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thousands on election day to exercise the most basic right of citizenship. More and more, political programs and appeals are oriented to all the people.

Another injustice which received attention by the Johnson administration was racial discrimination in the schools. By 1964, 9 years had passed since the Supreme Court ruled that racially segregated schools are unconstitutional. Yet in the 11 Southern States, more than 2,000 school districts still practiced segregation. Only 1 percent of the Negro students were in schools with white students. Today, in the wake of the 1964 Civil Rights Act, that 1 percent has risen to more than 20 percent. The legislation authorized the Federal Government to institute civil suits in Federal courts to challenge racial segregation in the public schools and to make desegregation a basic requirement for a school system to receive Federal funds.

Other historic sections of the 1964 act made it a Federal offense for hotels, motels, restaurants, hospitals, parks, and libraries to discriminate racially. The Government has brought more than 100 cases to enforce these sections and has conducted hundreds of investigations that resulted in compliance. Even more significant than Federal investigations and suits, however, has been the vast amount of voluntary compliance.

The 1964 act also granted authority for the Federal Government to file suits to end employment discrimination by employers, unions, and employment agencies. A person unable to obtain employment because of his color can make little use of his other legal rights and thus has little faith in our institutions. Suits, investigations, and negotiations by the Department of Justice and the Equal Employment Opportunity Commission have led to compliance with the law in hundreds of cases.

Discrimination in housing results in the loss of a basic opportunity to the person discriminated against. It also helps maintain ghettos. After a lengthy and determined effort, the Johnson administration this year obtained passage of fair housing legislation, making it a Federal violation to discriminate racially in the sale or rental of homes.

Federal civil rights litigation, previously focused in the South, has been expanded nationwide under President Johnson. Two-thirds of the Government's employment discrimination cases are in the North or West. A large share of the housing litigation is expected to develop outside the South. In recent months, the Government has filed school and voting cases in the North.

The Community Relations Service was created on the President's recommendation. Working quietly and effectively, this organization has helped to resolve hundreds of racial disputes and to end injustices. Its contribution to the cause of order under law has been great.

These civil rights achievements have secured nearly complete recognition of the right of all Americans legally to be free of discrimination on the grounds of race, creed, or national origin.

This record is a record the President, Congress, and the entire Nation can be proud of.

#### NIXON GUIDELINES STATEMENT

Mr. MONDALE. Mr. President, because the Republican presidential candidate, Mr. Nixon, often tells us he is in favor of "law and order" it is especially disappointing to read that he supports those school boards, North and South, that practice segregation in defiance of the law of the land is embodied in the Civil Rights Act of 1964.

This is exactly what Mr. Nixon advocated in a speech 10 days ago in North Carolina, when he went on record as opposing Federal court decisions and court-approved Federal guidelines that withhold Federal funds from school districts practicing racial segregation.

Despite all the clouds of obfuscation and "clarification" thrown up by Mr. Nixon, this is the issue: The Federal Government grants large sums of Federal money to local school districts throughout the country. The question is whether these Federal funds—which are collected without regard to race, color, or national origin—should be used to support school districts which refuse to comply with the law of the land. Mr. Nixon is now firmly on record as saying in effect, "Yes, if Federal funds are used to perpetuate segregation, the Federal Government should do nothing to stop it."

Mr. Nixon has attempted to muddy the waters of this issue. On the one hand, he says he supports the Supreme Court's 1954 school desegregation decision; on the other hand, he is quoted as saying:

The use of the power (to withhold federal funds) on the part of the Federal Government to force a local community to carry out what a federal administrator or bureaucrat may think is best for that local community—I think that is a very dangerous doctrine.

