

SELECT COMMITTEE ON SMALL BUSINESS,  
HOUSE OF REPRESENTATIVES  
January 23, 1948 (corrected from January  
12, 1948)

TO THE CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134 (b) of the Legislative Reorganization Act of 1946, Public Law 601, Seventy-ninth Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it for the period from July 1, 1947, to and including December 31, 1947, together with funds if authorized or appropriated to and expended by it:

Name of employee	Profession	Total gross salary
M. W. Rowell	Chief of Staff	\$4,166.65
Allen W. Maddren	Staff member	3,998.24
J. G. Crost	do	1,692.43
Leo Cullinane	do	1,482.51
Willis J. Ballinger	Economic adviser (per diem)	3,973.69
William Warmack	Staff member (per diem)	1,808.00
Grace F. Purdy	Clerk	494.50
Arvilla Benson	Stenographer	643.29
Gladys Flanagan	do	1,269.65
Kathryn O. Keyes	do	823.89
Dorothy Henry	do	1,385.64
Willie E. Foristel	do	461.88
Margaret Denny	do	194.67
Ethel M. Zider	do	90.54
Virginia Flatley	do	207.77
Margaret M. Koehn	do	230.94
C. J. Reynolds, Jr.	Messenger	1,110.96
Total		24,035.25

Funds authorized or appropriated for committee expenditure	\$60,000.00
Mar. 24 through June 30, 1947	18,622.21
July 1 through Dec. 31, 1947	41,377.79
Balance unexpended as of Dec. 31, 1947	2,302.35

WALTER C. FLOESER, *Chairman*.

## SENATE

FRIDAY, JANUARY 23, 1948

(Legislative day of Wednesday, January 21, 1948)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

Our Father, let not Thy servants become discouraged or grow weary in well-doing.

Bolster their faith that with Thee there is an answer to every question and a solution to every problem.

Under Thy guidance, let them know that they are not leading a forlorn hope, but are the spokesmen for a good way of life.

Help us all to keep it good and to make it better. Through Jesus Christ our Lord. Amen.

### DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., January 23, 1948.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HARRY P. CAIN, a Senator from the State of Washington, to per-

form the duties of the Chair during my absence.

A. H. VANDENBERG,  
*President pro tempore*.

Mr. CAIN thereupon took the chair as Acting President pro tempore.

### THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, January 21, 1948, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 2873) to amend certain provisions of the Reclamation Project Act of 1939, in which it requested the concurrence of the Senate.

### MEETINGS OF COMMITTEES DURING SESSION OF THE SENATE

Mr. WHERRY. Mr. President, I ask unanimous consent that the Subcommittee on Commodity Speculation of the Senate Committee on Appropriations be granted permission to sit during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, the order is made.

Mr. LODGE. Mr. President, at the request of the Committee on Foreign Relations, I ask unanimous consent that that committee be authorized to hold hearings during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, permission is granted.

### PUBLIC HEARINGS BY SUBCOMMITTEE ON FLOOD CONTROL AND IMPROVEMENT OF RIVERS AND HARBORS, COMMITTEE ON PUBLIC WORKS

Mr. MALONE. Mr. President, I wish to take this opportunity to announce that the Subcommittee on Flood Control and Improvement of Rivers and Harbors of the Committee on Public Works will hold public hearings in room 412, Senate Office Building, beginning at 10:30 a. m., March 15, 1948, on Senate bill 1277, to amend the Tennessee Valley Authority Act of 1933, as amended, and for other purposes. At that time the subcommittee will be glad to hear all interested parties who may wish to offer testimony on the provisions of this measure. Witnesses are requested to file with the committee written statements of their proposed testimony at least 3 days in advance of the hearing date.

Mr. President, I also wish to take this opportunity to announce that the Subcommittee on Flood Control and Improvement of Rivers and Harbors of the Committee on Public Works will hold public hearings on Thursday, January 29, 1948, at 10 a. m., on Senate Joint Resolution No. 155, rescinding an order of the Federal Power Commission authorizing redevelopment of the Wilder Dam project. The subcommittee will

also hold public hearings on Friday, January 30, 1948, at 10:30 a. m., on Senate bill 1651, to amend the General Bridge Act of 1946. All interested parties will be afforded the opportunity to be heard concerning these bills. Witnesses are requested to file with the committee written statements of their proposed testimony at least 3 days in advance of the hearings.

### LEAVES OF ABSENCE

Mr. BALDWIN. Mr. President, I have a very important meeting to attend in Connecticut tonight and I ask unanimous consent to be absent from the Senate after 12:30 p. m. today.

The ACTING PRESIDENT pro tempore. Without objection, the order is made.

Mr. WHERRY asked and obtained consent that Mr. FLANDERS be excused from attendance on Monday and Wednesday next.

Mr. WHERRY asked and obtained consent that Mr. FLANDERS be excused from attendance on Monday and Wednesday next.

### EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

#### SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report reciting the facts and pertinent provisions of law in the cases of 298 individuals whose deportation has been suspended for more than 6 months by the Commissioner of Immigration and Naturalization Service under the authority vested in the Attorney General, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on the Judiciary.

#### REPORT ON TORT CLAIMS PAID BY FEDERAL SECURITY AGENCY

A letter from the Acting Administrator, Federal Security Agency, transmitting, pursuant to law, a report of all claims paid by that Agency under the Federal Tort Claims Act, for the period August 2, 1946, to December 31, 1947 (with an accompanying report); to the Committee on the Judiciary.

#### CONVEYANCE OF CERTAIN LANDS IN THE DISTRICT OF COLUMBIA TO HOWARD UNIVERSITY

A letter from the Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation to authorize Defense Homes Corporation to convey to Howard University certain lands in the District of Columbia, and for other purposes (with accompanying papers); to the Committee on Banking and Currency.

#### TRAVEL EXPENSES INCURRED BY VETERANS' ADMINISTRATION BENEFICIARIES AND ATTENDANTS

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend Public Law No. 432, Seventy-sixth Congress, to include an allowance of expenses incurred by Veterans' Administration beneficiaries and their attendants in authorized travel for vocational rehabilitation purposes (with accompanying papers); to the Committee on Finance.

#### REIMBURSEMENT OF COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH FOR CERTAIN EXPENDITURES

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation authorizing the Administrator of Veterans' Affairs to reimburse the Commission on Organization of the Executive Branch of the Government for certain sums expended in connection with its study

of the Veterans' Administration (with an accompanying paper); to the Committee on Finance.

**REPORT OF EXPENDITURES BY UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS**

A letter from the Director, administrative office of the United States courts, transmitting, pursuant to law, a report of expenditures of appropriations for the United States Court of Customs and Patent Appeals, for the fiscal year ended June 30, 1947 (with an accompanying report); to the Committee on Expenditures in the Executive Departments.

**REPORTS ON DISPOSAL OF RECORDS BY THE NATIONAL ARCHIVIST**

A letter from the Archivist of the United States, transmitting, pursuant to law, reports as to the records authorized for disposal by the Archivist of the United States (with accompanying reports); to the Committee on Rules and Administration.

