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"Christian democracy believes that the modern world is in crisis," he said, "and that only a complete readjustment of society can save man from materialism and collectivism."

It was this belief in an urgent need to humanize capitalism through a democratic revolution that in 1931 led a group of student leaders headed by Mr. Frei to drift away from the middle-class conservative party.

Four years later they established the National Falange, which had only the name in common with the Spanish organization, that supported Generalissimo Francisco Franco during the civil war. Throughout World War II the Chilean Falange leaders supported the allied cause and in domestic politics more often found themselves in sympathy with the leftists than with their former conservative friends.

SOUGHT END OF MONOPOLIES

The leadership of the Falange, which came mainly from patrician and well-to-do families, had as its main objective ending what it considered the country's false democracy where the rules favored the wealthy and the monopolies. The leaders organized the Christian Democratic party in 1957.

Mr. Frei's reputation as one of the most efficient and dedicated members of the Senate is rarely challenged even by his most bitter political enemies, who range from Communists to ultraconservatives.

The son of an affluent Swiss immigrant, Mr. Frei was sent to a public school in the working-class suburb of Lontue, near the fine villas of the Chilean aristocracy. The sight of underfed and poorly clothed classmates developed a keen sense of social injustice in the boy.

Mr. Frei has avoided the luxury he criticizes among wealthy Chileans. He lives with his wife Maria, a former teacher, and their seven children in an unpretentious house in a middle-class residential suburb of Santiago.

He holds a law degree from the Catholic University of Chile, and has devoted much time to the study of economic planning. He once held the post of Minister of Public Works.

VISITED UNITED STATES AND EUROPE

Mr. Frei (the name is pronounced "Fray") has traveled extensively. He made nine trips to the United States, the last one in 1962 for a conference at Columbia University on underdeveloped countries. He has also attended several congresses of Christian Democratic parties in Europe.

These links abroad and an intense interest in international affairs have strongly influenced Senator Frei's views. References to East-West relations and the role of the smaller nations as promoters of world understanding marked his campaign speeches.

True to Chilean tradition of tolerance and fairplay, Mr. Frei reiterated today his respect for Senator Salvatore Allende Gossens, his popular Action First opponent in the election. "He is an honorable and hard-working man as well as a first-rate parliamentarian," he observed.

A relaxed host and a devoted father, Mr. Frei takes delight in books and in long walks in the forests surrounding Santiago.

A visiting American asked him how he felt during the election and what it represented to the future of the Christian Democratic movement. He replied:

"I had an extraordinary sensation of inner peace. I was absolutely confident. The most important and positive factor is that our victory comes as the party is achieving its maturity after the experience of a hard and prolonged struggle. It would have been disastrous had success come prematurely while we were still in a stage of development."

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—REAPPORTIONMENT OF STATE LEGISLATURES

Mr. DOUGLAS. Mr. President, the public is becoming more and more informed about the dangers of the so-called Dirksen amendment to the foreign aid bill, which would suspend for an indefinite period of time court orders providing for reapportionment of unrepresentative State legislatures. I am greatly pleased that some of the great newspapers of the country and some of the keen thinkers of the country are taking up the challenge and are making the issues clear.

Mr. RANDOLPH. Mr. President, will the Senator from Illinois yield at that point?

Mr. DOUGLAS. Yes, indeed.

Mr. RANDOLPH. When the able Senator mentions the newspapers of the country, I wish to have the RECORD indicate that as reasoned an editorial as I have read on the reapportionment subject, and which expresses the belief of the Senator from Illinois as well as the senior Senator from West Virginia, was contained in a compelling comment in the Charleston, W. Va., Gazette. I appreciate the prior insertion into the RECORD of that editorial by the senior Senator from Illinois. The Charleston Gazette is a liberal and progressive newspaper in its editorial policy. It is an exceedingly courageous newspaper editorially on public questions. I am delighted that both the Senator from Illinois and the Senator from West Virginia, now speaking, are in agreement on this subject, and that is that the Dirksen amendment should not prevail in the Senate.