The implication is that school desegregation guidelines are merely the opinion of a Federal bureaucrat. This is simply not true. These guidelines were based on prior decisions of the Federal courts. They have been approved and endorsed by the Federal courts as "minimum standards" imposed by the Constitution of the United States in a number of decisions, including United States against Jefferson County Board School of Education, Caddo Parish School Board against United States, and others. The leading such decision was by the U.S. court of appeals for the fifth circuit, comprised of judges from Alabama, Florida, Georgia, Louisiana, Mississippi, and Texas.

If Mr. Nixon becomes President, he can and may choose to disregard these decisions. But what will be the effect? We can discover that by looking at what has happened in the past. From the date of the historic Brown against Board of Education decision by the Supreme Court until the enactment of the Civil Rights Act of 1964, a decade passed. Yet on June 1964, only 1 percent of the Negro children in 11 southern States were in school with white children. On that same date in those States, of the 2,256 school districts having both white and Negro children within their borders, 1,811—80 percent—were segregated.

Four years later, after the passage of the Civil Rights Act of 1964, and the adoption of court-directed and approved

guidelines, the percentage of Negro children attending desegregated schools in the 11 southern States had risen from 1 to over 15 percent, and the percentage of totally segregated school districts had dropped from 80 to less than 2 percent, according to data maintained by the Office of Civil Rights, Department of Health, Education, and Welfare.

So if Mr. Nixon has a chance to practice what he preaches, we are in for more segregation, not less; for poorer education for Negro children, not better; we are in for a backward step, rather than a forward step.

Mr. President, here is a case in which the issue of law and order is clearly delineated. The Democratic candidate, Mr. HUMPHREY, is firmly and unequivocally on the side of the law in this issue; the Republican candidate would ignore the law, and in effect, invite disorder on the part of those parents whose children were denied the education they need if they are to succeed in life.

I ask unanimous consent to have printed in the RECORD two fine editorials on this subject; one from the Minneapolis Tribune; the other from this morning's Washington Post.

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

[From the Minneapolis Tribune, Sept. 15, 1968]

#### FEDERAL POWER AND SCHOOL INTEGRATION

Despite the belief of some voters that there is really little choice involved in this year's presidential race, what may become a clear difference between Hubert Humphrey and Richard Nixon on an important issue began shaping up last week.

The issue: desegregation of schools, and the role of the federal government in forcing integration. It is an issue which will have the greatest impact in the South, but one which affects other areas of our national life.

Richard Nixon last week told Southerners he approves the 1954 Supreme Court decision outlawing segregation, but indicated that he objects to use of federal power and money to enforce the decision. Humphrey has said that the issue of human rights is one on which there can be no compromise.

As the New York Times said last week, "the power to withhold federal funds from offending school districts has been the government's only effective weapon in its fight to carry out the principles of Brown vs. Board of Education, the 1954 Supreme Court decision."

Many areas of the South are presently witnessing intense efforts of whites to slow or prevent new efforts to achieve greater integration of schools. These efforts are part of a pattern of resistance to school integration extending back to the 1954 ruling.

A Wall Street Journal reporter recently visited the South and found gains in integration in many of the larger urban areas, but much less progress in smaller communities. "Across most of Dixie," the reporter wrote, "interracial progress amounts only to what whites feel they must allow to avoid trouble from the federal government or rebellion from frustrated Negroes."

Cited as an example of the difficulties Negro parents face was the Georgia mother who no longer can get work as a maid after entering her children in a white school. Her children, too, no longer get jobs from white farmers in their community.

Visiting an Alabama town, the reporter found "relics of the past that are still a part of everyday life. There's the little red

schoolhouse, for example, where Negro children attend class in rooms heated by pot-bellied stoves and use outhouses out back.

The white children go aboard buses to a vastly superior school 15 miles away."

Efforts of the federal government to eliminate or lessen discrimination extend to many more areas than education. What are Nixon's views about these other efforts? And we think Humphrey now should define for the American people the extent of his differences with Nixon on the role of the federal government in attacking discrimination and segregation in our society.

