
Under 25,000	116	158	165	194
25,000 to 99,999	111	134	139	155
100,000 to 499,999	99	93	99	100
500,000 and over	83	74	77	77
Averages for the 8 next largest States:				
Under 25,000	116	135	147	180
25,000 to 99,999	100	106	110	119
100,000 to 499,999	93	84	78	78
500,000 and over	81	78	86	79
Averages for the 35 smallest States:				
Under 25,000	111	123	133	162
25,000 to 99,999	98	92	101	105
100,000 to 499,999	76	70	63	58
500,000 and over	45	63	71	67

Mr. DOUGLAS. Mr. President, a second table shows the relative underrepresentation of the 27 largest cities of the country and of the suburban counties which adjoin or ring them. This shows that in nearly every instance, the suburbs are more grossly underrepresented even than the central cities, badly treated as the latter are. We, who have been fighting therefore for fair representation, have been contending therefore more for the suburbs than for the central cities. And I for one resent the efforts of some of our opponents to becloud the issue by stirring up prejudice against the cities and attempting to disparage our motives. We are fighting for justice. This would help the cities but it would help the suburbs even more.

I ask unanimous consent that this table be printed at this point in the RECORD.

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

TABLE II.—*Relative values of the right to vote for representation in State legislatures, central city, and suburban counties of the 27 largest standard metropolitan statistical areas 1910, 1930, 1950, 1960* [1]

[From David and Eisenberg, pp. 12–13]

1960 SMSA rank	Central city and suburban counties	Relative values			
		1910	1930	1950	1960
1	New York City (5 boroughs)	75	71	81	93
	Nassau	122	54	101	59
	Rockland	132	127	108	86
	Suffolk	113	79	100	47
	Westchester	117	88	109	95
2	Los Angeles (Los Angeles-Long Beach)	91	39	53	54
	Orange	79	90	122	56
3	Cook (Chicago)	87	71	89	91
	DuPage	94	73	74	44
	Kane	108	110	90	76
	Lake	107	97	72	51
	McHenry	107	97	82	66
	Will	94	74	81	62
4	Philadelphia	89	88	88	98
	Bucks	148	147	124	63
	Chester	121	131	113	92

Footnotes at end of table.

TABLE II.—*Relative values of the right to vote for representation in State legislatures, central city, and suburban counties of the 27 largest standard metropolitan statistical areas 1910, 1930, 1950, 1960* [1]—Continued

[From David and Eisenberg, pp. 12–13]

1960 SMSA rank	Central city and suburban counties	Relative values			
		1910	1930	1950	1960
4	Phila.—Con.				
	Delaware	112	67	67	55
	Montgomery	89	80	72	53
	Burlington, NJ	123	139	114	86
	Camden, N.J.	87	78	79	76
	Gloucester, N.J.	218	183	169	145
5	Wayne (Detroit)	78	55	72	81
	Macomb	95	75	98	55
	Oakland	103	50	68	48
6	San Francisco	96	78	68	105
	Alameda (Oakland)	97	75	71	87
	Contra Costa	99	185	89	96
	Marin	111	256	189	167
	San Mateo	104	138	112	88
	Solano	117	261	170	195
7	Suffolk (Boston)	104	91	99	123
	Essex	102	106	110	110
	Middlesex	100	101	98	92
	Norfolk	99	119	100	83
	Plymouth	109	115	108	91
8	Allegheny (Pittsburgh)	89	88	88	88
	Beaver	99	86	80	74
	Washington	83	84	88	94
	Westmoreland	73	80	73	70
9	St. Louis City	69	67	74	92
	Jefferson	90	99	79	62
	St. Charles	93	105	96	71
	St. Louis	67	38	71	45
	Madison, Ill	103	95	75	72
	St. Clair, Ill	92	95	67	62
10	Washington, D.C.	0	0	0	0
	Alexandria, Va	85	84	94	77
	Falls Church, Va			71	32
	Arlington, Va	85	79	68	67
	Fairfax, Va	95	81	71	32
	Montgomery, Md	154	126	59	38
	Prince Georges, Md	136	115	50	36
11	Cuyahoga (Cleveland)	85	84	89	92
	Lake	114	96	87	62
12	Baltimore City	44	51	62	83
	Anne Arundel	125	125	83	62
	Baltimore County	51	55	36	26
	Carroll	146	154	175	197
	Howard	228	258	257	218
13	Essex (Newark)	61	60	67	81
	Morris	137	148	119	94
	Union	88	76	69	69
14	Hennepin (Minneapolis)	85	67	60	55
	Ramsey (St. Paul)	84	80	76	73
	Anoka	93	95	71	39
	Dakota	93	84	68	49
	Washington	120	156	130	98
15	Erie (Buffalo)	97	93	87	83
	Niagara	138	125	119	106
16	Harris (Houston)	91	53	41	33
17	Milwaukee	100	84	96	92
	Waukesha	113	106	81	54
18	Passaic (Paterson-Clifton-Passaic, N.J.)	77	77	82	85
	Bergen	90	73	67	58
19	King (Seattle)	73	86	94	88
	Snohomish	86	88	90	69
20	Dallas	92	64	50	40
	Collin	101	145	119	151
	Denton	130	148	134	156
	Ellis	98	139	123	159
21	Hamilton (Cincinnati)	85	86	86	88
	Campbell, Ky	90	83	90	81
	Kenton, Ky	92	79	94	84
22	Jackson, Mo. (Kansas City)	59	48	71	68
	Clay, Mo	110	104	71	51
	Jackson, Kans	92	76	75	37
	Wyandotte, Kans	42	33	33	34
23	San Diego	96	85	72	57
24	Fulton (Atlanta)	24	15	12	12
	Clayton	77	77	125	82
	Cobb	95	84	75	49
	DeKalb	93	61	37	23
	Gwinnett	104	125	70	56
25	Dade (Miami)	91	30	17	16
26	Denver	72	69	78	87
	Adams	109	74	98	44
	Arapahoe	79	70	73	46
	Boulder	78	95	81	70
	Jefferson	123	95	71	41
27	Orleans (New Orleans)	105	93	95	105
	Jefferson	84	67	52	33
	St. Bernard	202	329	256	127

