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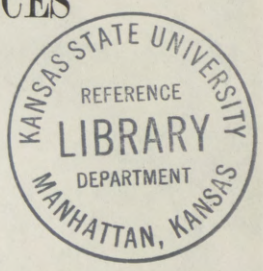
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**NOMINATIONS AND H.R. 5490 AND H.R. 4324**

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**HEARING**  
BEFORE THE  
**COMMITTEE ON ARMED SERVICES**  
**UNITED STATES SENATE**  
EIGHTY-SEVENTH CONGRESS  
FIRST SESSION  
ON  
**NOMINATIONS**



VICE ADMIRAL GEORGE W. ANDERSON, UNITED STATES NAVY, TO BE CHIEF OF NAVAL OPERATIONS IN THE DEPARTMENT OF THE NAVY WITH RANK OF ADMIRAL  
CHARLES S. BREWTON, OF ALABAMA, TO BE AN ASSISTANT DIRECTOR OF THE OFFICE OF CIVIL AND DEFENSE MOBILIZATION

**H.R. 5490**

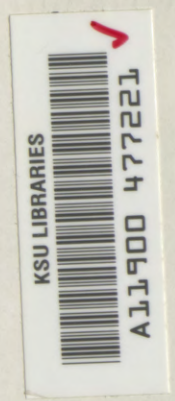
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RELATIVE TO REENLISTMENT BONUSES

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JUNE 29, 1961  
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Printed for the use of the Committee on Armed Services





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## NOMINATIONS AND BILLS

### NOMINATION OF VICE ADM. GEORGE W. ANDERSON TO BE CHIEF OF NAVAL OPERATIONS

THURSDAY, JUNE 29, 1961

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, D.C.*

The committee met, pursuant to notice, at 10:30 a.m., in room 212, Old Senate Office Building.

Present: Senators Russell (chairman), Stennis, Symington, Jackson, Ervin, Thurmond, Bartlett, Cannon, Byrd of West Virginia, Saltonstall, Bridges, and Smith of Maine.

Also present: William H. Darden, T. Edward Braswell and Gordon A. Nease of the professional staff; Harry L. Wingate, Jr., chief clerk; and Herbert S. Atkinson, assistant chief clerk.

Chairman RUSSELL. The committee will come to order.

The first nomination for consideration this morning is that of Vice Adm. George W. Anderson, to be Chief of Naval Operations for 2 years, with the rank of admiral.

(The nomination reference and report and the biographical sketch of Admiral Anderson follow:)

#### NOMINATION REFERENCE AND REPORT

IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
*June 22, 1961.*

*Ordered*, That the following nomination be referred to the Committee on Armed Services:

Vice Admiral George W. Anderson, United States Navy, to be Chief of Naval Operations in the Department of the Navy for a term of two years with the rank of admiral, under the provisions of title 10, United States Code, section 5081.

#### VICE ADM. GEORGE W. ANDERSON, JR., U.S. NAVY

George Whelan Anderson, Jr., was born on December 15, 1906, in Brooklyn, N.Y., son of George W. and Clara (Green) Anderson. He attended Brooklyn Preparatory School, and entered the U.S. Naval Academy, Annapolis, Md., from his native State in 1923. Graduated and commissioned ensign on June 2, 1927, he subsequently advanced in rank to that of rear admiral, to date from August 1, 1954. He served in the rank of vice admiral from May 1, 1957, until January 18, 1958, and on September 14, 1959, he again assumed the rank of vice admiral.

Following graduation from the Naval Academy in 1927, he remained there for the short course in aviation, before joining the U.S.S. *Chaumont*, for transportation to the U.S.S. *Cincinnati*, in which he served as a junior officer until 1930. He was then ordered to the Naval Air Station, Pensacola, Fla., for flight training and, designated naval aviator in October of that year, was ordered to the Atlantic Fleet for duty in the aviation units of the U.S.S. *Concord* and U.S.S. *Raleigh*, successively.

Between 1933 and 1935 he was assigned to the Flight Test Division of the Naval Air Station, NOB, Norfolk, Va., after which he had duty afloat with Fighting Squadron TWO, based on the U.S.S. *Lexington*. He was detached from that squadron with orders to the Newport News (Va.) Shipbuilding & Dry Dock Co., where the U.S.S. *Yorktown* was building, and joined that aircraft carrier on her commissioning on September 30, 1937. From the fall of 1939 until early 1940 he was attached to Patrol Squadron 44, Patrol Wing 4, based at Seattle, Wash.

He was next assigned to the Plans Division, Bureau of Aeronautics, Navy Department, Washington, D.C., and while there participated in the formulation of the American aircraft program for World War II. This included association with wartime agencies charged with production and allocation of all U.S. aircraft, and planning the aircraft aspects of the expansion of naval aviation. For his liaison work with the Army Air Force while in that assignment, he received a letter of commendation from the War Department, with authorization to wear the Army Commendation Ribbon.

In March 1943 he again reported to the Newport News Shipbuilding & Dry Dock Co., this time to assist in fitting out the new U.S.S. *Yorktown* (CV-10), and became navigator and tactical officer when she was commissioned on April 15, 1943. He was aboard that aircraft carrier during her early action in the Pacific, and received a letter of commendation, with authority to wear the Commendation Ribbon, from the Commander in Chief, U.S. Pacific Fleet, for outstanding services from August 15 to November 1, 1943, while attached to the U.S.S. *Yorktown*.

He is also entitled to the ribbon for, and a facsimile of, the presidential unit citation awarded the U.S.S. *Yorktown* for "extraordinary heroism in action against enemy Japanese forces in the air, at sea, and on shore in the Pacific war area from August 31, 1943, to August 15, 1945 \* \* \* Daring and dependable in combat, the *Yorktown* with her gallant officers and men rendered loyal service in achieving the ultimate defeat of the Japanese Empire."

He next had duty as plans officer on the staff of Commander Aircraft, U.S. Pacific Fleet, and for "exceptionally meritorious conduct \* \* \* as head of the Plans Division of the staff of Commander Air Force, U.S. Pacific Fleet, during the period from November 1943 to March 1944 \* \* \*" he was awarded the Legion of Merit. The citation further states:

"In this capacity it was his grave responsibility to prepare plans for the activation and employment of Air Force, Pacific Fleet aircraft units and ships, and to supervise the preparation of plans for the establishment and initial logistic support of advanced airbase. The ultimate success of these plans may be attributed, in large measure, to the highly efficient manner in which he contributed to the compiling and evaluating of the mass of details upon which these plans were based, and to his sound judgment in estimating future requirements and availability of Pacific Fleet aviation units \* \* \*"

On March 28, 1944, he reported as Assistant to the Deputy Commander in Chief, U.S. Pacific Fleet and Pacific Ocean areas. He was awarded the Bronze Star Medal for "meritorious achievement (in that capacity) \* \* \* during operations against enemy Japanese forces in the Pacific war area, from March 28, 1944, to April 16, 1945, \* \* \* The citation further states: "Intelligently planning and estimating for the needs of naval aviation in the Pacific, [he] contributed materially to the improvement in organization, training, and logistical support \* \* \*"

In June 1945 he became aviation officer in the Strategic Plans Section on the staff of the Commander in Chief, U.S. Fleet, with headquarters at the Navy Department, Washington, D.C. As such, he also had duty as Deputy Navy Planner on the Joint Planning Staff. Ordered to the Office of the Chief of Naval Operations, Navy Department, he was appointed a member of the Permanent Joint Board of Defense (Canada-United States) in November 1946; was also one of the Navy members of the Brazilian-United States Defense Commission and served with the Joint War Plans Committee of the Joint Staff.

In July 1948 he returned to sea as commanding officer of the U.S.S. *Mindoro*, and when detached from that antisubmarine carrier in August 1948, reported for instruction at the National War College, Washington, D.C. Completing the course there in July 1950, he joined the staff of the Commander 6th Fleet as fleet operations officer. In December 1950 he transferred to the staff of the Supreme Allied Commander in Europe (SHAPE), and remained there until July 1952 as the senior U.S. officer in Plans and Operations. He served as

commanding officer of the U.S.S. *Franklin D. Roosevelt* for a year, and when detached from command of that aircraft carrier in June 1953, reported for duty in the Office of the Chief of Naval Operations, Navy Department.

In July 1953 he became Special Assistant to the Chairman of the Joint Chiefs of Staff, Washington, D.C., continuing to serve in that capacity until July 1955. On August 3, that year, he assumed command of the Formosa Patrol Force with additional duty as Commander, Fleet Air Wing 1 (his title was changed late in 1955 to Commander U.S. Taiwan Patrol Force). He was Chief of Staff, Joint Staff, Commander in Chief, Pacific, from July 1956 until May 1957 when he reported in the rank of vice admiral as chief of staff and aide to the Commander in Chief, Pacific. He was Commander Carrier Division 6 from July 1958 until September 14, 1959, when he became Commander 6th Fleet and Commander Naval Striking and Support Forces, Southern Europe, with the accompanying rank of vice admiral where he served until June 24, 1961.

In addition to the Legion of Merit, the Bronze Star Medal, the Commendation Ribbon (Navy), the Commendation Ribbon (Army), and the Presidential Unit Citation Ribbon with one star, Admiral Anderson has the American Defense Service Medal; the American Campaign Medal; the Asiatic-Pacific Campaign Medal with two stars; the World War II Victory Medal; and the National Defense Service Medal. He has also been awarded the Order of the British Empire, rank of honorary officer, from the Government of Great Britain.

Admiral Anderson's official address is Brooklyn, N.Y., but he makes his home in Washington, D.C. He is married to the former May Lee Lamar Sample, of Pensacola, Fla., and has two sons, Lt. George W. Anderson III, U.S. Navy (class of 1957) and Thomas Patrick; a daughter, Mary Annette; and step-daughter, Miss Carolyn Sample.

Chairman RUSSELL. Admiral Anderson has had a distinguished career in the Navy. At the time of his selection as the next Chief of Naval Operations he was serving as commander of the 6th Fleet, an assignment that undoubtedly brought him in contact with members of this committee, and enabled them to know him personally.

I happen to have known Admiral Anderson personally for a number of years.

Admiral Anderson, will you be seated at the end of the table? We are very happy to welcome you here. On behalf of the committee, I congratulate you on your selection for this very important and responsible position. I am sure you know that you can depend upon the cooperation of this committee in the discharge of your duties, and that you have our very best wishes as you enter upon this new assignment.

The Chair would be glad to recognize any member of the committee who desires to make a comment or to address questions to Admiral Anderson. Senator Saltonstall.

Senator SALTONSTALL. Mr. Chairman, I came in time to hear the last of your remarks, and I have the same feeling.

I saw Admiral Anderson yesterday for a few moments and we had a very pleasant talk together, and I told him just what you said. We want to cooperate with him to make our Navy the best and the strongest in the world, and keep it that way.

I congratulate you for undertaking the job. You come after a very worthy predecessor and, as I told you yesterday, if you live up to the job that Admiral Burke has done, I know we will have a fine Navy.

Chairman RUSSELL. Senator Stennis. Senator Stennis, do you care to ask any questions of the admiral?

Senator STENNIS. Mr. Chairman, I certainly share your feeling of congratulations to the admiral for being chosen for this most honorable and responsible position.

I feel like the U.S. Navy, to a great degree the world's policeman, and a mighty good one, represents the very best traditions of the armed services, as well as of our great country, and I am sure the President has chosen well.

Admiral, you have had other rough assignments. This will be storm tossed, too, I am sure. I certainly wish you well.