Mr. DOUGLAS. I thank the Senator from West Virginia. His attitude on this, as on so many other topics, is both enlightened and sturdy. I am very glad that he mentioned the Charleston, W. Va., Gazette, because I regard it as one of the truly fine newspapers of the country.

Mr. President, another fine newspaper is the St. Louis Post-Dispatch. On the 2d of September it published an able editorial entitled "Myths of Apportionment," in which the editorial writer properly said that the Senate ought to deal with so important an issue separately and after careful reflection, but that it should not deal with it until there is time for calm review and sober second thoughts.

On yesterday, the 8th of September, the St. Louis Post-Dispatch followed up that editorial with another editorial stating that there had not been——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DOUGLAS. Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

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

Mr. DOUGLAS. The St. Louis Post-Dispatch stated that there had not been reasonable consideration of the Dirksen rider. It pointed out that there had been no committee hearings on it. The editorial stated that the author of the amendment had assumed in what he thought were the last days of the session that the amendment could be tied onto a foreign aid bill, which he thought the President could not veto. "And to what end?" inquires the St. Louis Post-Dispatch. The editorial states:

> The end is to overcome the Supreme Court's historic decision that both houses of State legislatures should be based on population. The Dirksen rider would require all Federal courts to stay at least until 1966 all orders to redistrict in line with this decision. In that time, the malapportionment forces hope to press a constitutional amendment through the malapportioned legislatures, forever ending Federal court jurisdiction.

In addition to these editorials, there have been interesting letters to the editor which have appeared in the New York Times and the Washington Post. On September 6 of this year a letter from Mr. David M. Roseman, of Boston, was published in which he stated that the proposition that one person's vote is entitled to the same effect as that to be given to another is hardly a revolutionary theory.

Of course, that is the point of view which the Court has been advocating in saying that representation should be substantially based on population.

On the 8th of September, yesterday, a very able letter appeared in the Washington Post, by Elaine Jacoby, pointing out that Montgomery County is handicapped because it does not have adequate representation in the Maryland Legislature.

In this morning's Washington Post there is another letter stating that political scholars have pointed out that the Supreme Court decisions on apportionment came only after State legislatures refused to conform to their own constitutional requirements, and after State courts refused to require State officers to fulfill their oaths of office.

I ask unanimous consent that the editorials and letters be printed at the conclusion of my remarks.

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

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, as a final comment, yesterday the distinguished junior Senator from Montana [Mr. METCALF] made one of the most notable addresses delivered in a long time before this body. While the audience on the floor which heard him was not very large, I hope every Member of the Senate and tens of thousands of Americans will read his speech in the RECORD. I have read it twice this morning. I regard it as one of the most able, comprehensive, and persuasive addresses ever delivered before this body.

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

Mr. DOUGLAS. I yield.

Mr. METCALF. I appreciate the comments the Senator from Illinois has made about the speech I delivered yesterday. I hope in the future, if this matter is not

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dropped, I shall be permitted to develop further the danger to constitutional government, to the doctrine of separation of powers, and to individual freedom, which the Dirksen amendment presents to the whole constitutional system of the United States.

I am pleased that the Senator from Illinois has read my speech. I hope others read the speech and become aware of the danger to the individual constitutional freedoms of Americans if this sort of legislation continues to be considered.

Mr. DOUGLAS. I thank the Senator. He developed this point succinctly. I hope, if occasion arises, he will take time to make an exhaustive review of the cases which he analyzed yesterday briefly, beginning with Marbury against Madison and coming down to the Colorado case.

Mr. METCALF. If the opportunity arises, I shall do so.

EXHIBIT I

[From the St. Louis (Mo.) Post Dispatch, Sept. 2, 1964]

MYTHS OF APPORTIONMENT

The reconvening Senate has put off, temporarily, its struggle over Senator DIRKSEN's proposal to delay or halt State legislative reapportionment as ordered by the Supreme Court or other Federal courts. The Senate's action amounts to putting off the main event, but Congress can well use time for calm review and sober second thoughts.