[1] a. The standard metropolitan statistical areas used here are those so defined by the Bureau of the Census in reporting the census of 1960. In most cases, the "SMSA" is so defined as to follow county lines, but in some instances, portions of a county only are included. Where this occurred in the case of the areas included in this table, the entire counties were included here. The table includes all metropolitan areas designated as having a population of 850,000 or more in 1960.

Mr. DOUGLAS. I now yield to the distinguished majority leader with the understanding that if I resume the floor, my remarks will be printed in sequence.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

Mr. MANSFIELD. Mr. President, the Senate has been considering the foreign aid bill for about 35 days. It has been on one amendment to the foreign aid bill—the so-called Dirksen-Mansfield reapportionment amendment—for approximately 20 days. An effort was made to table that amendment. It failed. An effort was made to invoke cloture and so bring to a close debate on the Dirksen-Mansfield amendment. It, too, failed.

I must now ask, What is the Senate's pleasure? I ask not 1 Senator, not 10 Senators, but the Senate as a whole. Does the Senate wish to continue as it has done for weeks after the Democratic Convention? There are strong indications that a great many Senators regard business outside of Washington as more pressing than what we are doing here. Last week the Senate tried on 3 successive days to obtain a quorum in order to conduct its business, and on 3 successive days it failed. We barely achieved it yesterday and today.

We can hardly adjourn this session without acting upon the few measures which should be cleared up. Yet we cannot deal with those measures unless we first dispose of the question before us.

It is clear that there is not the substantial majority which is necessary to invoke cloture on the Dirksen-Mansfield amendment. It is also clear that there is not a majority to table the amendment. Whenever the Senate reaches that sort of situation, in which it will neither dispose of a measure one way or another or agree to close debate on the measure by the one means available—that is, by cloture, or by agreeing to go on to other measures—the Senate is reduced to a gross impotence and a demeaning futility.

It is not the first time that this situation has occurred; and I suppose it will not be the last. The leadership lives in the hope that one day reason will be permanently enshrined in this body and that the rules will be used and not abused, whether the issue is civil rights or reapportionment or whatever. There is only one reasonable way to redeem the reputation of the Senate in this kind of situation. That is by the adjustment of positions between the vigorous proponents and the vigorous opponents of the measure to a course on which action by the Senate as a whole becomes possible. In my judgment, the distinguished minority leader took a long step in the direction of that reasonable course by the modification which he announced yesterday of his and my original amendment.

I regret that I cannot go along with him on it because I am persuaded that it would not bring this matter to a final resolution.

I have discussed this matter with him and, with his understanding but not his joint sponsorship, I am about to introduce the substance of his proposed modification as a substitute for the original Dirksen-Mansfield amendment. The language differs sharply from that amendment and it differs, primarily, from the distinguished minority leader's modification as unofficially proposed yesterday in that it is a substitute expressing the sense of Congress only. For this change, I want to give full credit to the senior Senator from New Mexico [Mr. ANDERSON], who, in his customary fashion, placed the interests of the Senate in high perspective and assisted greatly in finding an appropriate course.