Chairman RUSSELL. Senator Smith.

Senator SMITH. Well, Mr. Chairman, I concur with all that has been said by the chairman, Senator Saltonstall, and Senator Stennis, and I wish the admiral well.

Chairman RUSSELL. Senator Symington.

Senator SYMINGTON. Admiral, I would like to also join in the remarks made about you.

I would like to ask—I do not want this to be entirely a eulogy instead of a hearing—I would like to ask a couple of questions.

You, as a member of the Joint Chiefs, will be interested in the future of all services as well as the Navy's, will you not?

#### STATEMENT OF VICE ADM. GEORGE W. ANDERSON, NOMINEE TO BE CHIEF OF NAVAL OPERATIONS

Admiral ANDERSON. Yes, sir.

Senator SYMINGTON. I might say that I asked that question of Admiral Radford when he came up to be Chairman of the Joint Chiefs in 1953, and his answer was the same as yours, and he certainly proved it in the magnificent record he had as Chairman of the Joint Chiefs.

You have no preconceived ideas of how we should handle the new and different nature of aggression, have you?

Admiral ANDERSON. No, Senator.

Senator SYMINGTON. I think you know what I am getting at as I asked the question?

Admiral ANDERSON. Yes, sir. I think we have got to recognize as a Nation that we are up against tough opposition who carry out a masterful strategy. They create and exploit situations where all the courses of action posed to us are characterized by unpleasantries and disadvantages. It is a tough, tough job to cope with each one of these situations, particularly so because the Communist group can always retreat to the "status quo" without losing face.

Senator SYMINGTON. And you would feel that we should be more than ever before in our history probably in a position to adjust our own situation from the standpoint of security—I do not like to constantly use the word "defense" but I suppose that is the best word.

Admiral ANDERSON. I think we have got to be very alert, very imaginative, very flexible, and very, very determined, sir.

Senator SYMINGTON. Well, I congratulate you on that reply.

Now, I have done a little homework about you, and although our relationship has been pleasant since you got this job, I believe the record here shows that you reverted to the permanent rank of rear admiral in 1958. That was because you desired to broaden the scope of your experience, is that not correct?

Admiral ANDERSON. That is correct, sir. I was very fortunate to have been promoted relatively young for the Navy to the rank of vice admiral while I was Chief of Staff and aide to Admiral Stump, Commander in Chief, Pacific, and I felt it was very desirable for an officer to have operational experience in command of operating forces afloat. I think it was the best move I ever made.

Senator SYMINGTON. And so you applied for reduction in rank in order to get the additional experience, is that correct?

Admiral ANDERSON. Yes, sir.

Senator SYMINGTON. No further questions, Mr. Chairman.

Chairman RUSSELL. Senator Thurmond.

Senator THURMOND. Mr. Chairman, Admiral Anderson has a very outstanding and fine record, and I think the President and the Secretary of Defense and Secretary of the Navy are to be commended upon his selection.

Chairman RUSSELL. Senator Cannon.

Senator CANNON. Thank you, Mr. Chairman. I certainly join in the remarks that have been made here concerning Admiral Anderson. I look forward to working with him and to seeing him perform an outstanding job in this new position for our country. I congratulate the admiral.

Chairman RUSSELL. Senator Byrd.

Senator BYRD of West Virginia. Mr. Chairman, I associate myself with the words that have been spoken by others in congratulating Admiral Anderson.

I listened very carefully to his statement a little while ago, and I am very pleased at his reaction to the questions propounded by the distinguished Senator from Missouri, Senator Symington.

I was more than pleased to hear him say that we must be very, very determined. A word fitly spoken is like apples of gold in pictures of silver. I do not know any words that could be more fitly spoken than those words spoken by the admiral, and I certainly share in the belief that we must be very, very determined.

Admiral Anderson, I wish you well in your work. As long as you attempt to live up to this statement I will attempt to hold up your hand.

Chairman RUSSELL. Any further comments or questions of Admiral Anderson.

Senator SALTONSTALL. Mr. Chairman, I think if it would not embarrass the admiral, to show what the people whom he served abroad felt about him. It would be very interesting to hear the little story about when he went ashore after he came up in command of the 6th Fleet.

Admiral ANDERSON. I mentioned to Senator Saltonstall yesterday the very heart-warming experiences, one of them that I had had, in the last few weeks in the Mediterranean.

One which I did not tell the Senator was when I visited the island of Patmos in the eastern Aegean. I had my flag in a destroyer for the visit, and I went ashore. The whole of this little island was down

at the port, the schoolchildren were all out, they had the streets strewn with flowers and laurel leaves. The greeting was as warm as any greeting I have ever seen. It was not to me as an individual, but it did represent a greeting to the U.S. Navy and the United States of America. It represented a great measure of respect and goodwill.

The one event that I did mention to the Senator was when I left my flagship in Villefranche Harbor a few days ago. The French boatmen and fishermen formed a cordon with their little boats through which I passed in my barge going ashore. I think that that represents also a great reservoir of goodwill that the United States and the U.S. Navy have in that part of the world.

Chairman RUSSELL. Anything further?

Senator BRIDGES. Admiral, do you believe in the present system of the Joint Chiefs of Staff, in its general operation?

Admiral ANDERSON. I have great faith in the Joint Chiefs of Staff system, particularly so when you have men in the Joint Chiefs of Staff so dedicated to serving the United States. Certainly the President and the Secretary of Defense can and should resolve such differences of opinion as may arise from time to time. I do not feel that differences of opinion in this day and age are bad for the country. No individual has the answer to all of our problems. If there are differences of views among responsible men, they should be brought up through channels to the highest authority for decision.

Senator BRIDGES. I agree with that.

On the question of the Joint Chiefs, you said if they are of the highest integrity or standing—I believe that has been the history of our country, has it not?

Admiral ANDERSON. It certainly has.

Senator BRIDGES. That such men have been appointed.

Admiral ANDERSON. I hope I can measure up to the great traditions of my predecessors, sir.

Chairman RUSSELL. If there is nothing further, we are glad to have had you here, Admiral.

Admiral ANDERSON. Thank you, Senator.

(The nomination of Admiral Anderson was subsequently approved by the committee in executive session and confirmed by the Senate on June 29, 1961.)

## NOMINATION OF CHARLES S. BREWTON, TO BE ASSISTANT DIRECTOR OF DEFENSE, OFFICE OF CIVIL AND DEFENSE MOBILIZATION

Chairman RUSSELL. The next nomination is that of Hon. Charles S. Brewton, of Alabama, to be Assistant Director of Civil and Defense Mobilization.

(The nomination reference and report together with a biographical sketch of Mr. Brewton follow:)

### NOMINATION REFERENCE AND REPORT

IN EXECUTIVE SESSION,  
SENATE OF THE UNITED STATES,  
June 22, 1961.

*Ordered*, That the following nomination be referred to the Committee on Armed Services:

Charles S. Brewton, of Alabama, to be an Assistant Director of the Office of Civil and Defense Mobilization, vice J. Roy Price, resigned.

### BIOGRAPHY OF CHARLES S. BREWTON

Charles S. Brewton, of Alabama, nominated by President Kennedy on June 22 for the post of Assistant Director for Resources and Production in the Office of Civil and Defense Mobilization, is presently general counsel of the Senate Small Business Committee, Hon. John Sparkman, chairman.

A native and still resident of Alabama, Mr. Brewton, 47, was born in Larkinsville, attended Birmingham public schools and Birmingham Southern College for prelegal training.

He received his bachelor of laws degree from the University of Alabama and then practiced law in Scottsboro with Robert E. Jones, who is now Member of Congress for the Eighth Alabama Congressional District.

He entered the Federal Government in 1940 as a special assistant to the Attorney General in Washington. In 1943 he became administrative assistant to Senator Lister Hill, of Alabama, a post he held for 13 years.

Prior to assuming his present position, Mr. Brewton served for 3 years in Cambridge, Mass., as associate director and consultant on law and legislation to the Joint Commission on Mental Illness and Health. The joint commission is a national research organization engaged in mental health planning and programing.

A lifelong, active Democrat, Mr. Brewton served as an assistant campaign manager for Adlai Stevenson in Springfield in 1952, and in Washington in 1956. He worked actively with the Kennedy-Johnson national headquarters and with Senator Smathers' southeastern campaign staff in 1960.

He is married to the former Jewell Wann of Hollywood, Ala., and they have two children. The Brewtons live at 1310 Admiral Drive, Alexandria, Va.

Chairman RUSSELL. Mr. Brewton is well known to all the members of this committee. He has been on the Hill for a number of years, first as the administrative assistant to Senator Lister Hill, and later, as general counsel to the Select Committee on Small Business, of which Senator John Sparkman, of Alabama, is chairman.

The Chair has known Mr. Brewton favorably during his previous employment and I am pleased that his talents have been recognized by the executive branch by his selection for this important position.

I see the distinguished Senator from Alabama, Senator Lister Hill, who was once a member of this committee after having presided as chairman of the House Committee on Military Affairs. We regret he left this committee, but he is present with us today. Senator Hill, we will be glad to hear you at this time.

**STATEMENT OF HON. LISTER HILL, A U.S. SENATOR FROM THE STATE OF ALABAMA**

Senator HILL. Thank you, Mr. Chairman.

May I say, Mr. Chairman, I feel like I am coming home this morning. I had the honor and privilege of serving on this committee, and under the distinguished chairmanship of Senator Russell, of Georgia, and with my two good friends there, Senator Bridges and Senator Saltonstall.

When I speak about coming home, my father always said the biscuits are bigger at home than anywhere else, so I am delighted to be back here with you, Mr. Chairman.

I know you have a good many witnesses, and I have to get back to my meeting of the Senate Committee on Labor and Public Welfare, but I did want to say that I do not want to let this opportunity go by without coming here to strongly endorse the appointment and confirmation of my longtime friend, Mr. Charlie Brewton.

I have known Charlie for some 20-odd years. I remember well when he was down practicing law with our good friend and colleague who honors us with his presence this morning, Bob Jones, Congressman Bob Jones, from Alabama.

Then, Charlie came up with the Antitrust Division of the Department of Justice, handling antitrust and antimonopoly cases, and from there he came with me and was my secretary, and later, after we passed the Reorganization Act, was my administrative assistant over a period of some 13 or 14 years.

Then, you may recall that Congress set up the Joint Commission on Mental Illness and Health to make a study of the problems of mental illness, and Charlie went up to be the Deputy Director of that Commission, and I must say I think, with Charlie's help and his fine work, that Commission did an awfully fine job.

More recently he has been with Senator Sparkman's Small Business Committee as general counsel there.

I know Charlie, I know his character, I know his ability, I know his capacity for getting things done, and I certainly know his devotion to his work and to his country. I want to strongly commend and endorse this appointment, Mr. Chairman, and urge its favorable report to the U.S. Senate.

Chairman RUSSELL. Senator Sparkman.

**STATEMENT OF HON. JOHN SPARKMAN, A U.S. SENATOR FROM THE STATE OF ALABAMA**

Senator SPARKMAN. Mr. Chairman, I can add very little to what my senior colleague has said.

I have known Charlie Brewton for most of his life, and I know of his work here in Washington.

He had a very fine record with the Department of Justice in the Antitrust Section before going with Senator Hill. Then he was away in Cambridge, Mass. for some 2½ years. I needed somebody on the Small Business staff to handle particular work and assignments and I approached Charlie nearly 6 months before he finished his work in mental health, and hired him 6 months ahead of time, I mean, to come with me 6 months later.

He has done a very fine job as general counsel to the Small Business Committee.