[From the Washington Post, Sept. 23, 1968]

#### FOR THE RECORD

Less by design, one suspects, than by carelessness, Mr. Nixon has on a couple of recent occasions taken a very strong position on the basis of very shaky facts. One concerns the grape-pickers' strike in California and the other the Federal guidelines for school desegregation. Both arguments founder on a misunderstanding of legislation on the books.

"The dispute in California cannot be resolved by a descent into lawlessness," Mr. Nixon said, in castigating Vice President Humphrey for supporting what Mr. Nixon described as the "illegal" secondary boycott of California grapes. Mr. Nixon sustained his view with the observation that "we have laws on the books to protect workers who wish to organize"; and he added: "We have a National Labor Relations Board to impartially supervise the election of collective bargaining agents, and to safeguard the rights of the organizers." What renders Mr. Nixon's argument and his description of the boycott invalid is that farm workers are expressly excluded from the coverage of our national labor statutes—which is the heart of the problem in California. Similarly, when Mr. Nixon addressed himself in North Carolina to the enforcement of desegregation guidelines and held that the withholding of funds from noncomplying school districts was "going too far," he was apparently unmindful of Title VI of the Civil Rights Act of 1964, which provides for the Federal Government's doing precisely that.

Since his North Carolina statement, Mr. Nixon has acknowledged the existence of Title VI, but he has elaborated on his views in a way that can only perpetuate the confusion. He declared that "when the Office of Education goes beyond the mandate of Congress and attempts to use Federal funds not just for the purpose of avoiding a segregation, but for the purpose of integration in a positive way—busing and the like—with that I disagree." So far as compliance and the schools in the South are concerned, the Office of Education has been consistently upheld in its interpretation of the Civil Rights Act by the Supreme Court and by lower Federal courts in the region. Indeed, if anything, the courts have been more aggressive than the Administration on this question, maintaining that school system formerly segregated by law have an obligation to take positive steps to integrate of precisely the kind Mr. Nixon does not favor.

There are few issues that heat the blood of the South the way mention of guidelines and Federal enforcement of desegregation statutes does. And it is an article of faith among the discontented—as witness Mr. Wallace's fascination with the subject—that "bureaucrats" in Washington are perpetrating some gigantic unauthorized hoax on the South, pushing compliance and enforcement well beyond what the law requires. That is why the record should be clear that the courts and the Congress have spoken affirmatively on the requirements of desegregation. It is not to deny Mr. Nixon his right to have a view to urge that he discuss this volatile issue with accuracy and precision.

#### ADDRESS BY FRED V. HEINKEL— AGRICULTURE EXPERT

Mr. SYMINGTON. Mr. President, one of the acknowledged great authorities on farm problems in this country today is Fred V. Heinkel, president of the Mid-continent Farmers Association and the Missouri Farmers Association. Perhaps no one man has served more the farmer and his country on Government advisory agriculture committees.

Recently Mr. Heinkel gave a most interesting and thought-provoking address before the annual meeting of these associations; and I am confident that Senators would be interested in some of his thinking.

I therefore ask unanimous consent that these his thoughts taken from that address be printed in the RECORD.

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

EXCERPTS FROM ADDRESS BY F. V. HEINKEL, PRESIDENT OF MIDCONTINENT FARMERS ASSOCIATION AND MISSOURI FARMERS ASSOCIATION, MADE AT THE ANNUAL MEETING OF THESE ASSOCIATIONS ON AUGUST 12, 1968, IN COLUMBIA, MO.

The most alarming situation with which farmers are now confronted is the invasion of their business by giant corporations—principally a bunch of feed companies. Independent family farmers have in the main been forced out of the production of broilers, eggs, and turkeys. The same practices are now being extended to hogs. The company furnishes the pigs and the feed, and the individual—or the has-been farmer, because he'll soon be a has-been farmer when he engages in this business—but we'll say the individual furnishes the land and all the labor and gets \$2.00 per hog. Maybe there are variations from this, but this one is in use. In order for this individual to earn \$2,000 he would need to feed a thousand hogs.