**STOCK PILING**

A letter from the Chairman of the Munitions Board, National Military Establishment, Washington, D. C., transmitting, pursuant to law, a confidential report concerning stock piling (with an accompanying report); to the Committee on Armed Services (in confidence).

**RECEIPTS AND EXPENDITURES BY CHESAPEAKE & POTOMAC TELEPHONE CO.**

A letter from the vice president and comptroller of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, a report of receipts and expenditures of the Chesapeake & Potomac Telephone Co. for the year 1947 (with an accompanying report); to the Committee on the District of Columbia.

**BALANCE SHEET OF CHESAPEAKE & POTOMAC TELEPHONE CO.**

A letter from the vice president and comptroller of the Chesapeake & Potomac Telephone Co., transmitting, pursuant to law, a comparative general balance sheet of the Chesapeake & Potomac Telephone Co. for the year 1947 (with accompanying papers); to the Committee on the District of Columbia.

**DISPOSITION OF EXECUTIVE PAPERS**

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. LANGER and Mr. CHAVEZ members of the committee on the part of the Senate.

**PETITIONS AND MEMORIAL**

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the National Board of Directors, Fleet Reserve Association, Washington, D. C., favoring the enactment of legislation providing for universal military training; to the Committee on Armed Services.

By Mr. McMAHON:

A petition signed by sundry citizens of the State of Connecticut, praying for the enactment of H. R. 4695, to amend the Railroad Retirement Act of 1937 so as to provide full annuities, at compensation of half salary or wages, for persons who have completed 30 years of service; to the Committee on Labor and Public Welfare.

By Mr. CAPPER:

A petition signed by sundry members of the Georgia Women's Christian Temperance Union and 669 citizens of the State of Georgia praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

A memorial signed by 60 citizens of Fredonia, Kans., remonstrating against the enactment of legislation providing universal military training; to the Committee on Armed Services.

**RESOLUTION BY LONG BEACH (CALIF.) CHAMBER OF COMMERCE RELATING TO AIR SUPREMACY**

Mr. KNOWLAND. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a resolution adopted by the Long Beach (Calif.) Chamber of Commerce on December 29, 1947, relative to the necessity for America to regain air supremacy.

There being no objection, the resolution was received, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

**WE MUST REGAIN AIR SUPREMACY**

Whereas the United States has demonstrated its desire to live in peace with the world; and

In every generation it has been drawn into a terrible war for which it was unprepared; and

This unpreparedness has cost many thousands of lives and billions of dollars; and The security of our homes, families, property, and Nation depends upon adequate national defense; and

An air force superior to that of any enemy is the strongest deterrent to aggression and the best immediate means of defense: Therefore it is hereby

Resolved, That the Congress of the United States be urgently requested to adopt promptly a national air policy which will assure:

1. A modern powerful Air Force in being.
2. Enough trained personnel to man this Air Force.
3. Sufficient research and development to guarantee that America remains first in this field.
4. Strategically located bases of operation.
5. An adequate system of air transportation which in effect is an auxiliary and supplement to the Air Force.
6. A strong independent aircraft industry capable of rapid expansion.
7. Designation of standby plants from those already constructed to provide a stronger basic production nucleus to meet any national emergency.
8. Creation of an additional separate stock pile of critical materials for aircraft manufacture and maintenance.

Adopted December 29, 1947.

THE BOARD OF DIRECTORS,  
LONG BEACH CHAMBER OF COMMERCE.

**PROTEST AGAINST RATIONING OF BUTTER—RESOLUTION BY KANSAS BUTTER INSTITUTE**

Mr. CAPPER. Mr. President, I send to the desk and ask unanimous consent to have printed in the RECORD, an appropriately referred resolution adopted in Manhattan, Kans., on January 12, 1948, by the eighth annual meeting of the Kansas Butter Institute. They make a strong argument for their stand, and I am glad to bring this resolution to the attention of the Senate.

There being no objection, the resolutions were received, referred to the Com-

mittee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

**RESOLUTIONS ADOPTED AT THE EIGHTH ANNUAL MEETING OF THE KANSAS BUTTER INSTITUTE, JANUARY 12-13, 1948**

Whereas the eastern subcommittee for Price Investigation of the Congressional Joint Committee on the Economic Report has recently recommended consideration of a return to rationing of butter along with meat and poultry. Whereas the President's message to the special session of Congress on November 17, suggested a possibility of the return of rationing and price controls: Therefore be it

Resolved, That the members of the Kansas Butter Institute record their unalterable opposition to rationing of butter in peacetime, with or without the imposition of control over butter prices. Rationing of butter in wartime resulted in gross inequities of distribution, which would be intolerable in peacetime. These maladjustments would be magnified and intensified in a situation where the wartime influences which brought about some degree of compliance would be virtually nonexistent today; be it further

Resolved, That the Members of Congress be reminded that if this country is to have an adequate supply of butter in the future the price of butter must be permitted to find such levels as will permit the dairy cow to compete against beef cattle, hogs, poultry, and world grain markets for a share of the feed necessary for milk production. The OPA ceiling prices on butter were arbitrarily low in relation to other farm products and caused a severe cut in butter production. If we are ever to regain adequate production for recommended nutritional needs it will be because butter prices find such levels or will induce our American farmers to produce more cream for butter making; and be it further

Resolved, That copies of this resolution be forwarded to all Kansas Members of the Congress of the United States.

Whereas the establishment of a fund to be used for the specific purpose of research pertinent to the butter industry of Kansas would be beneficial to all members of this association and contribute to the further development of the Kansas dairy industry: Be it

Resolved, That the board of directors give consideration to ways and means of creating such an annual fund to be granted to the dairy husbandry section of the Kansas Agricultural Experiment Station.

**CONCURRENT RESOLUTIONS OF MISSISSIPPI LEGISLATURE**

Mr. EASTLAND. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD a concurrent resolution endorsing the Marshall plan, adopted by the Mississippi Legislature, as I understand, by unanimous vote.

There being no objection, the concurrent resolution was received, referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

**Senate Concurrent Resolution 7**

Concurrent resolution approving the Marshall plan as presented to the American people and Congress by General Marshall and memorializing Congress to pass adequate appropriation to insure the recovering of western Europe

Be it resolved by the Senate of the State of Mississippi (the house of representatives concurring therein), That—

Whereas the objective of the Communist Party of the Union of Socialist Soviet Republics is to sovietize and enslave the universe



through stealth, trickery, treason, subversive and dictatorial power, and to this end Russia dominates or has absorbed such nations as Finland, Estonia, Lithuania, Latvia, Poland, Rumania, Bulgaria, Yugoslavia, Hungary, Albania, Czechoslovakia, parts of Austria, Germany, Manchuria, northern Korea, Outer Mongolia, and northern China; and

Whereas to accomplish these ends Russia has ignored the Atlantic Charter, violated the agreements of Yalta and Tehran, and broken every precept of man and God; and

Whereas poverty, sickness, hunger in proud democratic nations are the instrumentalities by which the Soviets seek to conquer; and