Mr. Chairman, one project that he has been the mainspring in working out, one in which you are greatly interested, has been that relating to the improvement of the poultry industry throughout the Nation, including the building of export markets. That certainly mean a great deal to Georgia, to Alabama and the Nation as a whole. You are familiar with his work in connection with that.

Another project with which he has been particularly identified has been the development of a system of small business loans, as provided for under section 502 of the Small Business Investment Act, whereby the Small Business Administration may extend help to smaller towns and cities particularly, that are desirous of developing their industry and to private industry to aid development in such areas.

He has done an outstanding job, and I know that he will do an outstanding job in the office to which he has been appointed. I strongly recommend his confirmation.

Chairman RUSSELL. The committee is glad to welcome here today Congressman Bob Jones, Representative from the State of Alabama, and we will be glad to hear any comments you would care to make on this confirmation.

**STATEMENT OF HON. ROBERT E. JONES, JR., A MEMBER OF THE HOUSE OF REPRESENTATIVES FROM THE EIGHTH CONGRESSIONAL DISTRICT OF THE STATE OF ALABAMA**

Mr. JONES. Thank you, Mr. Chairman, and members of the committee.

I am, for the first time, looking at the biographical sketch of Charlie Brewton, and I noticed that he omitted a very important statement, the fact that he practiced law with me, [laughter] which may prejudice the committee, but I suppose the reason that he said only a part of it, he did not go all the way to tell you, was that he is my first cousin [laughter]. We are going from bad to worse.

Mr. Chairman, of course, I am glad to join with Senator Sparkman and Senator Hill in urging his confirmation. Of course, Charlie and I have been inseparable friends and law partners, and real first cousins, and I know of his great capabilities and his earnest desire to make a good public servant.

He has all the characteristics that would qualify him for this position, and for that reason I am happy to be here and to applaud the fine things that have been said about my kin.

Thank you.

Chairman RUSSELL. We are glad to have heard you, and we will eliminate any prejudice caused by nepotism in this nomination. [Laughter.]

We will be glad to have any questions from members of the committee at this point.

Senator BARTLETT. Mr. Chairman, my association with Mr. Brewton has been chiefly in his capacity as general counsel of the Small Business Committee, of which I am a member, and from that experience with him I am delighted to say that I believe that by reason of his administrative skill and capacity and integrity and all around ability, he is eminently well qualified for the position for which he has been nominated.

Chairman RUSSELL. Senator Engle, a member of this committee, had a conflicting engagement this morning, but he asked me to announce that he supports the nomination of Admiral Anderson and Mr. Brewton.

He also asked me to say that he found Mr. Brewton to be extremely helpful to the Select Committee on Small Business of which Senator Engle was a member.

Senator SALTONSTALL. Mr. Chairman, I should say, as a member of the Small Business Committee, I feel the same way as Senator Bartlett and Senator Engle, and I am glad to see Mr. Brewton get this promotion, if it is a promotion, or additional responsibility.

I say to the Congressman, while the Congressman said he forgot several things, I do not see that Mr. Brewton emphasized the fact that he also served in Massachusetts for a while. [Laughter.]

Chairman RUSSELL. That is one of the matters he should be very proud of. I notice he was engaged in mental health planning while he was in Massachusetts. [Laughter.]

Senator SALTONSTALL. Mr. Chairman, I hope you do not associate that remark with the State of Massachusetts. [Laughter.]

Chairman RUSSELL. Senator Stennis.

Senator STENNIS. Mr. Chairman, I have observed the work at first hand of this gentleman, Mr. Brewton, since I have been here, and I certainly am glad to go on the record saying that he represents the better traditions of the Hill and the important staff work of the Hill.

I am very much impressed, too, with his fine family, whom we are delighted to have here this morning.

If I may make a partly personal reference, a new Senator may get a good deal of attention at home, but he does not get much when he first comes here unless there is something special, such as being a Republican from the South or something of that nature. [Laughter.]

But when I came here as the newest Member of the Senate in a class of one, it was my good fortune to have an office on the same floor when Charlie Brewton was operating out of Senator Hill's office, and he came over and in a very generous way offered his assistance and his services, counsel, and advice, which was very, very valuable indeed. The impressive thing about it was his sincerity, his very fine purpose. They have certainly followed him through the years, and I am glad to see this appointment. He is capable of carrying on in a much bigger way.

Senator BRIDGES. Mr. Chairman, I have known Charlie Brewton for many years, and my contacts with him have led me to have a high respect for him. I think he can do a good job in this particular assignment to which he has been appointed.

I would like to ask Mr. Brewton if he would just give us for a minute his conception of the job of Assistant Director of Resources and Production in the Office of Civil and Defense Mobilization.

We hear so much controversy over civil defense and mobilization today. Just how, in taking over, would you attend to that job; what is your idea about it?

**STATEMENT OF CHARLES S. BREWTON, NOMINEE TO BE ASSISTANT DIRECTOR OF THE OFFICE OF CIVIL AND DEFENSE MOBILIZATION**

Mr. BREWTON. Senator, I was preceded here by the Chief of Naval Operations-nominate, who made an impressive statement concerning the perilous situation in which this Nation finds itself today in the context of the dangers that are in the world. Admiral Anderson called for vigilance and determination with respect to our purely military preparedness and mobilization capabilities.

I think that I might best explain the character of responsibilities which I will be expected to help guide if I contrast the responsibilities of my office to be, with your pleasure, with the strict military planning and operations to which Admiral Anderson referred.

The operations of the Resources and Production Division of the Office of Civil and Defense Mobilization, concern themselves with the nonmilitary phases of preparedness and mobilization planning and the capacity of the Nation to mobilize under varying degrees of danger.

They concern themselves with human and material resources, with stockpiling, with manpower, with plant capacity, both in being and potential, with communications and transportation media, with food and water resources, with fuel and energy resources, and other components in the broad context of nonmilitary preparedness and mobilization planning.

It is largely a policymaking office, not to any large degree an administering or operating office.

The policies are delegated, by and large, to existing Government agencies for administration and operation.

I hope you consider that this responds sufficiently to your question.

Senator BRIDGES. Yes, I think it does.

Mr. BREWTON. Thank you.

Chairman RUSSELL. Any further questions?

Senator SYMINGTON. First, I would like to say the fact that Mr. Brewton is a first cousin of my old and good friend Bob Jones is conclusive with me, although I would have been for this nomination despite that situation. [Laughter.]

Secondly, I would like to thank Charlie Brewton for all his courtesies extend to me during all the years I have been in the Senate. I think this is an able and good appointment.

I would like to pursue the questioning of the Senator from New Hampshire. Are you in charge of the stockpile in the job you are going to take?

Mr. BREWTON. I shall have responsibility for certain policies and determinations with respect to the stockpile; yes, sir; subject, of course, to the Director of the Office.

Senator SYMINGTON. Have you looked at the figures which show that now we have a good many billion dollars more of metals, minerals, and materials than any expert believes we need?

Mr. BREWTON. I have observed that there is a considerable stockpile, the details of which I am not entirely familiar with yet.

Senator SYMINGTON. Do you see any reason why, as far as you have gone so far, and I say this especially in that we have continued to buy over recent years much of this material, even though the military and all other people in the Government felt we already had too much, do you see any reason why these figures and facts should continue to be classified from the American people?

Mr. BREWTON. Senator, I have read quite a number of hearings and reports since my nomination came to the Senate, in endeavoring to familiarize myself as best I could in this brief period with the responsibilities of this office.

I see quite a number of figures and statistics on stockpiling and the character of materials which are in the stockpile. I do not know whether those facts and figures which I have seen in many places, perchance, contain any classified material. I would not be prepared at the moment to prejudge whether or not those figures or the character of materials or the quantities should be classified.

Senator SYMINGTON. Will you take a look at the map and discuss it with Mr. Ellis, and then submit a written report of what your opinion is to this committee?

Mr. BREWTON. I should be pleased to do so.

Senator SYMINGTON. For some reason the American people are not told about the stockpiles of metals, minerals, materials and machine tools, but they are always told about the stockpile of agricultural products.

In my opinion, if we were in a general war, we would need much of the agricultural stockpile which, nevertheless, is many billions of dollars less in total value than the stockpile over which you will assume authority. Nevertheless, we continue to look, for some reason, with pride at the metals, minerals, materials and machine-tool stockpile, and for some reason view with apprehension the agricultural stockpile, which, I think, we would need more in case we were in trouble than possibly anything except medical supplies from the standpoint of civil defense and civil defense mobilization.

So if you would let this committee know why it is that (a) we continue to classify these figures, and (b) we continue to buy quantities of this merchandise despite the fact everybody agrees we already have too much in items that I am thinking of, I would appreciate it.

Mr. BREWTON. I shall be pleased to give earnest attention to your request, and will be responsive to it.

Senator SYMINGTON. Thank you, Mr. Brewton.

Mr. Chairman, I have no further questions.

Chairman RUSSELL. Any further comments? Senator Smith.

Senator SMITH. Mr. Chairman, in my opinion, Mr. Brewton has one of the most outstanding records, and is one of the most outstanding men who have ever served on Capitol Hill. He is a man of intel-

ligence, integrity and dedication, and the executive branch makes great gains in obtaining him. The legislative branch is losing a great man.

Chairman RUSSELL. Senator Thurmond.

Senator THURMOND. Mr. Chairman, I have known Charlie Brewton since coming to the Senate, and he has impressed me as being a competent man of character, a man who is dedicated to duty, and it is my opinion that he will fulfill well the trust that has been reposed in him.

Senator ERVIN. Mr. Chairman, even the derogatory information revealed by Congressman Bob Jones has not detracted in the slightest degree from my conviction that the nominee is exceedingly well-qualified for the post to which he has been appointed. [Laughter]

Senator JACKSON. Mr. Chairman?

Chairman RUSSELL. Senator Jackson.

Senator JACKSON. I want to congratulate Charlie Brewton. Like many of us at the table here I have known him since I have come to the Senate. He is a conscientious and dedicated public servant, and I know he will do a good job.

Chairman RUSSELL. If there is no further comments, Mr. Brewton, we are glad to have had you. We will be looking forward to some association with you in the future in the work of this committee and that of your new responsibilities.

Mr. BREWTON. I am exceedingly grateful to you, Mr. Chairman, and to each member of this committee for your courtesies.

(The nomination of Mr. Brewton was subsequently approved by the committee in executive session and confirmed by the Senate on June 29, 1961.)

### H.R. 5490

Chairman RUSSELL. Before the committee resolves itself into executive session, there are two bills upon which it is desirable to receive testimony in open session. The first of these is H.R. 5490, which would make several amendments to the laws relating to the 6-month training program and Reserve participation.

(The bill referred to, H.R. 5490, follows:)

[H.R. 5490, 87th Cong., 1st sess.]