A hundred such operations in a trade territory would turn out 100,000 hogs, and there are only four counties in the whole State of Missouri in which the farmers now produce and market more than 100,000 hogs in a year. So, this would create an oversupply that would wreck the hog business for all farmers. It had this effect on broiler producers, egg producers, and turkey producers. Turkey producers. Turkeys are a fresh memory. That one just went through the wringer last year.

Since there is on the statute books of the United States the Sherman Anti-Trust Law, the Clayton Act, the Robinson-Patman Act, and the Packers and Stockyards Act, there should be a thorough investigation by the Federal Trade Commission to determine if these laws are being violated—possibly not direct violation, but violation indirectly through effect which the Sherman Anti-Trust Law according to some court decisions had in mind.

It would seem that the Congress or some of its members would be genuinely interested in this type of investigation since the Congress passed the Homestead Act to get land in the hands of people and other acts to provide research and information to farmers that has made them the most efficient producers in the world.

There are some other corporations like major oil companies that have gobbled up many of the independent fertilizer companies in the country, and are now engaging in some unimaginative marketing practices which probably should be looked at by the Federal Trade Commission, too. Some of their practices may be discriminatory. These oil companies have a 27½% depletion allowance that doesn't go until it adds up to 100%,

but it goes on and on as long as they pump out crude oil. And I'm not necessarily trying to pass judgment on the depletion allowance, but they have that as in effect a tax exempt source of income. They have bought up most of the larger independent fertilizer companies, and with the practices they're now employing they eventually, whether they intend to or not, will soon put out of business all little independents that are left and are in effect waging war on fertilizer companies which are cooperatively owned by farmers.

Our forefathers (mostly farmers) won their independence by the Revolutionary War. That meant carrying guns and enduring the hardships of cold and starvation and leaving blood stained footprints on the snow at Valley Forge.

We farmers can hold our independence economically by buying and selling through our own cooperative businesses rather than by patronizing the business of those who are attempting to monopolize farming and destroy the traditional family type farm operation.

Who is going to control farming in the future? That's the \$64 question. This is what the trouble is all about, and no farmer can dodge it. It doesn't matter whether or not you're a member of a cooperative or whether or not you're a member of a farm organization, you can't dodge what this shooting is about—that of who's going to control agriculture in the relatively near future. So, we need to bear this in mind. Suppose they take over the hog business and the cattle business. Then, where are you grain producers going to be? You won't be able to call your soul your own for very long, because once they gobble up the livestock and poultry production of the country by forcing the independent farmers to go broke, then they'll be in control, and they will call the shots on your grain prices.

And when we look at what's happening in our big cities after all the migration from the farms to the cities over the past 15 or 20 years, it would appear that we haven't solved anything by farm families moving to town.

A few years ago someone said the problem was too many farmers. Well, thousands of them have quit and gone to town, and we still can produce more of everything at the same time than this nation can consume, sell for cash, and dispose of under the P.L. 480 program.

That represents our productive capacity which we've built up. This is our problem. And we had better face it and recognize it for what it is. It's not all bad. It's good to have that productive capacity, but we don't want to let it crucify the farmer—the man who has accepted all these modern techniques and put them to use with the result they benefit the rest of the nation more than they benefit the farmer.

There is need, if you please, to keep the road open and thereby protect the right of the individual farmer to operate his business unmolested by these great outside corporate giants. This matter of keeping the road open is a proper obligation and a duty of government, and it is in the best interests of all the people.

#### MYSTERY OVER UNION FUNDS

Mr. FANNIN. Mr. President, last Friday, I laid before the Senate the record of the political expenditures of the Seafarers' International Union and the complete lack of reporting by the National Maritime Union.

The reports which have not been filed by the NMU put it in violation of the Federal Corrupt Practices Act which has been on the lawbooks for 25 or more years.