Whereas if Greece, Italy, and France succumb to the revolutionary and brutal tactics of the Communists, then western Europe, with its 270,000,000 people, will be encompassed by the Communists and enslaved by its commissars and secret police; and

Whereas the arrogance of the Soviet leaders, the propaganda of the Communists, and the infiltration of their fellow travelers, have tended to confuse and bewilder our own citizens; and

Whereas the aggression of the Communists must be stopped or the 2-year cold war may evolve into another world war; and

Whereas the insults and injuries of the Communists have exhausted our patience; and

Whereas to prevent World War III, Secretary Marshall has proposed a program known as the Marshall plan to restore the operation and production of western Europe; and

Whereas the late war cost the United States \$100,000,000,000 in the last 12 months of hostilities, and the cost of the Marshall plan will amount only to a 2-month expenditure of World War II: Now, therefore, be it hereby

*Resolved by the Senate of the State of Mississippi (the house of representatives concurring therein),* That the Marshall plan as presented to the American people and Congress by General Marshall be, and is hereby, approved and that Congress be memorialized to pass adequate appropriations to insure the recovery of western Europe at the earliest possible moment, and the Members of Congress from Mississippi in the House and Senate are hereby petitioned to aggressively support and vote for such legislation, and that a copy of this resolution be transmitted to the Members of Congress from Mississippi and to the author of the plan, the distinguished Secretary of State, General Marshall; be it further

*Resolved,* That the other sovereign States of the Nation be requested to urge Congress to take favorable action on this great issue; be it further

*Resolved,* That a member of this body be designated by the Speaker to deliver a copy of this resolution to General Marshall at Atlanta, Ga., on Thursday, January 22, at the meeting of the National Cotton Council.

Mr. EASTLAND. Mr. President, on January 21, 1948, the House of Representatives of the State of Mississippi adopted a concurrent resolution endorsing Governor Wright's warning to the national leadership, which resolution was concurred in by the State senate on January 22. I ask unanimous consent to present the resolution for appropriate reference and that it be printed at this point in the body of the RECORD.

There being no objection, the concurrent resolution was received, referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 15  
Concurrent resolution commending Gov. Fielding Wright and approving his stand in defense of the South and the principles and traditions for which she stands against political activities designed to destroy them

*Be it resolved by the House of Representatives of the State of Mississippi (the senate concurring therein),* That the courageous and fearless stand taken by Gov. Fielding Wright in defense of the South against political aggression, abuse and misrepresentation, designed to disrupt and destroy southern institutions, traditions, and way of life, and which do violence to fundamental principles of constitutional, democratic government, and particularly the right of the States to solve their domestic problems, and adopt laws and policies for local self-government, be, and the same is hereby commended and approved, and we, the duly elected representatives of the people of Mississippi, join the Governor in the warning given to the leaders of the National Democratic Party and to the Nation, that Mississippians and southerners will no longer tolerate these abuses and efforts to destroy the South and her institutions, and hereby pledge our full support to the Governor in his efforts to protect and uphold the principles, traditions, and way of life of our beloved Southland.

STATEMENT BY GOVERNOR WRIGHT OF MISSISSIPPI TO THE LEADERS OF THE DEMOCRATIC PARTY

Mr. EASTLAND. Mr. President, the newspapers a few days ago carried a story of a warning issued by the Governor of Mississippi to the leaders of the Democratic Party, which warning was incorporated in his inaugural address. I have in my hand a correct copy of the statement made by the Governor, and I ask unanimous consent that it be printed at this point in my remarks, in the body of the RECORD.

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

Facing the future, as your chief executive, I would be remiss in my responsibilities if your attention were not directed to the fact that we are living in unsettled, uncertain, and even perilous times. One need not be a diplomat nor a student of international affairs to see the many danger flags flying throughout the world in the field of international relations as democracy clashes with communism in a struggle which will determine whether or not these two ideologies can live together in cooperation or if we must once again maintain our heritage and our freedom in the cold and cruel crucible of war. Nor need one be an economic prophet to realize that the inflation running rampant in this country today—if allowed to continue its mad flight unchecked—will eventually, and in the not-to-far-distant future, lead us into the depths of another great depression.

But, serious as these problems may be, they can be met and solved if approached in the spirit of common sense, honesty, and unselfishness which has characterized our efforts in so many difficult and trying times in the past.

And as we search for the answers to these problems, there is yet another most serious conflict being thrust upon the people of Mississippi and our beloved Southland; thrust upon us in the Congress of the United States and through press and radio services throughout the country. That is the campaign of abuse and misrepresentation being levelled against our section by those who seek

to tear down and disrupt our institutions and our way of life. They are using as their tools such infamous proposals as FEPC, anti-lynching legislation, anti-poll-tax bills, and now the anti-segregation proposals.

The charge of dereliction of duty could be hurled at me by the citizens of this State were I to fail to direct your thoughts to the vicious effect of the proposals of the committee appointed by the President of the United States to study and make recommendations under the guise of preservation of civil liberties. Those of you who read and studied the report recognize in it a further, and I might say, the most dangerous step, toward the destruction of those traditions and customs so vital to our way of life, particularly in our Southland.

These measures and the proposals of this committee are deliberately aimed to wreck the South and our institutions. But they are far more sinister than being mere pieces of antisouthern legislation and recommendations, for hidden under their misleading titles and guarded phraseology are elements so completely foreign to our American way of living and thinking that they will, if enacted, eventually destroy this Nation and all of the freedoms which we have long cherished and maintained.

The advocates of today's antisouthern legislation disregard the great instrument creating this Government which makes of us a union of sovereign States. This Nation, of which we are so justly proud, has grown great amid our very many differences of ideas. Each of our 48 States has made singular and specific contributions to the national whole because while they are different the people had the individual leeway to decide their own best methods for solving their local problems. Individuals in this Nation have achieved the heights because they had the right to use their own personal talents, and no man was standardized or limited to any given level of attainment or service to or among his fellows.

With this record of achievement which has made our country the greatest in the world—with our structure of republican government which has enabled our sovereign States to live together in relative harmony and progress and which has brought to all our people a standard of living never before achieved in human history—I cannot understand why there are those in this land today and in the Congress of the United States who would begin its disintegration by such types of nefarious legislation as I have previously mentioned. The legislation to which I have referred flagrantly invades the sovereign rights of the individual States. It undertakes to destroy our proper privilege of solving our own individual problems in the light of all our circumstances.

Aside from this fundamental right, such legislation violates the very experience of man, namely, that the problems of human relationships are so varied and diverse that we can never begin to solve all of them by laws. They can only be answered by education and continuing progress in the light of truth as God may give us wisdom to see and embrace the truth. And they can only be solved by the people who understand and know and are familiar with the problem.

Here in Mississippi and the South may be found the greatest example in human history of harmonious relationships ever recorded as existing between two so different and distinct races as the white and the Negro, living so closely together and in such nearly equal numbers. The uninterrupted progress which has been made will be continued in an orderly, effective manner if both races are left alone by those unfamiliar with the true situation. This problem is being solved by Mississippians and by southerners in a wholesome and constructive manner. We know that human relationship cannot be equalized

and balanced by legislation, unless through such legislation the power of the State is exercised to force all men into a pattern—a rigid pattern which would operate to destroy the freedoms of all and cut off our march of progress.