Before Congress recessed for the Democratic Convention, the dispute had created some myths and half-truths, on both sides. William G. Colman, executive director of the Advisory Commission on Intergovernmental Relations, did his best to dispel these notions in testimony before a House Judiciary Subcommittee.

It is not true, for one thing, that there is something historic, if not sacred, about bicameral legislatures. Georgia, Pennsylvania, and Vermont had unicameral legislatures in the early days of the Republic; Nebraska has one now.

It is not true that one house traditionally has to be based on something other than population. Population was the sole basis for apportionment of legislatures in most of the original States. At one time or another, 36 States have made it the primary basis for both legislative houses.

It is not entirely logical that one house ought to be based on geography in order to produce diversity of representation. For example, in a popularly based system, members of a small senate would represent a more diversified constituency than members of a large house, whose delegates, in turn, would represent more specialized interests.

It is not entirely true that rural domination of malapportioned legislatures leads to discrimination against the cities. There may be such discrimination at times, but more often the rural representatives contend that their urban colleagues cannot agree on what they want. This situation does not excuse a legislature's refusal to do what is best, nor does it justify the deliberate weighting of a house in favor of rural minorities.

Finally, it is not true that all urban residents want equal representation. Coloradans voted overwhelmingly for a misapportionment that the Supreme Court threw out on the ground that a majority vote could not abolish a constitutional right to equal protection of the laws.

Perhaps many Americans do not want equal representation because they think legislatures ought to be modeled upon the U.S. Congress. The Supreme Court held that there is no parallel, in history or law. But political conservatives often favor rural-dominated legislatures because these are likely to be more conservative legislatures. This sentiment crosses urban-rural boundaries and explains many of the attacks on the Supreme Court's decisions.

Weighting apportionment to get specified ideological or legislative results distorts popular government. It cannot be justified any more than any other way of saying that the end justifies the means. Yet this is what defenders of the status quo in State legislatures are defending, by devious means. Senator DIRKSEN would attach his proposal to the foreign aid bill, where it does not belong in any case.

The Senate ought to deal with so important an issue separately and, after necessary reflection, deal with it summarily.

[From the St. Louis (Mo.) Post-Dispatch, Sept. 8, 1964]

AGAINST THE CONSTITUTION

Senator EVERETT M. DIRKSEN intends to file a petition to shut off debate on his rider aimed at fair voting legislatures, at the Supreme Court, at judicial review and the Constitution itself. What follows should be a dramatic lesson in the workings of our Government.

For some weeks a small band of Senators has been filibustering against the Illinois Senator's rider to the foreign aid bill. Their numbers have grown, however, and it is no longer certain that Mr. DIRKSEN can find the two-thirds vote necessary for cloture.

The issue pits many who do not believe in the filibuster rule, but are now using it against other Senators who traditionally uphold the filibuster, or at least the two-thirds rule that makes it difficult to overcome. In this case, the filibusters are right to use the weapon, and not just because it is there.

Certainly the two-thirds rule should be ended, because it encourages the kind of talkathon by which a minority can prevent any Senate action at all. But the rule should not be ended without establishing procedures to guarantee ample public hearings and ample debate. The cloture issue is essentially one of reasonable consideration versus unreasonable suffocation.

In the case of the Dirksen rider, consideration has been anything but reasonable. There were no committee hearings on it. The author jammed it into what he thought were the last days of the session, and tied it onto a foreign aid bill he thought the President could not veto. The technique was that of a rush job. And to what end?

The end is to overcome the Supreme Court's historic decision that both houses of State legislatures should be based on population. The Dirksen rider would require all Federal courts to stay, at least until 1966, all orders to redistrict in line with this decision. In that time, the malapportionment forces hope to press a constitutional amendment through the malapportioned legislatures, forever ending Federal court jurisdiction.