Mr. President, it is possible to object to this substitute for a variety of reasons. But, on one ground, I cannot see any logic in objection to it. I cannot accept as reasonable the argument that the Congress should never concern itself, in a matter on constitutional grounds, once the Supreme Court has decided it. I ask the Senate to think for a moment what would have happened if this position had prevailed after the Supreme Court had made its historic decision on school integration in 1954. If this position had prevailed, the Court would have been left to its own devices on how to bring about the integration of public education in the United States. Congress would have avoided any further reference to the question. The same thing applies with respect to the ending of discrimination in public facilities, on which the Supreme Court had made a constitutional decision under the 14th amendment. But what were sections III and IV of the 1964 civil rights legislation all about if they were not on these very same subjects, if they were not congressional action with respect to public education and public facilities? Where was the clamor, then, which insisted that Congress should not involve itself in matters the Supreme Court had decided?

I say this, not in criticism of any Member of the Senate. I say it only to point out that all of us, at times, permit our passionate concerns to interfere with our objectivity. I say it in the hopes that it will help the Senate to return to reason in dealing with the issue which has now reduced us to this situation of parliamentary impotence.

I say it in the hope that those who opposed the original Dirksen-Mansfield amendment on reapportionment will rec-

ognize that a long step has been taken to meet the objections. That step was taken, first, by the distinguished minority leader and, now, by the majority leader. I say it in the hope that the Senate will face up to this issue on this new basis, dispose of it as quickly as possible and bring down the curtain on the 88th Congress.

An exceptional record of achievement has been put together by all the Members of this Congress, through a great and a dedicated effort over many months. I think it is most unfortunate that this 11th hour stalemate has occurred. And I would hope that the reins of reason would now be applied, to the end that this measure may be voted on with due dispatch and to the end that we may bring closer to hand the day when we shall be able to close this Congress.

I send the proposal to the desk and ask for its reading.

AMENDMENT NO. 1273

The PRESIDING OFFICER. The clerk will read.

The Chief Clerk read the Mansfield amendment in the nature of a substitute for the amendment offered by Senator DIRKSEN (for himself and Mr. MANSFIELD) numbered 1215, to the bill H.R. 11380, as follows:

It is the sense of Congress that, (a) In any action in any district court of the United States in which the constitutionality of the apportionment of representation in a State legislature or either house thereof is drawn in question, any order affecting the conduct of the State government, the proceedings of any house of the legislature thereof, or of any convention, primary or election could properly, in the absence of unusual circumstances, including those which could make unreasonable or embarrassing demands on a State in adjusting to the requirements of the court's order,

(1) allow the legislature of such State the length of time provided for a regular session of the legislature plus 30 days but not to exceed 6 months in all, to apportion representation in such legislature in accordance with the Constitution, and

(2) permit the next election of members of the State legislature following the effective date of this act to be conducted in accordance with the laws of such State in effect on September 20, 1964.

(b) In the event that a State fails to apportion representation in the legislature in accordance with the Constitution within the time granted by any order pursuant to this section, the district court having jurisdiction of the action shall apportion representation in such legislature among appropriate districts so as to conform to the constitution and laws of such State insofar as is possible consistent with the requirements of the Constitution of the United States, and the court may make such further orders pertaining thereto and to the conduct of elections as may be appropriate.

Mr. DOUGLAS. Mr. President I congratulate the majority leader for the action which he has now taken. I hope the Senate may speedily conclude favorable action on the proposed substitute.

It is, in my judgment, far superior to the original Dirksen-Mansfield proposal in a number of ways.

In the first place, it is not a law. It is merely a statement of the sense of Congress, and thus avoids the constitutional question of whether Congress can issue instructions to judges of the United States contrary to the opinions of the Supreme Court. It therefore seems to me to be much more in harmony with constitutional law and practice in this country and would avoid any dangers of a precedent since, if we were to enact a law trying to make decisions of the Court unconstitutional—which is a contradiction in terms—this might be extended later to cover such matters as trial by jury and the various protections which an individual has under him by the first 10 amendments to the Constitution. So this is a big step forward. It is not a law and it is not mandatory. It is merely a declaratory expression of opinion.

Second, instead of providing for indefinite delay on the part of the inferior Federal courts, it suggests instead only a very limited delay, not to exceed 6 months in all.

Third, its declaration is confined to the district courts, does not extend to the Supreme Court or the circuit courts, and hence in no sense rebukes or attempts to instruct the higher Federal courts of the country.

Fourth, it does not require, or even suggest, that Congress shall later submit a constitutional amendment.

Fifth, it provides that if a State fails to apportion representation in the legislature in accordance with the Constitution; namely, in accordance with the rules laid down by the Supreme Court, the district court itself may apportion the legislature and issue orders making it effective.