We believe that the people of each of the 48 States—north, south, east, and west—are the most capable of judging their own respective local needs and meeting them. We know that this was the program set up by our founding fathers and guaranteed in our Constitution.

In Mississippi, and I think in the other States known as the South, we feel that our rights are being threatened by enemies of the South who are in fact also enemies of the Nation. We are convinced that in upholding our position in this current struggle, we are in fact maintaining the interests of all the American people and each of the 48 States. Yes, we are confident that we are by our position upholding the rights of the members of all races and sections.

As a lifelong Democrat, as a descendant of Democrats, as the Governor of this Nation's most Democratic State, I would regret to see the day come when Mississippi or the South should break with the Democratic Party in a national election. But vital principles and eternal truths transcend party lines, and the day is now at hand when determined action must be taken.

We have repeatedly seen the proposal of various measures in the Congress which were not for the best interests of the Nation but definitely designed to appeal to certain voting groups holding the balance of power in other States. We of the South will no longer tolerate being the target for this type of legislation which would not only destroy our way of life, but which, if enacted, would eventually destroy the United States. The time has come for the militant people of the South and the Nation, who have never shirked any patriotic responsibility, to band together for the preservation of true Americanism. United in our cause, we serve not only ourselves and our neighbors, but all of our fellow citizens throughout the Nation.

As we face this particular task I invite the patience, calm deliberation, counsel, and cooperation of all men of good will and true Americanism, wherever they may be. We are Democrats; we have been loyal to the Democratic Party at all times, in its periods of success as well as in the dark days of despair. We voted the Democratic ticket when no other section stayed with the banner. We have never shirked, nor have we ever faltered in our loyalty to our party. There are some who subscribe to the belief that due to this record of faithful service we are taken for granted and are not deemed worthy of consideration in formulating party policy and platforms. A continuation of the harassing and unfair legislation to which I have referred will compel all of us to such a conclusion.

This is a new day in State and national politics and circumstances may make necessary a new, and, we hope, a temporary approach to national politics by our State and Southland. We have always remained true to the traditions of our party and will continue to do so, but when the national leaders attempt to change those principles for which the party stands, we intend to fight for its preservation with all means at our hands. We must make our national leaders fully realize we mean precisely what we say, and we must, if necessary, implement our words with positive action. We warn them now, to take heed. Drastic though our methods may be, and as far reaching as the results may prove, we are certain that the ultimate consequence will fully justify any temporary set-back that may follow our action.

Mr. EASTLAND. Mr. President, I may say that I have been informed that the statement made by the Governor of Mississippi has been endorsed editorially by practically all the daily newspapers in the State of Mississippi, and by a number of special meetings of county bar associations in Mississippi.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUSSELL, from the Committee on Armed Services:

S. 1528. A bill to authorize the Secretary of War and the Secretary of the Navy to accept and use gifts, devices, and bequests for schools, hospitals, libraries, museums, cemeteries, and other institutions under the jurisdiction of the War Department, or Navy Department, and for other purposes; with amendments (Rept. No. 829).

By Mr. TYDINGS, from the Committee on Armed Services:

S. 1470. A bill to amend the act entitled "An act to make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and Citizens' Military Training Camps who are injured or contract disease while engaged in military training, and for other purposes," approved June 15, 1936, as amended; with amendments (Rept. No. 830), and

S. 1802. A bill to authorize the President to award the Medal of Honor to the unknown American who lost his life while serving overseas in the armed forces of the United States during the Second World War; without amendment (Rept. No. 831).

By Mr. GURNEY, from the Committee on Armed Services:

S. 1214. A bill to amend the act entitled "An act to provide for the training of officers for the naval service, and for other purposes," approved August 13, 1946; with amendments (Rept. No. 832); and

S. 1521. A bill to authorize the Secretary of War and the Secretary of the Navy to detail scientific and technical employees of the War Department or the Army, and the Naval Establishment, to duty in privately owned plants and laboratories; with amendments (Rept. No. 833).

By Mr. GURNEY (for Mr. BRIDGES), from the Committee on Armed Services:

S. 1783. A bill to provide for retention in the service of certain disabled Army personnel, and for other purposes; with amendments (Rept. No. 834); and

S. 1961. A bill to amend the act of December 3, 1945, so as to extend the exemption of Navy or Coast Guard vessels of special construction from the requirements as to the number, position, range, or arc of visibility of lights, and for other purposes; without amendment (Rept. No. 835).

By Mr. GURNEY (for Mr. ROBERTSON of Wyoming), from the Committee on Armed Services:

S. 1791. A bill to transfer certain lands at Camp Phillips, Kans., to the War Department; with amendments (Rept. No. 836).

By Mr. KILGORE, from the Committee on Armed Services:

S. 1673. A bill to authorize the promotion of James Y. Parker, Army serial number O20712, as major, Army of the United States, as of March 1, 1942, under the act of February 16, 1942 (56 Stat. 94), and for other purposes; without amendment (Rept. No. 837).

By Mr. BALDWIN, from the Committee on Armed Services:

S. 1298. A bill to validate payments heretofore made by disbursing officers of the United States Government covering cost of shipment of household effects of civilian employees, and

for other purposes; with amendments (Rept. No. 838).

By Mr. BYRD, from the Committee on Armed Services:

S. 1796. A bill to provide for the preservation of the frigate *Constellation* and to authorize the disposition of certain replaced parts of such vessel as souvenirs, and for other purposes; with an amendment (Rept. No. 839).

By Mr. WILSON, from the Committee on Armed Services:

S. 1794. A bill to authorize the Houston Council, Navy League of the United States, to construct a reflecting pool at the United States naval hospital, Houston, Tex.; without amendment (Rept. No. 840).

By Mr. MAYBANK, from the Committee on Armed Services:

S. 1800. A bill relating to the restrictions on the use of crypt and window spaces of the United States Naval Academy chapel; without amendment (Rept. No. 841).

By Mr. SALTONSTALL, from the Committee on Armed Services:

H. R. 774. A bill to amend an act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective Departments; with amendments (Rept. No. 843).

By Mr. HILL, from the Committee on Armed Services:

H. R. 3645. A bill relating to the exchange of certain private and Federal properties within Gettysburg National Military Park, Pa., and for other purposes; without amendment (Rept. No. 844).

By Mr. MORSE, from the Committee on Armed Services:

S. 1799. A bill to amend the act of June 3, 1916, as amended, to make it applicable to the Canal Zone, Guam, American Samoa, and the Virgin Islands; without amendment (Rept. No. 842).

By Mr. FERGUSON, from the Committee on Expenditures in the Executive Departments:

H. R. 2239. A bill to amend section 13 (a) of the Surplus Property Act of 1944, as amended; with amendments (Rept. No. 845).