Even if the Dirksen rider were intended only as a temporary block to judicial authority, it would be highly objectionable. What it signifies is that Congress can tell the courts they cannot enforce the Constitution, temporarily or otherwise. The Supreme Court's decision is based on the 14th amendment requirement of equal protection of the laws. There is nothing equal in the voting laws of a State which allow 12 percent of its people to elect a majority in one house.

If Congress can thus limit court protection of one constitutional liberty, why cannot Congress limit others? Why can't it withdraw from court jurisdiction the defense of Negro voting rights, or of free speech, freedom of the press, property rights, fair trial or due process of law?

The path of the Dirksen proposal is the path of indirect amendment, of the Constitution, which is the path the Dirksen forces have accused the Supreme Court of taking. More is involved here than the right of new urban majorities to be fairly represented in rural-dominated legislatures. The Dirksen rider represents a ride against the power of judicial review and an independent judiciary. It is a legislative attack on the third branch of Government and on the fundamental doctrine of separation of powers.

So serious is the nature of this issue that President Johnson, who has not spoken out on its publicly, should lend all his help to the embattled band of Senators trying to stave off the Dirksen challenge. The President is sworn to uphold the Constitution. The Constitution is deeply involved in the Senate struggle. It must be upheld.

[From the Washington (D.C.) Post, Sept. 9, 1964]

CLOAK OF DARKNESS

Malapportionment is a percentage racket—a house take to make a Las Vegas boss turn green with envy. Specific issues between the underrepresented and the overrepresented only rarely make news. The Michigan Senate over years of controversy chose to bring that rich State to the edge of bankruptcy rather than to allow the income tax urged by Governor Williams. New York City every year must beg for its life from upstate legislators in a share of the money which city people pay in State taxes.

For the most part, State legislatures operate within a cloak of darkness. Most of their actions are not made interesting to news reporters or newspaper readers. Typical pile-ups of legislation in the last days of sessions create masses of law whose fine print is literally unavailable to interested parties until weeks later.

Honorable apportionment will not make perfect overnight our State governments. Democracy, in the graceful phrase of Sir Winston Churchill, is the worst system of government—except for every other system attempted by man. But the most elemental drive within political man is to achieve self-government. No military junta, no monarch, no aristocracy, no Communist apparatus, and no special interest coalition can deprive its people of the right which our own Declaration of Independence attributes to a higher law than man's; none of these can deprive us permanently.

Political scholars have pointed out that the Supreme Court decisions on apportionment came only after refusal by State legislatures to conform to their own constitutional requirements, after State courts refused to require State officers to fulfill their oaths of office. Commentators who tell us that the Federal courts acted as a last resort neglect to invoke one further resort of a people who are deprived of self-government.

LOUIS M. TEITELBAUM.

ALEXANDRIA.

[From The Washington (D.C.) Post, Sept. 8, 1964]

THE PEOPLE'S VOICE

Your recent editorials regarding attempts by legislators in both Houses of Congress to change the Supreme Court ruling on State reapportionment are to be highly commended. Surely the effort to rush through these acts in the closing days of Congress without careful consideration by that body, and before the people back home can wake up to what's happening is a reprehensible act. It will not cover up the nature of this effort, which is a naked power play by the legislators, whose State legislatures are controlled by the few, to continue this unfair situation.

Take the State of Maryland where I live, for example. Only 14 percent of the population can control the Senate of the State of Maryland. This senate can block any legislation for the State and often does. Only the

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State government in Maryland may levy income taxes, by far the largest revenue producer, and this is turned back to the localities in accordance with a formula approved by the same minority legislature.