There are many other ways in which I believe this is a distinct improvement upon the original Dirksen-Mansfield amendment and upon the proposed law which my colleague had prepared yesterday and which he had discussed at a press conference.

I again congratulate the majority leader for the step he has taken. So far as our group is concerned—and I believe I speak for a not inconsiderable number—we are not in any sense claiming victory. It is not magnanimous, when one has won, to insist upon the fact of one's winning. It is much more chivalrous to content one's self with the final result. Sportsmanlike in defeat, magnanimous in victory should be our motto.

There were certain inferences, however, that my good friend the majority leader made about the responsibility for the delay, with respect to which I believe I should speak.

If it had not been for the opposition of this not inconsiderable number of Senators, this body would probably have approved the Dirksen-Mansfield amendment in its original form. Congress and the country had not had time to consider it. The proposal originally seemed headed for speedy and overwhelming consent. Those of us who for a considerable period of time have tried to subject these proposals and others like it to the scrutiny both of fact and law, have, I believe, prevented the Senate and the Congress from making a grievous mistake.

We believe that this illustrates the advantage of full and free debate. It illustrates the advantage of prolonged discussion; not interminable discussion, but prolonged discussion.

I hope that at the next session of Congress, which will begin in January, there may be a thorough analysis of the proposed constitutional amendments. This is the legitimate method to pursue, although I shall oppose such an amendment; that it may be heard in committee, and arguments both pro and con may be advanced and considered, so that the Senate and the House of Representatives may arrive at a considered judgment.

I wish to close on the same note on which I began. It is a mark of a great man to adjust himself to circumstances. The Senator from Montana has been chivalrous in this whole affair. We have been compelled to oppose him on grounds of conscience and history and facts. But we are happy now that this cleavage seems to be over. We look forward to a long period of cooperation with the Senator from Montana, which I hope will be happily cemented by what I believe will be a prospective agreement.

I wish, also, to thank my colleagues in the Senate, who are not afraid to call themselves liberals for the part which they have played both in sturdy resistance to what they believed to be wrong and at the same time in a willingness to compromise on nonessential matters. I thank them from the bottom of my heart. They have displayed a unity and a conscientious and reserve cohesion which is beyond all praise.

If in the hour-to-hour conduct of affairs on the floor, in which I have had some responsibility, I have made any mistakes, they have been errors of the head, not of the heart and I hope I may be forgiven for them.

I say to the majority leader that I believe I speak for the group—although perhaps I am exceeding my authority in this matter—when I say that we will not oppose a unanimous consent agreement to vote at a fairly early time upon this matter. Once again I thank the majority leader.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Mr. President, the original Dirksen-Mansfield amendment has been pending before the Senate for nearly 6 weeks. I am not insensible of the fact that Senators on both sides of the aisle would like to see this session of Congress adjourn, so that those whose names will be on the ballot can get home in time to do some campaigning. That is true on both sides of the aisle.

I believe I have been politely scolded, not openly, but scolded notwithstanding on both sides, for insisting upon the position that I originally took.

What complicated the matter, of course, was that the distinguished majority leader, who is a cosponsor of the original amendment, felt a deep sense of obligation to stand by. Let it be said to his everlasting credit that he has stood by. It was only when we lunched this noon and discussed this whole subject that I said to him that he has a

larger responsibility than a mere commitment to the minority leader. His larger responsibility is the conduct of the Senate and the moving of legislation and the ultimate adjournment of the Senate, so that Senators may go home. I advised him that I felt under these circumstances he was perfectly free to pursue any course of action that he saw fit to pursue, and that I would not in the slightest be offended, and that I would not scold him, and that he was at perfect liberty to pursue such an independent course.

I advised him at the same time that I could not go along with a "sense of Congress" resolution. I could not do so because it does not have the force of law. We have been through that matter in connection with the so-called Soviet wheat deals, and we discovered, on the basis of the Attorney General's rather exhaustive opinion, that if Congress had in mind speaking positively on any matter it would choose the words to do so; but where it spoke about a declaration of policy or the sense of Congress, it was nothing more than an expression of intent that had no legal effect.

So, regrettably, I cannot go along with the new proposal as offered by the distinguished majority leader. I am quite willing, however, to see that this question is resolved, and if a unanimous-consent request can be contrived for a limitation of time that conforms, insofar as possible, to the convenience of Members of the Senate who are in all sections of the country at the present time, I shall not object to that request, either.

We believe we can get word to most of our Members of the Senate who are away from the Capitol at the present time and give them fair notice as to the time when a vote will be taken.