#### SENATE WAR INVESTIGATING COMMITTEE—EXTENSION OF TIME FOR FILING REPORTS

Mr. BREWSTER. Mr. President, I ask permission for the Senate War Investigating Committee to file reports any time during the month of February. That will mean an extension of 1 month from the time originally fixed. I also ask for permission to use whatever assistance may be necessary for that purpose. I call this request to the attention of the Senator from Kentucky. I think he would like to be apprised of the request for the extension of time.

Mr. BARKLEY. Mr. President, will not the Senator from Maine repeat the request?

Mr. BREWSTER. I asked to have the time extended for the filing of reports by the War Investigating Committee during the month of February, and that it might use whatever assistance is necessary for that purpose.

Mr. BARKLEY. May I understand that is only for the purpose of enabling the committee to make a report?

Mr. BREWSTER. To make reports.

Mr. BARKLEY. But not for the purpose of conducting further hearings or investigations?

Mr. BREWSTER. That is correct.



Mr. BARKLEY. To make reports on the testimony already adduced?

Mr. BREWSTER. We shall conclude all hearings before the end of this month.

Mr. BARKLEY. This month?

Mr. BREWSTER. Yes.

Mr. BARKLEY. So that the extension through February is for the purpose of enabling the committee to make reports based upon the hearings it will have conducted by that time?

Mr. BREWSTER. That is correct.

The ACTING PRESIDENT pro tempore. Without objection, the order is made.

The order was reduced to writing, as follows:

*Ordered*, That the time for filing reports of the Special Committee To Investigate the National Defense Program, pursuant to Senate Resolution 46, Eightieth Congress, first session, be, and the same is hereby, extended to February 29, 1948, inclusive; and that the said committee be, and it is hereby, authorized to continue up to and including said date the employment of necessary clerical assistants to complete the performance of its duties and to pay incidental expenses incurred in connection therewith.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JENNER:

S. 2048. A bill for the relief of Mrs. Renata Cuff; to the Committee on the Judiciary.

(Mr. MALONE introduced Senate bill 2049, for the relief of the Alamo Irrigation Co., which was referred to the Committee on the Judiciary, and appears under a separate heading.)

(Mr. MALONE also introduced Senate bill 2050 for the relief of Gracy Mariluch, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. IVES:

S. 2051. A bill for the relief of Samuel Ezratty; and

S. 2052. A bill for the relief of Father Louis Naclerio; to the Committee on the Judiciary.

By Mr. McMAHON (by request):

S. 2053. A bill for the relief of Collins Sterling Smith; and

S. 2054. A bill for the relief of Engebart Axer; to the Committee on the Judiciary.

S. 2055. A bill to amend the Railroad Retirement Act of 1937 so as to provide full annuities, at compensation of half salary or wages, for persons who have completed 30 years of service; to the Committee on Labor and Public Welfare.

By Mr. TYDINGS (for himself and Mr. O'CONNOR):

S. 2056. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to change the base period for the determination of parity for Maryland tobacco from August 1919 to July 1929 to the period from January 1936 to December 1945; to the Committee on Agriculture and Forestry.

By Mr. LANGER:

S. 2057. A bill to authorize the admission into the United States of persons of races indigenous to Indonesia, to make them racially eligible for naturalization, and for other purposes; to the Committee on the Judiciary.

By Mr. PEPPER:

S. 2058. A bill to amend paragraph 1772 of the Tariff Act of 1930, as amended; to the Committee on Finance.

S. 2059. A bill for the relief of Joyce Violet Angel; and

S. 2060. A bill for the relief of Edward Wikner Percival; to the Committee on the Judiciary.

#### ALAMO IRRIGATION CO.

Mr. MALONE. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill for the relief of the Alamo Irrigation Co., and I request that the explanatory statement be printed in the RECORD, as part of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the statement presented by the Senator from Nevada will be printed in the RECORD.

There being no objection, the bill (S. 2049) for the relief of the Alamo Irrigation Co., introduced by Mr. MALONE, was received, read twice by its title, and referred to the Committee on the Judiciary.

The explanatory statement presented by Mr. MALONE was ordered to be printed in the RECORD, as follows:

#### EXPLANATORY STATEMENT BY SENATOR MALONE

The Alamo Irrigation Co. is asking for a waiver of interest on a loan made to them by the Farmers' Home Administration on August 7, 1947, for the purpose of building an irrigation canal. They were prevented from applying for the funds granted under this loan first, because of the impossibility of securing acceptable bids during the fall of 1936, and thereafter by the necessity of using the existing canal to transport irrigation water to farms until the 1947 crops were matured.

They feel they were not actually entitled to use the funds until June 10, 1947, when a representative of the FHA and the board of directors of the company met and approved the type of lining to be used in construction of the canal.

The interest which would be waived under this bill is for the period August 7, 1946, to June 17, 1947, and amounts to \$1,193.50.

The amount of the loan, \$46,200, was deposited in a joint account, on August 7, 1946. No funds could be drawn against the account without both the signature of an officer of the Alamo Irrigation Co. and a supervisor appointed by the FHA.

The first withdrawal was made June 17, 1947, in the amount of \$165. Up to the present time they have spent \$26,732.61.

None of the money was used for any purpose during the period for which the refund of interest is claimed, August 7, 1946, to June 17, 1947.

The matter has been discussed with Mr. R. W. Hollenberg, State director of the FHA in Nevada and California, who directly handled the case, who says the FHA would like to waive the interest, but that it must be done by means of a bill in Congress.

#### GRACY MARILUCH

Mr. MALONE. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill for the relief of Gracy Mariluch, and I request that an explanatory statement by me may be printed in the RECORD, as part of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred, and, without objection, the statement presented by the Senator from Nevada will be printed in the RECORD.

There being no objection, the bill (S. 2050) for the relief of Gracy Mariluch, introduced by Mr. MALONE, was received, read twice by its title, and referred to the Committee on the Judiciary.

The explanatory statement presented by Mr. MALONE was ordered to be printed in the RECORD, as follows:

#### EXPLANATORY STATEMENT BY SENATOR MALONE

Miss Gracy Mariluch, 24, who has lived in France since 40 days after her birth, had intended to accompany her mother, sister, and brother to the United States to make their home in Elko, Nev.

Her mother is a former resident of Nevada and her brother was born in the United States and served in World War II.

Her mother is studying to prepare for application for citizenship.

The necessary papers had been prepared for the entire family to live in the United States under the French quota when it was discovered that Miss Gracy Mariluch would come under the Spanish quota, since she was born in Spain while her parents were en route from the United States to France.

To await her admission under the Spanish quota would necessitate a separation of the family for nearly 10 years.

#### HOUSE BILL REFERRED

The bill (H. R. 2873) to amend certain provisions of the Reclamation Project Act of 1939, was read twice by its title, and referred to the Committee on Public Lands.

#### CHALLENGES AND RESPONSIBILITIES OF AMERICAN LAW—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Challenges and Responsibilities of American Law," delivered by him before the Federal Bar Association, Washington, D. C., January 22, 1948, which appears in the Appendix.]