AN ACT To provide for more effective participation in the reserve components of the Armed Forces, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 6 of the Universal Military Training and Service Act, as amended (50 U.S.C. App. 456), is amended—

(1) by amending subsection (c) (2) (B) to read as follows:

“(B) Any person who after attaining the age of eighteen years and six months but prior to attaining the age of twenty-six years and prior to the issuance of orders for him to report for induction, enlists or accepts appointment in an organized unit of the National Guard shall be deferred from training and service under this title so long as he continues to serve satisfactorily as a member of such organized unit. No such person who has completed eight years of satisfactory service as a member of an organized unit of the National Guard, and who during such service has performed active duty for training with an armed force for not less than three consecutive months, shall be liable for induction for training and service under this Act, except after a declaration of war or national emergency made by the Congress.”; and

(2) by striking out the words “in such unit” in the seventh and eighth sentences of subsection (d) (1) and amending the fifth and sixth sentences of that subsection to read as follows: “If, at the time of, or subsequent to, such appointment, the armed force in which such person is commissioned

does not require his service on active duty in fulfillment of the obligation undertaken by him in compliance with clause (B) of the first sentence of this paragraph, such person shall be ordered to active duty for training with such armed force in the grade in which he was commissioned for a period of active duty for training of not less than three months or more than six months (not including duty performed under section 270(a) of title 10, United States Code), as determined by the Secretary of the military department concerned to be necessary to qualify such person for a mobilization assignment. Upon being commissioned and assigned to a reserve component, such person shall be required to serve therein, or in a reserve component of any other armed force in which he is later appointed, until the eighth anniversary of the receipt of such commission pursuant to the provisions of this section".

SEC. 2. Section 262(b)(3) of the Armed Forces Reserve Act of 1952 (50 U.S.C. 1013(b)(3)) is amended by striking out the words "eighteen years and six months" and inserting the words "twenty-six years" in place thereof.

SEC. 3. Section 270 of title 10, United States Code, is amended by adding the following new subsection at the end thereof:

"(c) Any person who becomes a member of the Army National Guard of the United States or the Air National Guard of the United States after the enactment of this subsection and who fails in any year to perform satisfactorily the training duty prescribed by or under law for members of the Army National Guard or the Air National Guard, as the case may be, as determined by the Secretary concerned, may, upon the request of the Governor of the State or territory, Puerto Rico, or the Canal Zone, or the commanding general of the District of Columbia National Guard, whichever is concerned, be ordered, without his consent, to perform additional active duty for training for not more than forty-five days. A member ordered to active duty under this subsection shall be ordered to duty as a Reserve of the Army or as a Reserve of the Air Force, as the case may be."

SEC. 4. Section 651(a) of title 10, United States Code, is amended to read as follows:

"(a) Each male person who, after August 9, 1955, becomes a member of an armed force before his twenty-sixth birthday, other than a person enlisted under section 1013 of title 50 or deferred under the next to the last sentence of section 456(d)(1) of title 50, appendix, shall serve in the armed forces for a total of six years. However, such a person who, after the effective date of this amended subsection, becomes deferred under section 456(c)(2) (A) or (B) of title 50, appendix, shall serve in the armed forces for a total of eight years. Any person covered by this subsection may be sooner discharged because of personal hardship under regulations prescribed by the Secretary of Defense or, if he is a member of the Coast Guard while it is not operating as a service in the Navy, by the Secretary of the Treasury. Any part of such service that is not active duty or is active duty for training shall be performed in a reserve component."

SEC. 5. Section 3261 of title 10, United States Code, is amended—

(1) by striking out the designation "(b)" in subsection (a) and inserting the designation "(c)" in place thereof; and

(2) by redesignating subsection (b) as subsection "(c)" and inserting the following new subsection (b):

"(b) Under regulations to be prescribed by the Secretary of the Army, a person who enlists or reenlists in the Army National Guard, or whose term of enlistment or reenlistment in the Army National Guard is extended, shall be concurrently enlisted or reenlisted, or his term of enlistment or reenlistment shall be concurrently extended, as the case may be, as a Reserve of the Army for service in the Army National Guard of the United States."

SEC. 6. Section 8261 of title 10, United States Code, is amended—

(1) by striking out the designation "(b)" in subsection (a) and inserting the designation "(c)" in place thereof; and

(2) by redesignating subsection (b) as subsection "(c)" and inserting the following new subsection (b):

"(b) Under regulations to be prescribed by the Secretary of the Air Force, a person who enlists or reenlists in the Air National Guard, or whose term of enlistment or reenlistment in the Air National Guard is extended, shall be concurrently enlisted or reenlisted, or his term of enlistment or reenlistment shall be concurrently extended, as the case may be, as a Reserve of the Air Force for service in the Air National Guard of the United States."

SEC. 7. Title 32, United States Code, is amended as follows:

(1) Section 302 is amended to read as follows:

“§ 302. Enlistments, reenlistments, and extensions

“(a) Under regulations to be prescribed by the Secretary concerned, original enlistments in the National Guard may be accepted for—

“(1) any specified term, not less than three years, for persons who have not served in an armed force; or

“(2) any specified term, not less than one year, for persons who have served in any armed force.

“(b) Under regulations to be prescribed by the Secretary concerned, reenlistment in the National Guard may be accepted for any specified period, or, if the person last served in one of the highest five enlisted grades, for an unspecified period.

“(c) Enlistments or reenlistments in the National Guard may be extended—

“(1) under regulations to be prescribed by the Secretary concerned, at the request of the member, for any period not less than six months; or

“(2) by proclamation of the President, if Congress declares an emergency, until six months after termination of that emergency.”

(2) The analysis of chapter 3 is amended by striking out the following item:

“302. Enlistments.”

and inserting the following item in place thereof:

“302. Enlistments, reenlistments, and extensions.”

SEC. 8. The amendments made by sections 5, 6, 7, and 8 of this Act do not affect any enlistment, reenlistment, or appointment entered into or made before the effective date of this Act.

SEC. 9. Section 29(a) of the Act of August 10, 1956, chapter 1041, as amended (5 U.S.C. 30r), is amended—

(1) by striking out the words “fiscal year” wherever they appear therein and inserting the words “calendar year” in place thereof; and

(2) by inserting the following new sentence immediately after the first sentence thereof: “However, all or any part of such leave which is not used by the officer or employee during the calendar year in which it accrues may be used by him during the first six months of the next calendar year.”

Passed the House of Representatives May 9, 1961.

Attest:

RALPH R. ROBERTS, *Clerk.*

Chairman RUSSELL. Section 9 of the bill proposes to revert to a calendar year basis for computing the 15 days of annual leave with pay to which Federal employees are entitled for the purpose of performing active duty for training.

Until 1960 this leave was credited on a calendar-year basis and the change to a fiscal-year basis has created some problems that will be discussed this morning.

At this time, the Chair merely wishes to note that our committee colleague, Senator Smith, has introduced a separate bill to accomplish the same purpose, S. 1446.

The departmental witnesses on this bill are Maj. Gen. C. G. Dodge, Assistant Army Chief of Staff for Reserve Components, and Maj. Gen. W. P. Wilson, Deputy Chief of the National Guard Bureau.

Very well, General Dodge, give us as briefly as possible the views of the Department.

STATEMENTS OF MAJ. GEN. C. G. DODGE, ASSISTANT CHIEF OF STAFF FOR RESERVE COMPONENTS, DEPARTMENT OF THE ARMY; MAJ. GEN. WINSTON P. WILSON, DEPUTY CHIEF, NATIONAL GUARD BUREAU, DEPARTMENTS OF THE ARMY AND OF THE AIR FORCE; AND BRIG. GEN. WILLIAM T. FAIRBOURN, DIRECTOR, MARINE CORPS RESERVE

General DODGE. Mr. Chairman and members of the committee, I am Assistant Chief of Staff for Reserve Components of the Department of the Army. The Department of the Army has been designated as the representative of the Department of Defense for this legislation. I represent the Department of the Army for that purpose. I have with me today Major General Wilson, Deputy Chief, National Guard Bureau, who will collaborate with me in presenting this statement. In addition, I have representatives of the other military departments for the purpose of answering any questions that you may have with particular reference to their services. They are General Fairbourn, the Director of Marine Corps Reserves; Commander Huie, Department of the Navy; and Lieutenant Colonel Fetterman, of the Air Force.

I have a brief prepared statement that I would like to present to the committee.

Chairman RUSSELL. Senator Saltonstall desires to propound a question at this stage.

Senator SALTONSTALL. I thought it might help to clarify it in my mind. Are all these gentlemen from the National Guard and the other forces in accord with the statement that you are making? Are you all united on this?

General DODGE. Yes, sir; we are.

Senator SALTONSTALL. Thank you.

Chairman RUSSELL. Proceed, General.

General DODGE. The purpose of this bill is to provide for more effective participation in the Reserve components of the Armed Forces by: (1) allowing draft deferment for all reservists who after having acquired an obligation, continue to participate satisfactorily; (2) equalizing the total obligations of all nonprior service obligors enlisting between the ages of 17-26 years; (3) authorizing priority induction of reservists subject to induction who fail to participate satisfactorily; (4) extending the 45 days' active duty for training proviso to the Army and Air National Guard; (5) providing a more flexible enlistment program in the National Guard; (6) providing for flexibility with respect to the active duty for training obligations of Reserve Officers Training Corps graduates; and (7) providing for more flexibility in the law relating to the right of Federal employees to take 2 weeks' leave annually for the purpose of military training.

Mr. Chairman, I will cover those portions of this bill that are directly related to Army and Air Force reservists while the statutes relating only to members of the National Guard will be covered in a statement by General Wilson.

First, regarding section 1 of this bill, which amends section 6(c) (2) (B) of the Universal Military Training and Service Act.

Briefly, present law provides for the deferment of certain members of the Reserve components, including the National Guard, so long as they participate satisfactorily in Ready Reserve training. However, this deferment is restricted to individuals who enlist prior to attaining age 18½. Clause (1) of this section of the bill would provide deferment for those individuals who enlist in the National Guard after reaching 18½ years of age and will be discussed by General Wilson. A comparable proposal for Army and Air Force reservists is contained in section 2 of the bill which I will cover very shortly.

Clause (2) of this section relates to the service of the Reserve Officers Training Corps (ROTC) graduate.

Present statutes (sec. 6(d)(1), Universal Military Training and Service Act) provide that ROTC graduates commissioned in a Reserve component, whose services are not required on active duty in fulfillment of their service obligation, shall be ordered to active duty for training for 6 months. The Department of Defense feels that it is uneconomical and unnecessary to require a 6-month active duty training period for all officers if it is possible to properly indoctrinate and train them in less time. Such being the case, it would be desirable to have flexibility in the prescribed length of the duty tours of these officers. This proposed legislation substitutes a variable period of 3 to 6 months' active duty for training at the discretion of the Secretary of the service concerned with the proviso that the initial period of active duty for training be of sufficient duration to qualify the officer for mobilization assignment.

It is estimated that this will result in a savings of approximately \$3.1 million in the matter of pay and allowances for lieutenants during the fiscal year 1962.

This measure also provides a desirable degree of flexibility with respect to the Reserve obligation of these officers. I have reference here to the assignment of officers rather than to the length of the individual's obligation. The present law states that the officer, upon completion of 6 months active duty for training, shall be assigned to an appropriate unit of the active service or a Reserve component until the eighth anniversary of the receipt of his commission. This legislation proposes to retain the requirement of the 8-year service obligation but restates this requirement to clarify the status of a Reserve officer who transfers between the Army, Navy, and Air Force prior to completion of his obligation.

Next, section 2 of H.R. 5490 amends section 262(b)(3) of the Armed Forces Reserve Act (AFRA) of 1952.