I have suggested to the majority leader that I thought probably there ought to be a provision in the consent request for a motion to table, so that both the substitute and the original amendment might fall, and failing that, if the Senate in its wisdom then undertook to approve the substitute offered by my distinguished friend, that would be quite all right. I believe that he has in mind pursuing that kind of course.

This has not been a happy experience, either for the majority leader or for myself. If I entertained a certain hardness of spirit, to show that always an incandescent partisan spirit motivated every action that I took, it would be quite a different thing. But we shall have been in session, at the end of this month, 21 months since the beginning of the 1st session of the 88th Congress. There was a brief interlude, and then we had to come back and conclude the 1st session of the 88th Congress on the day before the 2d session began. So in a sense it can be said that we have been in continuous session from January 1963, until now.

Moreover, I rather apprehend that before long it will be impossible to get Senators to return to Washington to provide a quorum. If we have no quorum, we are at the mercy of the Senate rules and no business can be conducted from then on.

I wish to say one thing more about the majority leader. At the time we discussed the original amendment, I expressed to him the hope that once it was offered, there would be no intervening business of any kind until the issue was resolved. By intervening business, I meant even calendar business, let alone important measures that probably still have to be considered. So he stood by his word on that matter, and in that time, or at least in recent weeks, there has been no calendar business. There have been no major items other than those that enjoy high privilege under the rules of the Senate. For that, I thank the majority leader. He stood by his word.

I may say here, because I do not know that it is a secret, that the President sent a messenger to me, asking whether I would make way and permit the Appalachia bill to supersede the business of the Senate. One does not deal arbitrarily with a request of the President; but I have a deep conviction on the proposal that is before us, and I was constrained, I was compelled, to say to the messenger, "I am sorry, but I cannot accommodate the request of the President of the United States."

However, this proposal is a quite different matter. I do not cosponsor the new amendment. I only say that if we can vote on a tabling motion, we can vote on this proposal. Let the matter then be resolved; and if time permits, we can bring our Members back. Then obviously, I shall have no quarrel.

I conclude by saying that all this was a prelude to a constitutional amendment that we knew we could not deal with or could not perfect in what remained of this session.

I do propose, however, to proceed with a constitutional amendment, even as is being done in the House of Representatives. So, come January, we shall have such an amendment or resolution to introduce and to be referred. It will take its proper course. We shall do this in the hope that we may get speedy action and send the proposal forward and on its way to the States of the Union for ratification, if that is their disposition.

So we return to the fundamental proposition, where we started. I wish to make it abundantly clear that in the foreshortened time on the modified version I do not for a moment retreat from the position I have taken. I still believe that the fundamental issue before the Senate is the perpetuation of our Federal-State system; because if the Supreme Court of the United States can go into the neighboring State of Virginia and, by its fiat, applied through a three-judge court, arbitrarily say to the State Senators of Virginia, notwithstanding the fact that under the Virginia Constitution they were elected in 1962 for a 4-year term, "Your term is cut in half," I wonder what will happen finally to the system that was set up 187 years ago last week in Philadelphia. That is fundamental. That issue will not be evaded, because we shall keep it alive.

I thank the distinguished majority leader.

Mr. MANSFIELD. I thank the distinguished minority leader.

In view of the statements made by the distinguished minority leader and the distinguished senior Senator from Illinois, I ask unanimous consent that tomorrow, at 2:30 o'clock p.m., the Senate proceed to vote, without further debate, on the substitute amendment proposed by myself for the amendment proposed by Mr. DIRKSEN for himself and the Senator from Montana, No. 1215, to H.R. 11380, the Foreign Assistance Act of 1964; *Provided*, That a motion to lay on the table shall be in order at any time during its consideration.

Mr. PROXMIRE. Mr. President, will the Senator yield for a clarification? I, of course, approve this proposal.

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. I wonder if it would not be possible, in the interest of making certain that this difficulty is cleared up, to have the unanimous-consent agreement include not only a vote on the Mansfield amendment to the Dirksen-Mansfield or Mansfield-Dirksen amendment, but also on adopting the modified Dirksen-Mansfield amendment. The point the Senator from Wisconsin makes is that otherwise there would be a situation tomorrow in which discussion might still continue. I think the Senate is now in a position to agree to that kind of disposition.

Mr. MANSFIELD. I believe the proposal covers all that can be legitimately covered. I feel certain that a motion to table will be made, and that there will be a vote on the Mansfield amendment recently offered. I would assume that there would be a yea-and-nay vote and that all elements involved would be given full protection.