#### ADDRESS BY SENATOR GREEN IN REPLY TO SENATOR TAFT

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an address delivered by Senator GREEN at Providence, R. I., January 19, 1948, in reply to Senator TAFT, which appears in the Appendix.]

#### OPPOSITION OF CERTAIN RAILWAY BROTHERHOODS TO THE ST. LAWRENCE SEAWAY PROJECT—STATEMENT BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a statement prepared by him on the subject of the opposition of certain railway brotherhoods to the St. Lawrence seaway project, which appears in the Appendix.]

#### THE ST. LAWRENCE SEAWAY—EDITORIAL FROM THE MANITOWOC (WIS.) HERALD-TIMES

[Mr. HATCH asked and obtained leave to have printed in the RECORD an editorial entitled "Backing the Seaway," published in the Manitowoc (Wis.) Herald-Times, which appears in the Appendix.]

#### THE ST. LAWRENCE SEAWAY—EDITORIAL FROM THE WASHINGTON POST

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "St. Lawrence Seaway," published in the Washington Post of January 21, 1948, which appears in the Appendix.]

#### MEAT RATIONING—EDITORIAL FROM THE OMAHA WORLD-HERALD

[Mr. WHERRY asked and obtained leave to have printed in the RECORD an editorial entitled "A Thin Line Between," from the Omaha World-Herald of January 21, 1948, which appears in the Appendix.]

#### IDEOLOGY OR BALANCE OF POWER?—ARTICLE BY WILLIAM G. CARLETON

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article entitled "Ideology or Balance of Power?" by William G. Carleton, professor of political

science at the University of Florida, published in the Yale Review, which appears in the Appendix.]

**THE STRANGE CASE OF THE TAFT-HARTLEY LAW—ARTICLE FROM THE READER'S DIGEST**

[Mr. WATKINS asked and obtained leave to have printed in the Record an article entitled "The Strange Case of the Taft-Hartley Law," by Claude Robinson, president, Opinion Research Corp., published in the September 1947 issue of the Reader's Digest, which appears in the Appendix.]

**CONTROL OF USE OF GRAIN FOR PRODUCTION OF SPIRITS**

The ACTING PRESIDENT pro tempore. Under the order of Wednesday, the unfinished business, Senate bill 637, a bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, will be temporarily laid aside, and the Senate will proceed to consider Senate bill 1842, which will be stated by title.

The CHIEF CLERK. A bill (S. 1842) to amend the Second Decontrol Act of 1947.

Mr. WHERRY. Mr. President, the legislative program for the day has already been stated by the Chair. The business to be proceeded with now is Senate bill 1842, reported by the Senator from Vermont [Mr. FLANDERS]. I ask unanimous consent that the Senate proceed with the consideration of that bill at this time.

There being no objection, the Senate proceeded to consider the bill (S. 1842) to amend the Second Decontrol Act of 1947, which had been reported from the Committee on Banking and Currency, with amendments.

Mr. WHERRY. Mr. President, I suggest that the junior Senator from Vermont [Mr. FLANDERS] be recognized, when it will be my purpose to ask for a quorum, so that all Senators may be present to hear the discussion.

Mr. FLANDERS obtained the floor.

Mr. WHERRY. Mr. President, will the Senator from Vermont yield?

Mr. FLANDERS. I yield.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	Morse
Baldwin	Hickenlooper	Murray
Barkley	Hill	O'Connor
Brewster	Hoey	O'Daniel
Bricker	Holland	Overton
Buck	Ives	Pepper
Bushfield	Jenner	Revercomb
Butler	Johnson, Colo.	Robertson, Va.
Byrd	Johnston, S. C.	Russell
Cain	Kem	Saltonstall
Capper	Kilgore	Smith
Chavez	Knowland	Sparkman
Connally	Langer	Stennis
Cooper	Lodge	Taft
Donnell	Lucas	Taylor
Downey	McCarran	Thomas, Okla.
Dworshak	McCarthy	Thomas, Utah
Eastland	McClellan	Thye
Ecton	McFarland	Tobey
Ellender	McGrath	Tydings
Ferguson	McKellar	Umstead
Flanders	McMahon	Vandenberg
Fulbright	Magnuson	Watkins
George	Malone	Wherry
Green	Martin	Wiley
Gurney	Maybank	Williams
Hatch	Millikin	Wilson
Hawkes	Moore	Young

Mr. WHERRY. I announce that the Senator from Minnesota [Mr. BALL] is absent on official State business.

The Senator from New Hampshire [Mr. BRIDGES], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Illinois [Mr. BROOKS] is detained on official business.

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate.

The Senator from Oregon [Mr. CORDON] is necessarily absent on official business of the Committee on Public Lands.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business.

Mr. LUCAS. I announce that the Senator from Pennsylvania [Mr. MYERS], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from New York [Mr. WAGNER] is necessarily absent.

The ACTING PRESIDENT pro tempore. Eighty-four Senators having answered to their names, a quorum is present.

Mr. FLANDERS. Mr. President, I report Senate bill 1842 with amendments. This is a bill which was introduced by the Senator from West Virginia [Mr. KILGORE] for himself and the Senator from Vermont [Mr. AIKEN], to amend the Second Decontrol Act of 1947. The bill was referred to the Committee on Banking and Currency, and by the chairman of that committee referred to a subcommittee of which I was chairman. On examining the bill I think we found that there was more in it than appeared in the words as quickly read. It appeared that it was a grant of power for the allocation of grain for any purpose, rather than simply for the allocation of grain for distilling or brewing.

Furthermore, we found that there was a very great divergence of opinion among those in the distilling industry with regard to the bill, which made it seem completely necessary to have full hearings on the bill. Since the act which it would replace expires at the end of this month, there was evidently going to be no time to hold the necessary hearings, and have the measure passed through the Senate and the House and sent to the President. That would have been particularly unfortunate, because should it turn out to be the intention of the Congress to extend the powers of allocation, there would very evidently have been an interregnum between the expiring act and the new act during which the purposes of the new act would have been defeated.

Furthermore, a suggestion came to the chairman of the subcommittee from the junior Senator from Kentucky [Mr. COOPER] asking particularly that we be sure of having time enough for hearings on the bill. The junior Senator from Kentucky has had a great deal of experience with this matter because the subject of allocation had previously been referred to the Committee on the Judiciary, and he had had the primary responsibility for handling the subject of grain allocation.

In view of all this it seemed wise to the subcommittee to recommend an amendment and the subcommittee so reported to the full Banking and Currency Committee, and the Banking and Currency

Committee has reported to the Senate the amendment which I shall read, which is an amendment in the way of substitution. The amendment is as follows:

That section 4 (b) of the joint resolution entitled "Joint resolution to aid in the stabilization of commodity prices, to aid in further stabilizing the economy of the United States, and for other purposes," approved December 30, 1947 (Public Law 395, 80th Cong.), is amended by striking out "January 31, 1948" and inserting in lieu thereof "February 29, 1948."

The entire purpose of the amendment is to give time for proper hearings on a subject on which hearings must be held if we are to handle the legislation with knowledge and understanding of the situations involved in it.