I am sure you realize that section 262 of the AFRA can very appropriately be considered the bread and butter statute for the Reserve components of the Armed Forces. This section (section 262 of the AFRA of 1952, as amended) prescribes an 8-year obligation for the individual under 18½ years of age who enlists in the Reserve forces. At the same time, under the provisions of section 651, title 10, United States Code, individuals in the 18½-26 year age group may enlist in the Reserve forces and incur only a 6-year obligation. An active duty training period of 6 months is required of each age group. It is believed that in the interest of equity, all non-prior-service individuals in the age group 17-26, who enlist in the Reserve forces, should incur an equal period of obligation. Further, it is believed that this period

of obligated service should be for 8 years. This period of service would provide needed stability to the strength of our Reserve components and would compare favorably with the 6-year obligation incurred by the 2-year obligor. As you know, the large number of veteran reservists who have been providing strength and experience to our program will begin retiring in the near future, and, in addition, the individuals who incurred obligations upon passage of the Reserve Forces Act of 1955 will soon be completing their required period of service. It is for these reasons that the longer period of obligated service is desired. Section 2 of this bill provides the necessary language for changing section 262 of the AFRA to reflect an 8-year obligation for all non-prior-service individuals under 26 years of age, who in the future, enlist for 3 to 6 months active duty for training in the Reserve components.

Another subject that I would like to touch on briefly while discussing section 2 of this bill is that of priority induction.

The U.M.T. & S. (Universal Military Training and Service) Act authorizes the priority induction of those individuals incurring an 8-year service obligation through enlistment or appointment in the Ready Reserve of any component of the Armed Forces between the ages of 17 and 18½ years who have failed to serve satisfactorily. Currently this applies only to the individual enlisting under section 262 of AFRA 1952, that is, the 17- to 18½-year group. Those individuals who become members of the Ready Reserve after attaining age 18½ are not subject to priority induction.

The amendment of section 262 of AFRA, as proposed by this legislation, would provide authority for the priority induction of any person who enlists under the provisions of this section, who is otherwise subject to induction, and who fails to serve satisfactorily as a member of the Ready Reserve of one of the Armed Forces.

Section 9 of this bill amends that provision of law which authorizes Federal employees 15 days of leave per year for the purpose of performing annual military training duty. As a general rule, Reserve component units, as well as individual reservists, perform their 2 weeks annual active duty for training during the summer months (May 15 through September 15). These units alternate training periods so that a unit going to summer camp during the latter half of the summer of one year (e.g., August) will normally go to camp during the first half of the summer the next year (e.g., June), if this leave is authorized on a fiscal year basis, and no leave the following fiscal year. The proposed change will make this leave privilege available on a calendar-year instead of a fiscal-year basis with an added proviso that if this leave is not used during the calendar year in which it accrues, it may be used by that individual during the first 6 months of the next calendar year. The bill does not alter the amount of leave authorized; however, it does permit greater flexibility in its use.

The administration supports this legislation with one small addition to the wording concerning the provision for leave. We would insert the words: "with the concurrence of the head of the employing agency" after the word "however" on line 1, page 8 of the bill, which would make that section read—

however, with the concurrence of the head of the employing agency, all or any part of such leave which is not used by the officer or employee during the calendar year in which it accrues may be used by him during the first 6 months of the next calendar year.

This merely provides insurance against a military department's ordering an individual from another Government agency to active duty without the consent of the employing agency.

The provisions of this bill when being coordinate within the Department of Defense as a legislative proposal, were approved by the Reserve Forces Policy Board which, as you know, is established by law to advise the Secretary of Defense on policy matters pertaining to the Reserve forces.

The legislative proposal which is now before this committee as H.R. 5490 has been cleared with the new as well as the previous administration.

The remaining sections of the bill are applicable only to the Army and Air National Guard and a statement regarding these, to include budgetary implications, if applicable, will be made by General Wilson.

I shall be happy to answer any questions you may have on the portion of the bill that I have discussed, or perhaps you would prefer to wait until General Wilson has covered the remaining provisions.

Chairman RUSSELL. I will first make a statement, and then I will have some questions.

When we consider the statutory gaps that this bill is intended to close, one might form the impression that the Reserve Forces Act of 1955 was not carefully considered.

For the record, the Chair desires to point out that most of these gaps have originated since the 6-month training program was opened to persons over the age of 18½.

When the 1955 act was considered, this committee inquired closely into the practicality of opening the 6-month training period, to persons over the age of 18½. We were strongly urged not to do so because of fears that such action would adversely affect enlistments for extended active duty.

To illustrate this, at one point in the 1955 hearings, the Department of Defense witness stated, and I quote:

I implore this committee not to make the 6-month training program available to persons over the age of 18½.

We agreed to that request and, consequently, the statutory framework does not provide for a 6-month training program for persons older than 18½.

Selective service regulations that provide a deferment for persons participating satisfactorily in the Reserve have made possible the operation of such a program, apparently without any disastrous effects on regular enlistments.

Now I get down to the instant bill.

It obviously is illogical to have a longer service obligation for persons who enlist in the 6-month training program before they are vulnerable for the draft than is required of persons who wait until after reaching the age of 18½.

My understanding of the procedures today, insofar as they affect the Army, is that the Army requires 2 years of Ready Reserve participation by persons who have served 2 years on active duty, 3 years of Ready Reserve participation by persons who join the 6-month training program before reaching the age of 18½, and 5½ years of Ready Reserve participation by persons who join the 6-month training period, after reaching the age of 18½.

Now, why is this arrangement unsatisfactory, and why, instead of lengthening from 6 to 8 years the obligated service of those entering the 6-month training program after reaching the age of 18½, would it not be preferable to reduce from 8 to 6 years the obligation of those who enter the program before reaching the age of 18½?

Since we are going to coordinate them, why shouldn't we make the Reserve duty the same for those who go into the Reserve program for 6 months, before they are 18½ with those who go in after 18½ years old?

General DODGE. As for this bill as it is set, sir, we feel it is more equitable to increase the overall obligation to 8 years, which compares more equitably with the service of the inductee who spends 2 years on active duty 2 years in the Ready Reserve, and then 2 years in the Standby Reserve, a total of 6 years' obligation, a whole 2 years of which he must serve on active duty.

Chairman RUSSELL. Those who take the 6-month training program before they are 18½ and are required to serve 8 years in the Reserves, as a matter of fact, are put in the Standby Reserve after 3½ years. Is that not correct?

General DODGE. That is right, sir.

Chairman RUSSELL. You cannot take them out without the approval of selective service.

General DODGE. That is right, sir.

Chairman RUSSELL. Why shouldn't we just saw it off at 6 years? If we have a great emergency, Congress will be here, and we will pass a law making everybody liable. If we are going to make this service uniform, it seems to me we ought to establish it at 6 years rather than extending this category to 8 years. But that is a matter the committee will have to decide.

Does anyone have any questions before we hear General Wilson?

Senator SALTONSTALL. Yes, I would like to ask this question, Mr. Chairman.

I recall, and maybe inaccurately, when we discussed this question in 1955. We had quite a discussion.

Chairman RUSSELL. Yes, we had quite a discussion.

Senator SALTONSTALL. And we had a long discussion of it, and, as I remember it, we put this provision in about 18½, because the National Guard at that time told us that if we did not make it under 18½ and permit them to go into the National Guard at that age, the National Guard would be depleted and would not be able to get recruits.

Now, where a person serves after 18½, then he was subject to selective service. If he took his service, then he had these other provisions. But the man who went in below 18½ and did it in a National Guard unit and stayed at home, was able to do all his other business and carry on, then we felt he should have this additional length of Reserve service.

Now, that was my memory of why we made those two different things. We felt that the man who was drafted did his draft work and then he should have not so long a period as the man who could stay at home, go into the National Guard, get his 6 months' training, and then be subject to this long period in the Reserves.

Now that seemed to me fair at the time, and now what you gentlemen want to do is what the chairman has brought up, to bring those two things together.

Should we bring them together? Do the same conditions exist as existed in 1955?

General DODGE. Since this applies primarily to the National Guard, might I ask General Wilson to comment on it?

General WILSON. Senator, you are exactly right. Back in 1955 the personnel that we were looking forward to were the 17 to 18½. Due to the fact that selective service took the people 18½ and above, and about 2 years after that the selective service issued the bulletin as the chairman has stated, allowing the 18½ to be enlisted in the guard program, with not a statutory deferment, but an administrative deferment as long as they so participated in the program.

Chairman RUSSELL. That is not only the guard; it includes the Reserve.

General WILSON. Yes, sir. It includes both the guard and the Reserve.

Chairman RUSSELL. Yes.

General WILSON. That is right, sir.

In going through this we felt that on an equitable basis, based on a fellow who has been on active duty for 2 years, absent 2 years on active duty, that we should make all personnel from the 17 to 26 age group have the same military obligation of 8 years.

We felt that the 18½ should be given a statutory deferment as long as they participated, so that they would all be equal, and this bill tends to do that.

Now, this has been discussed with the Air Section 5, and Army Section 5, and, as General Dodge says, the RFPB, and they all concur in this length of service, and we in the guard certainly support this bill and we think it is a very necessary bill.

Chairman RUSSELL. I think it is evident that they should have the same length of service obligation, these two categories. Any differences that might have existed in 1955 for a differential have passed, but there is a question in my mind as to whether we ought to extend one group or bring the other one down to 6 years.

I do not think it will result in any calamity if we limited the reserve obligation to 6 years.

Any further questions?

Senator THURMOND. Mr. Chairman, can we get General Wilson's comment on the statement you made? I would like to get his reaction.

General WILSON. It is my opinion, sir, that all age groups should be the same.

Senator THURMOND. I agree with that. But should it be up or down? The question is whether it should be 8 or 6 years.

General WILSON. Of course, the way we feel, the way I personally feel, is that, having been in the guard some 30 years, and when I went in we did not have an obligation but later on there was an obligation up to age 35. I personally do not think that the time of 8 years bothers anybody. That would be my opinion, sir.

Senator THURMOND. What is the advantage in having the 8 years? Point that out to the committee.

General WILSON. Well, the advantage of having 8 years of obligation for the Ready Reserve which, if you take out the 6 months' training program, that gives them 7½ of Ready Reserve service in our units, it gives you continued less turnover, you might say, longer availability of personnel for use in case of emergency; and you have a lot of money invested in these people; and if it is 6 years, if you cut it 2 years, you still are rotating people.

Chairman RUSSELL. You do not get anything out of them in the last 2 years now, do you, General?

General WILSON. In this program we have—yes, sir. In this it would be a total of 7½ years of Ready Reserve availability.

Chairman RUSSELL. Yes. But as a practical matter you do not do it now.

General WILSON. No, sir; in the Army National Guard.

Chairman RUSSELL. You put him in the Standby Reserve after 5½ years. He goes in automatically, does he not, at the present time?

General WILSON. Yes, sir; under the present regulations, unless he voluntarily extends it.

Chairman RUSSELL. I would not deny any man the right to volunteer and stay in. I think those who have a good billet available and are interested in the work will do it anyway.

General DODGE. Mr. Chairman, might I ask General Fairbourn to make a comment as it applies to the Marine Corps?

Chairman RUSSELL. All right; General Fairbourn.

General FAIRBOURN. I am director of the Marine Corps Reserve, Mr. Chairman.

Our situation in the Marine Corps Reserve is that our Ready Reserve strength will commence a decline, and one of the things that will help us avoid this decline is the equalization of the obligation at 8 years rather than 6.

We consider that a man, of course, is fully trained after 5 years of satisfactory participation, and we keep him on our Ready Reserve rolls until he completes his 8-year obligation. Therefore, we have the value of his training and experience available to us if we need it.

Chairman RUSSELL. Do you keep all of yours now on the Ready Reserve for 8 years?

General FAIRBOURN. For 8 years; yes, sir; those that are in have an 8-year obligation.

Chairman RUSSELL. I know. But how about the participation, do you require them to participate 8 years?

General FAIRBOURN. After they have participated satisfactorily for 5 years they may go into a nontraining category.

Chairman RUSSELL. That is exactly what I am talking about.