Mr. DOUGLAS. Mr. President, reserving the right to object—and I do not intend to object—I believe the Senator from Wisconsin has made a valuable point from the parliamentary standpoint. Once the Mansfield amendment to the Dirksen-Mansfield amendment has been adopted, the amendment as thus modified will have to be voted on. We want to cooperate and prevent the possibility of a filibuster on the completed amendment. So I wondered if the language could either be changed or interpreted to cover all proceedings connected with the Mansfield substitute sense-of-Congress amendment.

Mr. MANSFIELD. I do not believe we should ask too much or go too far out on a limb, nor should we ask for ourselves what we refuse to give to others.

I believe this is a most reasonable request. I hope it will not be objected to, because it will operate under the regular procedure, and all the elements of protection are contained therein.

Mr. PROXMIRE. I have no objection.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KUCHEL. If the unanimous-consent agreement is adopted, do I correctly understand that the Senate will vote at 2:30 tomorrow on whether to adopt

the Mansfield proposal as a substitute for the Dirksen-Mansfield proposal that is now pending?

The PRESIDING OFFICER. Provided no motion to table has been made prior thereto.

Mr. KUCHEL. Yes. Assuming that the present Mansfield proposal is adopted, as a substitute to Dirksen-Mansfield, then is that the pending question; and if so, is there any opportunity available to a Senator to offer amendments to the Mansfield proposal?

The PRESIDING OFFICER. If the Mansfield amendment were adopted, there would be no further amendments to it. The Senate would then proceed to vote on the original Dirksen-Mansfield amendment as amended by the Mansfield amendment, which would be the same language as originally included in the Mansfield amendment.

Mr. KUCHEL. In the present Mansfield amendment. The reason I ask that question, I will say to the able majority leader, is that I hurriedly read the proposal which my able friend has submitted, and I listened to it being read by the clerk. Quite aside from perhaps a few grammatical imperfections which I thought I detected, I do not know whether actually the words as written down are completely comprehensible. They may be; they may not be.

I merely wish to know whether any Senator, if he studies the amendment and reaches the same conclusion, might have the opportunity to offer an amendment or point out what might be some errors in it.

The PRESIDING OFFICER. If the Mansfield amendment were adopted, the Parliamentarian informs the Chair that no additional amendments or modifications could be offered to it.

Mr. KUCHEL. If that is the case, then, Mr. President, I ask the able majority leader what time he contemplates convening the session of the Senate tomorrow and whether during the intervening time, from when we convene until 2:30 p.m.—and heaven knows that will be a short enough time at best—any Senators will have an opportunity to offer amendments to the language, if we were so minded?

The PRESIDING OFFICER. It is not open to amendment.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DIRKSEN. I observe to my distinguished friend from California [Mr. KUCHEL], that the majority leader can always modify his own amendment so that if any Senator wished to have a modification made, it could be spelled out, but that would not be available——

Mr. KUCHEL. To any Member.

Mr. DIRKSEN. To other Members; that is correct. It would have to go to the author of the amendment.

Mr. MANSFIELD. Mr. President, I would try to be reasonable.

Mr. KUCHEL. Everything my leader has stated I agree with, but we have been in session a long time and Senators desire to bring the session to a close. I share their concern, too, over the great importance of the problem with which we are dealing. If, tomorrow, it appeared to us—and it may not—that the language did not reflect what the author had in mind, although he might disagree, I should like to have reserved to myself the right to offer what might be clarifying language.

Mr. MANSFIELD. Mr. President, I should be most happy at any time to discuss, on a reasonable basis, any modification which the Senator might have in mind.

Mr. KUCHEL. I should like to ask one more question, if I may. Is it the intention of the Senator from Montana in part B of his amendment to provide that elections this year—in November—to State legislatures, shall be under the present State laws as those laws were in effect on a specific date in September 1964?

Mr. MANSFIELD. The answer to that question is "Yes."

Mr. DIRKSEN. And the State constitution.

Mr. KUCHEL. Yes. And the State constitution.

Mr. President, I have no further questions. I do not object.

The PRESIDING OFFICER. Is there objection? The Chair hears none and——

Mr. DOUGLAS. Mr. President, in view of the unanimity which prevails, would it be appropriate to ask for the yeas and nays upon the motion which——

Mr. DIRKSEN. The amendment could not be changed if we should do that.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. MONRONEY. Mr. President, reserving the right to object—and I shall not object—I should like to inquire if the new language in the modified amendment would take care of the cases in which the lower court has acted in reapportioning without reference to the State legislature, or in setting aside the primary question, to shorten 4-year terms of Members of the Senate elected 2 years ago to only 2 years, not 4. I understand that changes have been made in the language. Still, I wonder whether the decision of the district Federal court is still on appeal to the Supreme Court, if States—and there is only one State and it happens to be my own caught in this situation—would have relief under the modified language the distinguished majority leader seeks to substitute for the original Dirksen amendment?