I wish to state two things quite clearly. The first is that the motion for continuing the present existing authority for allocation for another month was not made by the Department of Agriculture or by any part of the administration. It had its genesis in the subcommittee of the Committee on Banking and Currency. It is solely our responsibility.

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

Mr. FLANDERS. I yield.

Mr. BARKLEY. When the Senator first rose he said something about reporting the Kilgore bill. I did not understand that he was reporting the bill, but that he was reporting on it. Is that correct?

Mr. FLANDERS. We are reporting the bill amended as I indicated; and the amendment is in the nature of a substitute.

Mr. BARKLEY. I am a little confused as to the legislation on which it is proposed to hold hearings. I assumed that the motion was to take up the bill extending the time until the 29th of February. The time will expire on the 31st of January. Is it on the Kilgore bill or similar legislation that hearings are to be held?

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

Mr. FLANDERS. I yield.

Mr. WHERRY. My understanding is that it is proposed that the bill as reported is to be amended by an amendment in the nature of a substitute.

Mr. FLANDERS. That is correct.

Mr. BARKLEY. All the bill does is to extend the time from January 31 to February 29.

Mr. FLANDERS. That is all it does.

Mr. BARKLEY. That, of course, is different from the Kilgore bill.

Mr. FLANDERS. It is my idea—and I will check with the chairman of the Committee on Banking and Currency—that the hearings to be held on this subject will be of such a nature as to guide our conclusions on the subject matter of the original Kilgore bill.

Mr. BARKLEY. As I understand, the Senator is asking that the date be extended in order to give the committee time to hold hearings on the general subject.

Mr. FLANDERS. That is correct.

Mr. BARKLEY. And to obtain all the facts upon the subject. A week or so ago I urged upon the Senator that the facts



could not be obtained by hearings scheduled originally for last Tuesday, which hearings were postponed.

Mr. FLANDERS. That is correct.

Mr. BARKLEY. The pending measure merely changes the date of expiration of the present law. So if the extension is granted by the Congress, the committee will then fix another date upon which to hear all interests involved and determine whether there should be further legislation after the 29th of February, or a further extension, and if so, under what conditions the extension should be granted. Is that correct?

Mr. FLANDERS. That is correct. I should like to say also that it is the intention of the subcommittee to proceed with the utmost possible expedition so that we may have satisfactory hearings and reach proper conclusions as to further legislation long before the date stated in the amendment, the last day of February.

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

Mr. FLANDERS. I yield.

Mr. TOBEY. I will say to the Senator from Kentucky that he could not have better expressed the intent of the committee and of the subcommittee as to the purpose in extending the time. The committee will use the additional time to prosecute as diligently and continuously as possible hearings on the entire subject.

Mr. BARKLEY. All Senators will understand, I am sure, the importance of settling this question. With month-to-month extensions, not only is the industry in a state of uncertainty, but the employees working for the industry do not know whether they are to have work for 30 days or whether they are to be cut off entirely. It is very necessary that the question be determined as soon as possible, so that this constant suspension in midair on the part of those who depend upon this industry for their work and the support of their families may be ended, and they may have some reasonable opportunity to know what to expect.

Mr. TOBEY. The Senator realizes the conditions within the committee.

Mr. BARKLEY. I appreciate them. I am expressing the hope that if this extension is granted the committee will, with all possible diligence, arrive at a final conclusion as to what should be done.

Mr. TOBEY. It is a great characteristic of Vermont to prosecute everything with diligence and with great effect. I pay tribute to the State of Vermont.

Mr. BARKLEY. Mr. President, in response to the remarks of the Senator from New Hampshire, we in Kentucky are in a position to pay tribute to the diligence of Vermont, because if it had not been for such diligence Kentucky would have been the fourteenth State instead of the fifteenth. Vermont got in a little ahead of us.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, in connection with the interrogatory which I propounded awhile ago to the Senator from Vermont, a letter which I have received from Miss Margaret Comley, of Louisville, Ky., who writes to me on the stationery of the

Brown-Forman Distillers Corp., giving in some detail the situation with reference to unemployment in connection with this industry. I do not know what her interests are in the company, or whether she has any financial interest. She says that she has been in charge of the unemployment division in this institution. She writes a very earnest letter, and I think it would be worth while to have it printed in the RECORD.

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

BROWN-FORMAN DISTILLERS CORP.,  
Louisville, Ky., January 22, 1948.

HON. ALBEN W. BARKLEY,  
Senate Building, Washington, D. C.

HONORABLE BARKLEY: This letter is written directly to you in protest against Secretary Anderson's action insofar as the grain allotment in the distilling industry is concerned. I, a distillery worker, resent to the utmost the discriminatory legislation directed against the distilling industry, which, in my opinion, is quite un-American.

Immediately following the attack on Pearl Harbor the distilling industry without hesitation converted their industries over to the producing of alcohol for governmental purposes. This alcohol was used for ammunition, medicinal purposes, etc. We very graciously accepted the whisky holidays granted us. This procedure was following through until the war in both the European theater and Pacific theater was ended.

However, this country, although not still at war, is extending an unnecessary hardship on the distilling industry. When one considers that the distilling industry uses less than 1 percent of the total grain crop it is most unfair that we should be bled completely, thus causing a catastrophe where many, many thousands of American citizens are concerned and in actuality feathering the nest of our foreign distillers. Why should it be that we, due to the fact that grain allotment to us has been curtailed to an impossible quota to permit us to function, sit by and watch Europe use the grain allotted to them to manufacture spirits and in turn ship same to this country under the recently reduced import duty? This is undermining the American principles of free enterprise.

The revenue received from the whisky industry is an item in itself. When the production of this product ceases this revenue will also cease. The State and Federal Government will have to be reimbursed for this loss, and therefore the taxpayer will have another burden placed upon him.

Without the proper amount of grain to manufacture whisky distillery plants must be closed down. This means unemployment. It would do well for Secretary Anderson and others responsible for the curtailment of grain to our industry to witness the behind the scenes. When a man bearing the responsibility of providing a livelihood for himself and his family is laid off, he is at a loss to provide rent, food, clothing, medical expenses, etc., for his family. I have been affiliated with the employee relations department. This meant coming in contact daily with the office workers and the laborers. It wasn't a very easy pill to swallow, Mr. BARKLEY, when a man's face bore the traces of worry because he was told he was no longer employed as we were unable to furnish work for him due to the grain shortage, and it was even worse to try to answer the question invariably put to you, and that was, "How much longer do you think it will be before we resume operations?" The distilling industry is a profession just as any other profession. Men are trained and skilled in the art of this work. When this knowledge has been taken away from him due to unemployment he is at a complete loss to find employment in another field. This applies most strenuously to a man who is up in

age. This condition does not affect a handful of people, but very close to a million people in America. I fail to understand why a million American citizens should be forced to seek charity, while a foreign nation benefits. This is a draw-back on our charity organizations, which are wholly dependent on the balance of Americans supporting same, and who are trying earnestly to make ends meet with the ridiculously high prices involved on any item purchased these days. It can only be termed as a vicious circle.