General FAIRBOURN. But they are a Ready Reserve until their obligation is discharged.

Therefore, we can keep a larger inventory of ready reservists with an 8-year obligation at less dollar cost.

Chairman RUSSELL. I think you ought to keep these people participating in the Ready Reserve if you are going to call them Ready Reserve.

General FAIRBOURN. We consider them fully trained after 5 years of satisfactory service.

Chairman RUSSELL. Well then, you keep them for half a year then after you consider them fully trained?

General FAIRBOURN. Those that have a 6-year obligation; yes, sir.  
 Chairman RUSSELL. How about those who have an 8-year obligation?

General FAIRBOURN. Those that have an 8-year obligation stay in a Ready Reserve status.

Chairman RUSSELL. Do you require them to participate?

General FAIRBOURN. Not after 5 satisfactory years unless they so desire.

Chairman RUSSELL. There is another question I want to ask about the Marine Corps because sometimes the services differ. After he has completed the 6 years, and you say he is still on Ready Reserve but he is not required to participate, can you call him up without approval of Selective Service?

General FAIRBOURN. Yes, sir; if he is still within his 6-year obligated period.

Chairman RUSSELL. I know, but within the 8 years.

General FAIRBOURN. Within the 8 years; yes, sir; we can.

Chairman RUSSELL. You can call him up without going into Selective Service?

General FAIRBOURN. Yes, sir.

Chairman RUSSELL. Well, that makes a substantial difference. I did not know that.

Senator SALTONSTALL. A technical question, General: Turn to section 8 of the bill as you have drafted it. You have:

however, all or any part of such leave which is not used by the officer or employee during the calendar year in which it accrues may be used by him during the first six months of the next calendar year.

Why do you confine it to the first 6 months? Why couldn't you leave out those 6 months? Supposing a man serves in September and does not use all of his leave, and then comes over into the next year. You could say that he could only use it if he used it in the first 6 months of the following year, why couldn't he use it at any time during the calendar year, but not carry it over for a second year?

General DODGE. I think, sir, that this 6 months, additional 6 months, beyond the calendar year in which the leave accrues gives us enough additional flexibility. We do not need more than that amount, and we set it at 6 months.

Senator SALTONSTALL. Well, you do not need it, but how about the poor fellow who may give up his job to go in, doesn't he sacrifice something?

General DODGE. No, sir. What I meant when I said that we do not need it, I mean we do not need it for the man's benefit. Within this 18-month period we have sufficient flexibility to adequately handle the situation so that the man will not have to take it out of his regular leave but rather can take it from the leave given to him for this purpose.

Senator SALTONSTALL. So what would be the effect if we struck out those words "the first 6 months?" Would that upset you?

General DODGE. No, sir. It would just give us, if I understand you correctly, an additional 6 months during which this accrued leave could be used.

Senator SALTONSTALL. That is right. Thank you, Mr. Chairman.

Senator ERVIN. Mr. Chairman?

Chairman RUSSELL. Senator Stennis is first. I will be glad to recognize you next, Senator Ervin.

Senator STENNIS. Mr. Chairman, I think this ought to be brought out for the record clearly. I am satisfied it does not apply except in a prospective way. These changes here that you propose would apply only to these men who come in after this law is passed, is that correct?

General DODGE. That is right, sir.

Senator STENNIS. Is that correct?

General DODGE. That is correct, sir.

Senator STENNIS. All the major parts of it, excluding this Federal leave would apply prospectively?

General DODGE. That is correct.

Senator STENNIS. All right. And you do not ask for a change in the amount of leave or anything?

General DODGE. No, sir.

Senator STENNIS. It is just a bookkeeping matter from fiscal to calendar year and calendar year is what you want to operate under?

General DODGE. This is correct, sir, because our training periods run on a calendar year.

Senator STENNIS. Yes.

One more question, please, General. Over here on page 4, I am sure the answer is the same to that, too, but you talk about the obligations on page 4, which is where I made a memo, at least, anyway you are talking about a longer period, and so forth that is prospective in application only. Any reference here to the period of service applies only to those who come in after the law is passed; is that correct?

General DODGE. That is correct, sir.

Senator STENNIS. All right.

Now, what do you say to this observation; you are talking about keeping the ready supply and having plenty of men, and it looks like to me as if your program, if it is attractive to bring in new men, you come nearer having a chance to have your solid forces there, bringing in new ones all the time, than it would be to try to hold on to what you have, these last 2 years; what is your reaction to that thought?

General DODGE. It costs money, sir. It costs a considerable amount to send one of these individuals to 6 months training, and for each year that you can save him, you save that much money.

Chairman RUSSELL. But you have not got as broad a base of people who have had training, have you, General?

Senator STENNIS. Yes.

Chairman RUSSELL. That concept seems to support the idea of reducing the Reserve to 300,000, and the National Guard to 360,000. That is the effect when you confine it to this narrow base of people carrying the whole load.

Senator STENNIS. Your main investment, as I see it, is to bring these men in and give them the training, the basic training, plus some, rather than just keeping them on 2 additional years.

Chairman RUSSELL. We have been fighting here in the Congress against the very philosophy you are advocating, and I intend to do it again this year.

Are there any further questions before General Wilson makes a statement? Senator Cannon.

Senator CANNON. Mr. Chairman, if I may ask, you state on page 5 that those individuals who become members of the Ready Reserve, after attaining age 18½, are not subject to priority induction.

Now, what happens, suppose a man is not keeping his obligation current as required, what can you do under the present law?

General DODGE. Well, under the present law, sir, if he is not in the Guard, but is rather in the Reserve he can be sent to 45 days of active duty for training to catch his training up. If he is in the Guard, the same thing can be accomplished under very much more complicated procedures in that the Guard must release the man to the Reserve, the Reserve must then accept him and give him another try, and then if he does not perform properly, he can go to 45 days, but that particular group cannot be reported for priority induction under the present law, sir.

Senator CANNON. And under age 18½ they are just simply reported in for priority induction?

General DODGE. Yes, sir. Under the law.

Senator CANNON. Now, Senator Stennis asked you if this act was prospective in application, in other words, it applied only to people who came in after the act was passed.

This provision here would apply to people who are in now, would it not, if the act went into effect?

General DODGE. This provision would; yes, sir.

Senator STENNIS. Which provision is that?

General DODGE. The one on the priority induction, and the 45 days of active duty for training, equalizing those between the two groups of people.

Senator STENNIS. I meant to ask you specifically about that. The 45 days, that is, I thought you said 25—45 days is in your statement?

General DODGE. Forty-five days.

Senator STENNIS. So that would be a yearly active duty obligation?

General DODGE. The 45 days are a period of active duty for training to which the man can be called if he has not satisfactorily performed his Reserve duty in order to bring him up knowledgewise to the level of the other members of the unit.

Senator STENNIS. Excuse me, Senator Cannon. I did not mean to intrude on your part. I had not covered that point.

Senator CANNON. That is all right.

Chairman RUSSELL. You are talking about calling them up for 45 days training; if he is under 18½ you turn him over to Selective Service and draft him for 2 years, don't you, under existing law, if he does not carry out his Reserve obligation?

General DODGE. That is right, sir.

Chairman RUSSELL. I happen to have had a letter within the past 3 days from a man who was just within that position. He missed a few drills and he was turned over to Selective Service, and was doing boot training.

General DODGE. We try to do it by means of the other first, because this returns the man to the unit in his own community, the unit we would really like to have him in, his Reserve unit, and at—at the same time, brings his level of training up to that of his associates.

Senator ERVIN. General, are you satisfied that in practical operation the provision of section 9 restricting his right to take his—of a Federal employee to take his—military leave within the 6 months of the next calendar year, if it is not taken in a particular calendar year, will not result in his having to take his civil service leave for military purposes, as a fact of the matter?

General DODGE. I believe it would not, sir, but rather the reverse.

The intent of this is to be sure that he does not have to take his regular leave for military purposes, but rather is able to use the military leave set up for the purpose.

General WILSON. Mr. Chairman, that is 15 days annual military leave in civil service, so it means if you take it in one-half of 1 fiscal year, that is all he gets during that calendar year, and this is based on a calendar year of 15 days only. We are not increasing the number of days. It is just as to when he can take it, because most of your training sites around the country are where you have many States going in to them, a lot of States would prefer to go in June or August, but somebody has got to go in July, so we have had many units in the guard that do get two periods of field training in 1 fiscal year, but only 15 days in a calendar year, and when they have to go to two field training in 1 fiscal year, this means that they either have to go without pay or go with their normal annual leave other than military.

Senator ERVIN. That is all, Mr. Chairman.

Chairman RUSSELL. Any further questions?

Senator THURMOND. Mr. Chairman, I would like to ask some questions.

Chairman RUSSELL. Yes, indeed.

Senator THURMOND. General, I was just wondering, if it became necessary to mobilize the ground forces if we would not have more men with training if we lopped off the last 2 years and brought in others, if we would not have a broader base there, and be more ready to meet the enemy, because you would have had a larger group available there who had had basic training.

I can see your point of holding on to them the other 2 years, we could do that also, that is one thing. But it just struck me as if you would have more men who had been trained.

General DODGE. As I see it, sir, you would have a broader but, possibly, a slightly thinner base in that you would be training people in the Reserve units for a shorter period of time.

Senator THURMOND. Another thing, too, I am a strong believer in military training. I would like to see every young man have military training in this country, I would favor it.

The education that a lot of these young men are getting in some of the colleges is very far to the left, and I think it is important to get as many of them in military training as possible in service to offset some of that left wing training they are getting in these colleges.

I do not ask you to comment on that though. I just want to express myself on that.

General DODGE. Thank you, sir.

Senator THURMOND. I want to ask General Fairbourn a question. I believe you said that you retain them in the Active Reserve for 8 years?

General FAIRBOURN. This is correct.

Senator THURMOND. But the last 2 years they are really not active.

General FAIRBOURN. The last 3 years we do not require any performance.

Senator THURMOND. You do not require any performance. I am just wondering how you would consider those if called on to furnish the number in the Active Reserve generally, you think in the Active Reserve they are actually ready to go, and if you are not requiring any performance isn't that going to be misleading?

General FAIRBOURN. We consider them to be trained, fully trained, after 5 years of satisfactory participation, which includes, of course, their 6 months active duty for training. For the remaining 3 years of their obligation they will retain their military skill to an adequate degree that they are mobilizable, and will be used and, of course, they are retained in the Ready Reserve.

Senator THURMOND. But how can you say they are ready if they have not had any training for 3 years?

General FAIRBOURN. Well, that is what we consider it, and I believe the other services do to varying degrees also.

General DODGE. Might I comment on that?

Senator THURMOND. Yes. I would be glad if you would comment.

General DODGE. We do a comparable thing and, as an example, in our Ready Reserve pool, which I am sure you understand about, we have people with 3 years active duty who have 2 years left in the Ready Reserve, and we consider them trained from the day they leave their 3 years active duty until they revert from the Ready to the Standby Reserve. In other words, over this period of 2 years we feel that the people are adequately enough trained so that upon mobilization they could be used immediately and sent to a unit as a filler or a replacement.

Senator THURMOND. But if you did not retain those men for the last 2 years or the last 3 years, and brought in others for 6 months, then you would have still more available, would you not?

General DODGE. Yes, sir. Well, I was talking about actually a slightly different category of personnel.

As you know, there are several different categories in the pool, but addressing myself only to the retention of training by a man that we consider as a trained soldier.

Senator THURMOND. I think we all agree it should be the same. The only question is whether it should be 6 years or 8 years, possibly.