Mr. MANSFIELD. It would be within the discretion of the court. The decision would lie there, insofar as the State of Oklahoma is concerned, and any other State which might be in the same category, none of which I can recall at the moment.

Mr. MONRONEY. Oklahoma is the only one, but there is nothing, as the distinguished majority leader sees it, in the language that would rule out or prevent the State of Oklahoma, which is caught in this peculiar circumstance, from obtaining relief under the language of the amendment.

Mr. MANSFIELD. No; at least not so far as the sense of Congress resolution as now in effect is concerned.

Mr. MONRONEY. I thank the Senator from Montana.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I should like to have the attention of the majority leader to the fact that at present there is no division of time provided for, and no control of time under the unanimous consent request. I am advised that he proposes to propound a further consent request with respect to disposition of the time.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? The Chair hears none, and it is so ordered.

The unanimous-consent request was subsequently reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That on tomorrow (Thursday, September 24, 1964), at the hour of 2:30 o'clock p.m., the Senate proceed to vote without further debate on the substitute amendment (No. 1273) proposed by Mr. MANSFIELD for the amendment proposed by Mr. DIRKSEN (for himself and Mr. MANSFIELD) (No. 1215) to H.R. 11380, the Foreign Assistance Act of 1964: *Provided,* That a motion to lay on the table the said amendment shall be in order at any time during its consideration: *Provided further,* That Mr. MANSFIELD may have the right to modify said amendment.

Ordered further, That the time intervening between the conclusion of the Chaplain's prayer and 2:30 o'clock p.m. be equally divided and controlled, respectively, by Mr. MANSFIELD and Mr. DIRKSEN.

Mr. MANSFIELD subsequently said: Mr. President, I ask for the yeas and nays on the amendment which will be voted on tomorrow.

The yeas and nays were ordered.

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 11 A.M.

Mr. MANSFIELD. Mr. President I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 11 o'clock tomorrow morning.

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of morning business tomorrow, the time be equally divided between the majority leader and the minority leader.

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

Mr. SYMINGTON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. I should like to inquire of the majority leader whether that means a single vote on this question tomorrow?

Mr. MANSFIELD. Yes. There will be one vote, perhaps two votes. The last vote on the Mansfield resolution will be at 2:30 o'clock p.m.

Mr. SYMINGTON. If the vote does not come tomorrow on the one issue, will it come the next day on the next issue?

Mr. DIRKSEN. It will have to come tomorrow.

Mr. MANSFIELD. Yes. Any other votes that we can squeeze in we will do so with alacrity.

Mr. SYMINGTON. I thank the majority leader.

Mr. DIRKSEN. Mr. President, if the majority leader will yield, I should like to acquaint the Senate with the fact that tomorrow I shall object to all committee meeting requests after 11 o'clock a.m. I believe that it should be the business of all Senators to be in the Chamber and resolve this question. Therefore, insofar as I can do so, I shall object to every request for a meeting of any committee——

Mr. MANSFIELD. If the Senator from Illinois will yield, I believe that under the rules of the Senate, committees have the right to meet during the morning hour; therefore we shall have to decide whether the time begins at 11 o'clock a.m. or at the conclusion of the morning hour.

Mr. DIRKSEN. We shall know when the bells ring that the morning hour has come to a conclusion. Thereafter, obviously the committees cannot meet.

Mr. MANSFIELD. Mr. President, if the Senator from Illinois wishes, and thinks that the time will be needed, I am willing to forgo the morning hour.

Mr. President, there will be no morning hour tomorrow. Time will start running at the conclusion of the prayer, and all committees are on notice.

I yield to the distinguished senior Senator from New Mexico.

Mr. ANDERSON. Mr. President, this is very fine evidence of the capacity of the majority leader to fulfill the requirements of his position. This is a very vexing question, and has been for a long time. We know that the majority leader has made great effort to tone down the resolution so that it would be acceptable. We know that he did not enter into this endeavor in an effort to control the procedure or influence Senators improperly. He did it through the very best of motives.

When I praise the majority leader for his ability, I would like at the same time to add a few words of praise concerning the minority leader. I think it is laudable that the minority leader tried hard to produce a better and more acceptable resolution.

What the majority leader offered followed, to a large degree, the resolution which the minority leader had drafted. I think that is fine evidence of the desire of Senators to expedite business in the closing days of the session.

I have nothing but praise for the majority and minority leaders. Senators wish to go home. I believe I want to leave more than any other Senator. These men had a very difficult problem. I appreciate what they have done individually and together in an effort to speed this matter along.