Montgomery County may levy only real estate taxes, and only such other minor taxes as the State legislature will permit. Nor, can the county legislate on many other important local issues without the express approval of the State legislature. In other words, Montgomery County is not able to determine how it can tax itself, no matter how willing, but must depend on the State legislature for this and many other matters. The limits imposed by the State of Maryland on Montgomery County to govern itself are much greater than the limits imposed by the Federal Government, direct or indirect, on the State of Maryland.

How can we in Montgomery County ever adequately meet the needs of our fast growing population to educate our children, and provide a host of other urgently needed services in these circumstances? Is it any wonder that we urban and suburban communities are turning more and more to the Federal Government for help, when our own States turn a deaf ear to our needs? The States cannot have it both ways. Either they will have to be reformed (if necessary under court orders) to give an adequate voice to the urban and suburban communities, where the bulk of the population now is, or inevitably they will have less and less voice in the affairs of their people.

ELAINE JACOBY.

BETHESDA.

[From the New York (N.Y.) Times, Sept. 6, 1964]

APPORTIONMENT BACKED—COURT RULING SEEN AS AN ACT OF UNIFICATION FOR NATION

To the EDITOR:

The Supreme Court is again under assault and this time the attack is not directed by the radicals.

It is being challenged by a substantial number of legislators qua legislators as reflected by the passage by the House of Representatives of the Tuck bill which would deny jurisdiction of all Federal courts over reapportionment cases.

The anti-Court argument holds that as the Court has grown into an institution whose scope reaches beyond that conceived by the Founding Fathers to umpire areas of fundamental social conflict, its powers must be reduced. Thus, the weight and effect to be given to the individual's vote ought to be left to the will of the majority acting through local legislatures.

This is the argument for States rights, and it runs in the teeth of American constitutional history. For soon after our Republic was established, the Court found that it had the power to measure governmental action—whether Federal or State—against the Constitution, and to nullify such action when it judged it to be violative of the Constitution.

And in its exercise of the power of judicial review, the Court viewed the Constitution as designed to meet the needs of a growing, vibrant nation, and of governing a society whose population, technology, and complexity was not limited, and could not be limited, to that of 1787.

MAKING STANDARDS UNIFORM

But it is in the area of protection of individual rights from the excesses of majority rule that the court is making its significant contribution. For by defining the rules of fair conduct which must be complied with by both Federal and State Governments in their treatment of the individual, and in making these minimal standards uniform throughout the country, the Court is tying this diverse land into one nation.

This is not to argue that the Court is substituting its wisdom for that of the State or Federal Legislatures, nor to hold that local differences and customs, whether of short or long duration, shall, in every instance, be obliterated. It is only to say that the fundamental standards of fair behavior which the Constitution requires shall be observed in Mississippi as well as in Massachusetts, in Maine as well as Montana.

The proposition that one person's vote is entitled to the same effect as that to be given to another is hardly revolutionary theory. The consternation of the beneficiaries at losing a formula which has given them additional representation is understandable. But it is folly—and in a basic sense insurrection—to attempt to make the Federal judiciary powerless to enforce what is now the law of the land.

DAVID M. ROSEMAN.

BOSTON, *September 2, 1964.*

SENATOR WILLIAMS OF DELAWARE AND THE BAKER CASE

Mr. BOGGS. Mr. President, I ask unanimous consent that an editorial from the Chicago Tribune complimentary of my colleague's work on the Baker case be printed at this point in the RECORD.

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

THE BAKER GHOST GALLOPS AGAIN

President Johnson has been obliged, however reluctantly, to acknowledge the existence of a Baker scandal. The latest vein of evidence unearthed by Senator WILLIAMS of Delaware is so flagrant and well documented that the President has ordered the Federal Bureau of Investigation to look into it. In essence, Mr. WILLIAMS made four charges before the Senate on Tuesday:

That the Democratic Party campaign fund received an illegal "payoff" of $25,000 in 1960 in return for giving the $19 million District of Columbia Stadium contract to the firm headed by Matthew McCloskey, Jr., a prominent Democrat who recently resigned as Ambassador to Ireland. The stadium, completed in 1962, is the home of the Washington Redskins football team and Senators baseball team.