General WILSON. Mr. Chairman, may I add one thing? I think it was an indication in the Air Force, both the guard and the Reserve on these people who have an 8-year obligation, they are in the participating units for 8 years, sir, 6 months plus 7½ years. In other words, we are hoping that by this legislation we will be able to enlist a man for his total Ready Reserve obligation.

Chairman RUSSELL. Well, he has no obligation if he passes 8 years.

General WILSON. That is right, sir.

Chairman RUSSELL. And if he were drafted and served 2 years on active duty, he would be 2 years in the Ready Reserve.

Any further questions of the General?

General WILSON. I have scanned through your statement, we have discussed most of it, and I will put it in the record.

General WILSON. There are one or two items that have not been discussed. If I might summarize, I would be glad to put the statement in the record.

Chairman RUSSELL. All right.

General WILSON. One of them is that we feel that the guard should be included in the 45-day authority for active duty. That has been discussed. We would like to have that provision.

There is another provision in here pertaining to the enlistments of the guard. At the present time we are able to enlist under the old National Defense Act for a 3-year original enlistment or a 1-year for reenlistment; 1 or 3 for reenlistment.

We would like a more flexible enlistment program so that we can enlist the people based on their obligations.

It saves a lot of paperwork, it saves a lot of change, and also the fact that we were able to extend enlistments for an indefinite period of time based on the individual's desires, sir. We feel that is an important one.

We have already discussed the leave portion of this bill, and we certainly support this, as I have said before, in that many of our units, based on the availability of training sites, are apt to go to field training two times in 1 fiscal year.

We feel that this should be written in such a way that it will exclude the people this year who are having to take annual leave or leave without pay to go to field training two times in this fiscal year, sir.

Senator SALTONSTALL. Mr. Chairman, may I ask a question?

Chairman RUSSELL. Yes.

Senator SALTONSTALL. General Wilson, on page 4 of your statement you refer to section 9 and you say that this was added by the House Armed Services Committee and that its enactment is of great importance to the National Guard.

General WILSON. Yes, sir.

Senator SALTONSTALL. I questioned on that, but I had not seen that statement when I questioned.

I have received information that possibly this whole section should be stricken out rather than changed. Why is it of such great importance? I think I understand it.

General WILSON. Well, sir, it is of great importance in that if it is not changed back to a calendar year then those Federal employees who are in units who have to go to field training twice in the same fiscal year have to go on their annual leave or leave without pay.

Senator SALTONSTALL. What would be the effect of this if it were stricken out?

General WILSON. You mean if it were taken out and left as is?

Senator SALTONSTALL. Yes.

General WILSON. It would mean that these people, these Federal employees, who are in units would have to take annual leave or leave without pay to attend the second field training in 1 fiscal year, sir.

Senator SALTONSTALL. So that from the National Guard point of view it is an extremely helpful provision for keeping the people optimistic regarding their service because they can get their leave also?

General WILSON. Yes, sir; that is correct.

You see, the Federal civil service regulations authorize 15 days' leave for military purposes. We feel that they should be able to take that during the time of year that their units are going to field training.

General DODGE. This same applies to the Reserves, Senator Saltonstall.

General WILSON. Yes. That applies to the Reserves, also, sir.

I think, Mr. Chairman, that just about completes the pertinent changes in the bill, other than were discussed by General Dodge and the other discussion that has come out, sir.

Chairman RUSSELL. I see.

(The prepared statement of General Wilson follows:)

Mr. Chairman and members of the committee, I am Maj. Gen. Winston P. Wilson, Deputy Chief of the National Guard Bureau, Departments of the Army and of the Air Force. The National Guard Bureau has been designated as the representative of the Department of Defense with respect to those portions of H.R. 5490 which affect the National Guard, Army and Air.

I have a brief prepared statement which I would like to present to the committee.

H.R. 5490 contains several features of great importance to the National Guard.

Section 1 of the bill would provide the same statutory deferment, and under the same conditions, for the individual enlisting in the National Guard, Army or Air, between the ages of 18½ and 26 as is now provided for the man enlisting 17 and 18½. If the legislation is enacted, any individual thereafter enlisting in the National Guard between the ages of 17 and 26 will be deferred so long as he serves satisfactorily. Upon completing 8 years of satisfactory service during which time he has performed not less than 3 consecutive months' active duty for training, he will be exempt from induction except after a declaration of war or national emergency. In addition, the 18½-26 group will be granted the same statutory deferment from induction as is now enjoyed by the 17-18½-year-old group, and both groups will be considered for priority induction under identical circumstances.

Section 3 of the bill will, for the first time, provide authority to order those National Guard members who are granted a statutory deferment and fail to perform satisfactorily the training duty required of them, to perform, involuntarily, an additional period of active duty for training not in excess of 45 days. This active duty for training would be in the members' Federal Reserve status, but could be ordered only at the request of the Governor of the State concerned. At present, National Guard authorities have somewhat ineffective means of dealing with those who fail to perform the required training. State courts-martial or discharge and report of the individual to the Selective Service System for routine induction are the only means of disposing of those who enlist over 18½. Priority induction is also a last resort with those who have enlisted under 18½ and acquired a deferment. None of these seems so useful and fitted to the need as the 45-day provision which will result in the proper training of the individual, and his return to his unit and community. In addition, there is enough "sting" in this device to assure that it will seldom have to be employed. The fact that it cannot be invoked except after a request by the National Guard authorities retains the historic element of State control.

Section 4 of the bill is a technical amendment which will except those individuals who enlist in the National Guard between 17 and 26 from the classes which acquire a 6-year obligation upon enlistment or induction. These guardsmen, who perform 3 or more consecutive months of training will have an 8-year obligation.

Sections 5, 6, and 7 are related, and can best be discussed as a whole. The present provisions of Federal law governing enlistment in the National Guard have remained unchanged since the National Defense Act of 1916. Original enlistments are for 3 years, reenlistments for 1 or 3 years. The individual also enlists as a Reserve of the Army, or Reserve of the Air Force for like periods.

Section 7 of the bill would amend section 302 of title 32 to permit enlistment of nonprior servicemen for 3 years or more, and prior servicemen to enlist for 1 year or more. This will provide a flexible enlistment program, and individuals will be enabled to enlist in the National Guard and as Reserves for their total remaining service obligations, of whatever duration. Individuals in one of the

highest five enlisted grades will be allowed, under regulations of the Secretaries, to enlist for an indefinite period on a career basis, paralleling that for "first three graders" of the active establishment in sections 3256 and 8256 of title 10. In addition, in lieu of the discharge and reenlistment, with the consequent paperwork now required in the National Guard, an individual may request extension of his current enlistment for any period not less than 6 months, which, if authorized, can be accomplished quickly and simply with a minimum of administrative work. The present provisions authorizing the involuntary extension of enlistments in case of a national emergency are continued.

Section 8 of the bill is a technical provision to the effect that current enlistments are not affected by the amendments.

Section 9 of the bill is an amendment which was added by the House Armed Services Committee. Its enactment is of great importance to the National Guard.

As you know, prior to June 30, 1960, when the Reserve Officers Personnel Act amendments of 1960 were enacted, military leave was granted to Federal officers and employees on a calendar year basis. Section 7 of that act however amended the military leave laws to authorize the granting of that leave on a fiscal year basis. As your committee said in its report on H.R. 8186, 86th Congress, referring to section 7 of the act, "This change will not authorize any additional period of absence for training duty, but will permit a greater degree of training opportunity, since the Armed Forces administer their training duty programs on a fiscal-year basis."

While it is true that appropriations covering the cost of National Guard training duty are on a fiscal year basis, the annual field training of National Guard units is scheduled on a calendar year basis. While our units customarily perform their field training during the summer months, each unit does not necessarily perform its training during the same month each year. The 50th Armored Division of New Jersey and parts of six other divisions, as well as some non-divisional units and Air National Guard units which performed field training after July 1 last year will have completed all or part of their field training scheduled for 1961 prior to July 1 of this year. They will therefore have performed field training well in excess of 15 days in fiscal year 1961.

Section 9 of H.R. 5490 is intended to rectify this situation by again providing that military leave is to be allowed on a calendar year basis. It will provide some flexibility to accommodate those reservists, predominantly in the Navy, who perform their training as individuals rather than as members of units, by permitting unused military leave to be used during the first 6 months of the next calendar year.

Those Federal employees who are members of the National Guard or Reserve components who will have attended two periods of field training during fiscal 1961 and prior to enactment of this bill will not be benefited unless it is given retrospective application. Some members will have used their annual leave to cover all or part of their second military tour of duty, others will have had to participate in a leave-without-pay status. It is recommended that section 9 of the bill provide that leave so taken shall be charged to military leave, and that annual leave that may have been taken for the purpose be credited to the employee. Those who may have had to attend in a leave-without-pay status should be considered to have been in a military leave status, and entitled to pay.

The only increased costs which would result from the enactment of this legislation are those incident to the 45-day active duty for training of the National Guard members who will be ordered to that duty by reason of unsatisfactory participation. The maximum costs, as indicated in the letter to the Speaker transmitting the draft of this legislation, are as follows:

	Army	Air Force
1st year.....	\$300,000	\$25,000
2d year.....	225,000	17,000
3d year.....	170,000	10,000
4th year.....	150,000	10,000
5th year.....	150,000	10,000

The above amounts have not been included in any estimate for appropriations submitted through budget channels by the Department of Defense.

We believe that the above costs are maximums, and that the 45-day provision will seldom have to be invoked. Its mere presence on the statute books will do much to assure satisfactory participation.

There will, in addition, be substantial savings due to the changes in National Guard terms of enlistment. Savings will result from elimination of the indirect administrative cost of time spent in effecting discharges and reenlistments, and more directly in the reduction of the number of discharge certificates and forms now used in effecting reenlistment.

It has been a privilege to appear before this committee. If there are any questions which the chairman or members of the committee wish to ask at this time, I will be happy to give or provide the answers.

Chairman RUSSELL. General Fairbourn, has most of your statement been covered?

General FAIRBOURN. Yes, sir.

Chairman RUSSELL. We will have it printed in the record in the form in which it appears here.

(The prepared statement of General Fairbourn follows:)

PREPARED STATEMENT OF BRIG. GEN. WILLIAM T. FAIRBOURN, DIRECTOR, MARINE CORPS RESERVE

Mr. Chairman, gentlemen, I am Brigadier General Fairbourn, Director, Marine Corps Reserve. It is a pleasure to appear before you this morning in support of H.R. 5490. The Marine Corps has made very successful use of the 6-month training program and considers it to be the best thing that could have happened to our Reserve.

The Marine Corps, like the Army, has a Reserve procurement program for individuals 18½ to 25, inclusive, which requires 6 months of active duty for training and participation thereafter for the remainder of a 6-year military obligation. We feel that all nonprior service personnel who enlist in a Reserve component should incur the same obligation, namely 8 years as is presently incurred by the 17-18½-year-old group. We also feel that this 18½-25-year-old group should receive the same statutory deferment now enjoyed by their younger contemporaries and be subject to the same priority induction vulnerability for unsatisfactory participation. In summary, Mr. Chairman, the Marines think this is a good bill and we recommend your favorable consideration. I will be pleased to answer any questions you, or the members of the committee, may have.

Chairman RUSSELL. If there are no further questions, the next witness is Maj. Gen. Carl L. Phinney, vice president of the National Guard Association of the United States, who desires to testify with respect to the bill.

General Phinney, you may proceed.