The change is a good one. I say that because I have been doing some work in the past few days in an effort to redraft amendments. I know how difficult it is to find language on which all can agree. When a person finishes with one draft and it is acceptable to one group, someone else wants to change it. And there is good reason for it. Someone wants to shift the whole emphasis. Someone else comes along and says, "If you include 'the constitution of the States' we can support it."

The language cannot be made perfect for everyone. But I compliment the majority leader for his resolution, which seems to meet the desire of those who have fought so hard.

I believe that the resolution would give the State legislatures plenty of time in which to operate. I am sure that was the real reason for the original action of the minority leader. It was an effort to give the State legislatures an opportunity to express the will of the people of the States. But a very good case has been made for the argument that the legislatures are not truly representative of the people in the States, and that, therefore, some activity is needed.

I would have preferred somewhat different language than the able majority leader has suggested. But, I believe that if we were to inquire among all Senators, we would have about 75 different versions of what the able majority leader has presented. Each Senator would have his reasons for his own particular views. But I say to the majority leader that his proposal is probably better than he realizes. I hope that the language will be acceptable to a majority of the Senate.

I congratulate the majority leader on his work. I appreciate the patience with which he has handled the task. He is a fine leader for all of us. We are happy to have him.

Mr. MANSFIELD. Mr. President, I thank the Senator from New Mexico.

I thank the Senator from Illinois, who so graciously yielded the time.

Mr. MONRONEY. Mr. President, will the Senator from Illinois be good enough to yield for 8 to 10 minutes with the understanding that he will not lose the floor and that his further remarks will appear in continuity in the RECORD.

Mr. DOUGLAS. I yield to the Senator from Oklahoma with the understanding that the Senator will not introduce a motion or an amendment.

CAMPAIGN TACTICS OF THE REPUBLICAN NOMINEE FOR PRESIDENT

Mr. MONRONEY. Mr. President, in Tulsa, Okla., yesterday the Republican nominee for President demonstrated once again that he willingly adopts vicious and irresponsible tactics in his frantic efforts to come from behind.

Senator GOLDWATER'S statements in Tulsa impugn the honesty and integrity of those Americans who have patriotically risked life and limb in South Vietnam in the cause of freedom. Such a distortion of patriotism by one who seeks the highest office in the land must appear incredible to those Republicans who have helped chart the difficult course which the free world has pursued against communism.

The policies which this Nation has adopted to meet the Communist threat to the freedom of southeast Asia have heretofore had the bipartisan support of the leaders of both political parties. But, in Tulsa, Senator GOLDWATER recklessly ignored this fact. He rewrote recent history to suit his political purposes. But I am convinced he has once more underestimated the good judgment of the vast majority of the voters of this Nation, including my fellow Oklahomans who heard his ridiculous accusations firsthand.

Once more the Republican nominee has ignored the truth concerning the Communist threat to the free world. Once more he has sidestepped the brutal realities of the most crucial life and death issue before the American people.

Goldwaterism has now become a well-defined political phenomenon, though unique in the presidential arena of our Nation. Fortunately for those Americans who have neither the time nor the inclination to sift through Senator GOLDWATER'S daily diet of misinformation and miscalculations, his reckless statements are being carefully documented by the Nation's leading journalists and commentators. There are the men, among many others, who were not intimidated by the boos and catcalls at the Republican National Convention.

His charge that the President has withheld vital information on Vietnam to conceal facts from the American people is as absurd as his reckless charge that the Democrats have "hundreds of lives and hundreds of lies" to answer for to the American people.

The Republican nominee knows—or should know—that the threat of Communist domination of all southeast Asia erupted during a Republican administration. He knows—or should know—that both Democrats and Republicans laid aside their domestic political differences to meet this threat of Communist conquest in Vietnam. He knows—even the newest Member of Congress knows—that America's great political parties have always closed ranks when our freedom is endangered by aggression anywhere in the world.

What a pitiful spectacle this latest insinuation is—that American lives are being expended in this brutal confrontation with communism for a partisan political purpose. Responsible members of the Republican Party know and appreciate the need for unity where American security is threatened by Communist aggression. They know that it is an American policy to prevent Communist guerrilla forces from capturing the rich rice bowl of Asia. They know that the policy of training and equipping the free South Vietnam troops to defend their nation against aggression is in the interest of freedom and against the expansion of Communist control in this vital part of the world.

Certainly there have been and will be crises and reverses in any action in this unsettled part of the world. Yet, Senator GOLDWATER seeks to exploit this to gain political advantage.

If the Senator from Arizona believes his own charges, he must now follow up and state specifically which of our military commanders in South Vietnam have falsely reported on the situation there. He should do more than indulge in rhetoric with a meaningless statement that "the day of reckoning for South Vietnam