That Bobby Baker, who was then secretary of the Democratic majority of the Senate and is the central figure in an expanding web of scandal, received $4,000 for seeing that McCloskey obtained his performance bond through Baker's insurance pal, Don B. Reynolds. This charge had been made before. Reynolds is the man who sold Lyndon Johnson two life insurance policies, paid for a hi-fi set given to the Johnsons, and paid for some advertising time on the Johnson television station in Austin, Tex., though he had no conceivable use for it.

That William McLeod, clerk of the House District of Columbia Committee, received $1,500 for similar services.

And that these improper kickbacks came out of $100,000 in public District of Columbia funds which had been advanced to McCloskey, allegedly to cover the cost of his performance bond.

Mr. WILLIAMS supported his charges with testimony from Reynolds; with a copy of a check from the McCloskey Co. to Reynolds for $109,205.60, although the bond premium due was only $73,631.28; and with documents showing that the District of Columbia payment to McCloskey had been approved in August 1960, 2 months before the check was made out to Reynolds.

The difference between the premium due and the amount paid was $35,574.32—an odd figure which, Reynolds was quoted as saying, was intended "to confuse the auditors." Mr. WILLIAMS quoted Reynolds as saying further that his commission was $10,031.56 and that he paid Baker and McLeod out of this, and that the remaining $25,000 was given to Baker for Kennedy-Johnson campaign expenses—$10,000 by check and $15,000 in three cash payments.

WILLIAMS said that this arrangement enabled McCloskey to violate the law limiting political contributions to $5,000; to write these contributions off as deductible business expenses instead of listing them as nondeductible political payola, and finally to charge the whole business to the taxpayer.

Mr. WILLIAMS promised long ago that he wouldn't let the Democrats bury the Baker case. Now that Mr. Johnson is running on a promise of integrity in Government, it's up to him—as Mr. WILLIAMS says—to demonstrate what he means by those words.

If it's playing politics to insist that the voters know the truth before they go to the polls in November, then maybe Mr. WILLIAMS is playing politics, as the White House charges. But if the FBI report is completed and made public promptly, there will be no doubt as to who has been playing the more disgraceful game of politics. And if the report is concealed, glossed over, delayed until after the election, or used as a dodge to prevent Senate or grand jury action, we'll know anyway.

SENATOR HRUSKA'S LEADERSHIP RESPONSIBLE FOR BEEF IMPORT LAW

Mr. ALLOTT. Mr. President, on August 27, the senior Senator from Nebraska [Mr. HRUSKA] appeared before the Colorado Cattle Feeders Association at Estes Park, Colo. His remarks there constitute a masterful appraisal of the long and arduous battle to obtain legislation providing for quotas on the import of beef.

Certainly no one in the Congress is better equipped to discuss this important matter. Without Senator HRUSKA's steadfast leadership, there would not be a beef imports law today. Without his leadership, in the face of the most strenuous administration opposition, there would not be today this breakthrough signifying an awakening realization of the adverse effects of such agricultural imports on our farm economy.

Mr. President, it is a source of great satisfaction to me that I have been privileged to work with the Senator from Nebraska in the signal accomplishment which the beef import bill represents.

I ask unanimous consent to have inserted in the CONGRESSIONAL RECORD the text of Senator HRUSKA's remarks at Estes Park.

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

REMARKS OF SENATOR ROMAN L. HRUSKA BEFORE THE COLORADO CATTLE FEEDERS ASSOCIATION, ESTES PARK, COLO., AUGUST 27, 1964

In certain respects this date for my appearance has been most fortunately chosen. The 2d session of the 88th Congress has all but adjourned, and its most important decisions have been taken. For the cattle industry, it has been a session of extraordinary interest. Meeting with you on this particular date gives me an opportunity to review with you some of those events of the session, to summarize the results, and perhaps also to draw a few lessons from experiences.

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