STATEMENT OF MAJ. GEN. CARL L. PHINNEY, VICE PRESIDENT,  
NATIONAL GUARD ASSOCIATION OF THE UNITED STATES

General PHINNEY. Thank you, Mr. Chairman, and members of the committee.

In the interests of time, rather than trespass upon the committee's time, may I file this report as my testimony. A lot of it is repetitious to what has been already said.

Chairman RUSSELL. Yes, sir; we will be glad for you to do that.

General PHINNEY. I do not feel like taking any more of the committee's time. I will be glad to try to answer any questions if you have any.

Chairman RUSSELL. Does anybody have any questions of General Phinney? We are always glad to have you before the committee General.

General PHINNEY. Thank you so much.  
(The prepared statement of Maj. Gen. Carl L. Phinney follows:)

Mr. Chairman and members of the committee, thank you for this opportunity, to appear in support of H.R. 5490, a bill to provide for more effective participation in the Reserve components of the Armed Forces, and for other purposes.

It is interesting to note, Mr. Chairman, that this Department of Defense sponsored bill embraces the content of two legislative proposals introduced by the Honorable L. Mendel Rivers of South Carolina in behalf of the National Guard during the 86th Congress.

We favor the enactment of H.R. 5490. We believe that it will accomplish its purposes to a great extent.

As far as the National Guard is concerned, the bill—

(1) Provides a much-needed and desirable flexible enlistment program for the National Guard in a manner similar to the Army Reserve and Air Force Reserve, thus doing away with the archaic and inefficient administrative system under which we have operated for so many years;

(2) Establishes equity of service, obligation, and deferment from Selective Service between and among those who enlist in the National Guard without prior military service between the ages of 17 and 18½ and those between the ages 18½ and 26;

(3) Places the two foregoing age groups of young men on an equal basis in respect to liability for priority induction;

(4) Extends the authority to order to active duty for a period of 45 days members of the National Guard who fail to perform satisfactory training, but only upon request of the State concerned; and

(5) Returns the authority to grant military leave to employees of the Federal civil service to a calendar year basis, the system under which we operated for so long and so successfully heretofore.

It is our understanding, Mr. Chairman, that the staff of this committee has suggested certain technical amendments to the language of the bill for the purpose of clarification. With these modifications we take no issue.

Accordingly, Mr. Chairman, we respectfully urge favorable and immediate action by this committee and the Congress.

Thank you.

Chairman RUSSELL. The Reserve Officers Association, with which all of us are familiar, and which has the support of so many of the Reserve officers of the armed services, supports this bill, and they have submitted a statement.

Colonel Carlton, do you desire to add to this statement?

**STATEMENT OF COL. JOHN T. CARLTON, EXECUTIVE DIRECTOR,  
RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES**

Colonel CARLTON. No, sir. I merely wish to be recorded as representing a mandate from our association to support this bill, and I think that the committee fully understands our position on the bill.

Chairman RUSSELL. We will have this prepared statement, on behalf of the Reserve Officers Association, printed in the record at this point.

(The prepared statement of Colonel Carlton follows:)

Mr. Chairman and members of the committee, we desire to thank you for the opportunity to appear before your committee and present our views on this most important piece of legislation.

In 1955, when the Armed Forces Reserve Act of 1955 was under consideration by Congress, we stated we thought instead of making the cutoff date at age 18½ that this opportunity of fulfilling a military obligation should be extended to age 26.

We are pleased that your committee has seen fit to hold hearings on this bill and sincerely believe it will be helpful to our defense posture and will enable the Reserve Forces to secure the numbers required to maintain their full strength.

The Armed Forces Reserve Act of 1955 is one of the most constructive pieces of legislation Congress has enacted into law dealing with our Reserve Forces.

Prior to the enactment of this law we had a procurement source for Reserve enlisted personnel.

By changing the age limitation it will enable our Reserve Forces to secure a more efficient and better educated enlisted personnel.

We strongly recommend favorable action on this bill.

It has been a pleasure to present our views and we thank you for the courtesies extended to us.

Chairman RUSSELL. Colonel Boyer, do you have anything to add?

Colonel BOYER. No, sir.

Chairman RUSSELL. Very well, that concludes the testimony on that bill.

(Subsequently, in executive session, the committee voted to report H.R. 5490, with an amendment, as covered by S. Rept. 498.)

### H.R. 4324

Chairman RUSSELL. We have another bill upon which we wish to have a very brief hearing. It is a departmental bill, H.R. 4324, which is intended to eliminate the confusion and problems generated by use of the term "90 days" at one place in the law authorizing reenlistment allowance and the use of the term "3 months" in another section of these laws.

(The bill referred to follows:)

[H.R. 4324, 87th Cong., 1st sess.]

AN ACT To provide uniformity in certain conditions of entitlement to reenlistment bonuses under the Career Compensation Act of 1949, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 207 (e) and 208 of the Career Compensation Act of 1949, as amended (37 U.S.C. 238 (e), 239), are each amended by striking out the words "ninety days" wherever they appear therein and inserting the words "three months" in place thereof.

SEC. 2. Any individual who—

(1) reenlisted in the regular component of the uniformed service concerned after July 15, 1954;

(2) reenlisted within three months but more than ninety days after the date of his discharge or release from active duty; and

(3) received no reenlistment bonus, or received an enlistment allowance, or a reenlistment bonus computed under the provisions of section 207 of the Career Compensation Act,

may be paid a reenlistment bonus under section 208 of such Act if he received no bonus, or may be paid the difference between the amount of the enlistment allowance or reenlistment bonus that he actually received and the amount that he would have received if his reenlistment bonus had been computed under the provisions of section 208 of such Act. To be eligible for payment under this section, an individual must apply for the payment within one year after the date of enactment of this Act.

SEC. 3. Retroactive payments shall be made from appropriations applicable at the date of reenlistment or from appropriations currently available for military pay and allowances.

Passed the House of Representatives May 15, 1961.

Attest:

RALPH R. ROBERTS, *Clerk.*

Chairman RUSSELL. The departmental witness is Capt. Arthur G. Esch, Bureau of Naval Personnel.

Captain Esch, be seated and tell us as succinctly as you can what this bill is all about. I think some of us are aware that it means a difference of 3 days.

**STATEMENT OF CAPT. ARTHUR G. ESCH, DIRECTOR, POLICY DIVISION, BUREAU OF NAVAL PERSONNEL, DEPARTMENT OF THE NAVY**

Captain ESCH. Mr. Chairman, may I submit my short statement for the record and proceed in a few words to summarize our position?

Chairman RUSSELL. We will be happy to have you do that.

Captain ESCH. The committee is most aware of this case.

In 1954 when the Department of Defense came here seeking a new, you might say, progressive reenlistment bonus scheme, we had not done our homework too well.

As you perceive, we used in what become section 208 of this Career Compensation Act the words "ninety days" as the time entitlement, whereas section 207 enacted in 1949, had the time based upon 3 months.

This caused immediately thereafter, sir, a certain amount of difficulty when the Comptroller General—it was very apparent that there was a difference when certain 31-day months fall in sequence—he enforced checkage, of course, and this caused us some difficulties.

We would like to clear this up in a prospective sense, of course, sir, and the bill, as written, would look backward to the period of nearly 7 years to take care of those small numbers of individuals who, by this difference of 1 or 2 days, lost the opportunity to reenlist with this progressive reenlistment bonus plan under the provisions of 208.

That, I think, sir, is a fair statement of the case.

Chairman RUSSELL. I am glad to hear some witness concede that the Department once did not do its homework. I think it is very evident in this case. [Laughter.]

(The prepared statement of Capt. Arthur G. Esch follows:)

Mr. Chairman and members of the committee, the opportunity to appear before this committee in support of this bill is appreciated.

The purpose of the legislation under consideration is to make uniform certain language in sections 207 and 208 of the Career Compensation Act of 1949 relating to the period within which reenlistments must occur in order for a member to be entitled to reenlistment bonuses. It is intended to eliminate the confusion and problems generated by the differences in the terms "90 days" and "3 months."

From July 1, 1922, to July 15, 1954, inclusive, enlisted men of the military services with continuous service, i.e., those who reenlisted within 3 months after date of last discharge, have been entitled to either an enlistment allowance based upon years served in enlistment from which last discharged or a reenlistment bonus based upon the number of years for which reenlisted. However, in order to qualify for the increased reenlistment bonus authorized by section 208 of the Career Compensation Act an individual must have reenlisted (1) on or after July 16, 1954, and (2) within 90 days after the date of his last discharge.

Discharged enlisted men and even personnel of recruiting offices sometimes fail to grasp the fact that even if the reenlistment is entered into within 3 months after last discharge, the elapsed time from date of last discharge to date of reenlistment may be either 91 or 92 days, if one or more 31-day months are included in the interim break in service. Immediately following enactment of section 208 of the Career Compensation Act of 1949, an appreciable number of overpayments of reenlistment bonus was made by disbursing officers which resulted in checkage of the difference between the reenlistment bonus to which entitled under section 207 (by reason of reenlistment within 3 months) and the amount erroneously credited under section 208 where the member did not reenlist within 90 days. Overpayments of reenlistment bonuses in these cases have been minimized by the promulgation of specific regulations covering the matter; however, due to the differences in language of entitlement in sections 207 and 208 of the Career Compensation Act of 1949, it is undoubtedly true that some

members are being deprived of the higher reenlistment bonus by not reenlisting within 90 days from date of last discharge.

This situation is particularly confusing since a reenlistment in the Navy within 3 months from date of discharge is considered continuous service. In the case of the Army, Air Force, and Marine Corps, the period is 90 days. A member reenlisting under continuous service is entitled to be reenlisted in the rating held at discharge and is not entitled to an initial clothing allowance. Therefore, it is necessary to determine in each case at the time of reenlistment whether the reenlistment was within 3 months for purposes of reenlisting in the rating held at discharge and entitlement to an initial cash clothing allowances and whether the reenlistment was within 90 calendar days for the purpose of entitlement to the increased reenlistment bonus. If both periods of entitlement were the same, as proposed in this legislation, there would be much less chance of misunderstanding. Because of simplicity of computation, it is considered more desirable to use "3 months" for all purposes.

Section 208 was added to the Career Compensation Act of 1949 "to stimulate reenlistment of members serving in the first enlistment or reenlistment in the Regular service and to encourage members of Reserve components on active duty to enlist in the Regular component." It is not believed that it was the intent of the Congress to restrict the payment of the higher reenlistment bonus to only those members who reenlisted within 90 days after the last discharge and to authorize a smaller payment in cases where the reenlistment was entered into within 3 months after such discharge, but on either the 91st or 92d day after such discharge. There being no authority to change the date of discharge or reenlistment in such cases, the only remedy available to such members is an application to a Board for Correction of Military Records.

The retroactive costs resulting from enactment of this legislation would be nominal and could be absorbed within current appropriations. The only members involved would be those who reenlisted within 3 months from date of discharge or release but more than 90 days from such date due to the fact the intervening period included 1 or more 31-day months, and who, as a result of their reenlistment occurring more 90 days after their last discharge, received no reenlistment bonus, or were paid a reenlistment bonus under section 207 of the Career Compensation Act of 1949.

We recommend your favorable consideration of H.R. 4324, and its enactment during the present session of Congress.

Chairman RUSSELL. Are there any questions of Captain Esch? We are very happy to have you here, Captain.

The committee will now go into executive session.

Captain ESCH. Thank you, sir.

(Whereupon, at 11:50 a.m., the committee proceeded in executive session.)

(Subsequently, in executive session, the committee voted to report H.R. 4324, without amendment, as covered by S. Rept. 499.)