It isn't a question as to whether we of the distilling industry are demanding that the hungry families of Europe not be fed. We Americans very freely exercise the privilege of sending clothing to those less fortunates, and we are more than willing to do our share toward helping to feed them. But, why should the feeding of these people be primarily at the expense of the distilling industry? I feel that a certain amount of grain should be allotted to them, that is, the countries in dire stress, but in my opinion, the amount allotted to them should be curtailed exclusively to the proper sources for the making of flour, bread, etc. But, definitely, when it is evidenced that any part of this grain allotment is being used for the making of spirits then that country should be cut off from their allotment entirely. This would mean that our allotment to those countries could be cut in half, and give us, the distilling industry, an opportunity to function, and not prove a fight for survival as it now is.

Congress will recall the days of prohibition. Why should we discontinue the making of a product that is pure and can be consumed without poisonous effects, thus permitting the bootlegging of a product made in basements, and filthy surroundings, the ingredients of which are injurious? Bootlegging was performed on a large scale during the prohibition days, and once the distillers are forced to close their doors, we again will be faced with this desperate problem.

Several days ago a commentator made the announcement, that the grain crop for this year is not quite as large, but almost equivalent to that of last year, but, in all probability we would be forced to ration grain for this country next year. Presently, here in Louisville, the price of a loaf of bread is 17 cents—an exorbitant price. This is truly an unnecessary condition. Now, how can a man who is unemployed combat this? And, why should we be forced to do so at the expense of taking care of our foreign countries?

I am, with the other million of Americans, asking, Mr. BARKLEY, that something be done to put a stop to this situation. As a member of the distilling industry, I ask that we be extended more leniency where the grain allotment is concerned. We are American citizens, and ask to be treated as such. By this I mean, permitting us to continue operations, and on a full-time scale. You, our representative, are our voice in this matter.

Respectfully,

MARGARET COMLEY.

Mr. AIKEN. Mr. President, will the Senator from Vermont yield?

Mr. FLANDERS. I yield.

Mr. AIKEN. I should like to inquire if it is the intention of the subcommittee to introduce a bill on which to hold hearings.

Mr. FLANDERS. It is my assumption that the bill would not be written until we were well along with the hearings.

Mr. AIKEN. Is it the intention to hold hearings and then write the bill?

Mr. FLANDERS. The hearings will be in anticipation of a bill.

Mr. AIKEN. I think that procedure is entirely satisfactory.

The ACTING PRESIDENT pro tempore. The question is on agreeing to

the committee amendment, which will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause and insert the following:

That section 4 (b) of the joint resolution entitled "Joint resolution to aid in the stabilization of commodity prices, to aid in further stabilizing the economy of the United States, and for other purposes," approved December 30, 1947 (Public Law 395, 80th Cong.), is amended by striking out "January 31, 1948" and inserting in lieu thereof "February 29, 1948."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill (S. 1842) was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend to February 29, 1948, the period during which the use of grain for the production of distilled spirits or neutral spirits for beverage purposes may be controlled under title III of the Second War Powers Act, 1942."

#### CIVIL SERVICE RETIREMENT BENEFITS

The Senate resumed the consideration of the bill (S. 637) to amend the Civil Service Retirement Act of May 29, 1930, as amended.

Mr. WHERRY. Mr. President, the bill the Senate is now to consider is the civil service retirement bill. The chairman of the Committee on Post Office and Civil Service, the Senator from North Dakota [Mr. LANGER], is present and will be in charge of the bill.

Mr. LANGER. Mr. President, I ask that the committee amendment be stated.

The amendment was to strike out all after the enacting clause and to insert the following:

That section 1 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 1. (a) Any officer or employee to whom this act applies who shall have attained or shall hereafter attain the age of 60 years and have rendered at least 10 years of service computed as prescribed in section 5 of this act shall, upon separation from the service, be paid an annuity computed as provided in section 4 of this act.

"(b) Any officer or employee to whom this act applies who shall have attained the age of 55 years and have rendered at least 10 years of service computed as prescribed in section 5 may voluntarily retire and shall be paid an immediate life annuity computed as provided in section 4 of this act, reduced by one-half of 1 percent for each full month such officer or employee is under the age of 60 years.

"(c) Any officer or employee to whom this act applies, after having rendered at least 25 years of service computed as prescribed in section 5 of this act, (1) upon involuntary separation from the service not by removal for cause on charges of misconduct or delinquency, or (2) upon voluntary separation from the service if such officer or employee had accepted a position with a lower rate of basic salary, pay, or compensation after having been so involuntarily separated from a position with a higher rate of basic salary, pay, or compensation, and was receiving less than such higher rate at the time of his voluntary separation, shall be paid an immediate life annuity computed as provided in section 4 of this act reduced by one-fourth

of 1 percent for each full month such officer or employee is under the age of 60 years."

Sec. 2. Section 2 of the act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 2. (a) Except as provided in section 204 of the act of June 30, 1932 (47 Stat. 404), and section 3 of the act of July 13, 1937 (50 Stat. 512), any officer or employee to whom this act applies who shall have completed 10 years of service computed as provided in section 5 of this act shall, on the last day of the month in which he attains the age of 70 years, or completes 10 years of service if then beyond such age, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and the head of each department, branch, or independent office of the Government concerned shall notify each such employee under his direction of the date of his separation from the service at least 60 days in advance thereof: *Provided*, That should the head of the department, branch, or independent office fail, through error, to give timely notification, the employee's separation from the service shall not be effected without his consent until the expiration of said 60-day period. Upon such separation, the officer or employee shall be eligible for retirement on annuity as provided in section 4 hereof.

"(b) No person who is receiving an annuity under the provisions of this act and who has reached the age of 60 years shall be eligible again to appointment to any appointive office, position, or employment under the Government of the United States or of the District of Columbia, unless the appointing authority determines that he is possessed of special qualifications: *Provided*, That no deductions for the retirement fund shall be withheld from the salary, pay, or compensation of such person, but there shall be deducted from his salary, pay, or compensation otherwise payable a sum equal to the retirement annuity allocable to the period of actual employment: *Provided further*, That the annuity in such case shall not be redetermined upon such person's subsequent separation from the service."

Sec. 3. (a) Paragraph (6) of section 3A of the act of May 29, 1930, as amended, is amended to read as follows:

"(6) (a) In the case of a Member of Congress who becomes separated from the service before he completes an aggregate of 6 years of service as a Member of Congress, and who is not retired for disability, the total amount deducted from his basic salary, pay, or compensation as a Member of Congress shall be returned to such Member of Congress. No such Member of Congress shall thereafter become eligible to receive an annuity as provided in this section unless the amounts so returned are redeposited with interest at 4 percent compounded on December 31 of each year, but interest shall not be required covering any period of separation from the service.

"(b) In case a Member of Congress shall die the total sums deducted from his basic salary, pay, or compensation or deposited by him, together with interest at 4 percent per annum to December 31, 1947, and at 3 percent per annum thereafter, compounded on December 31 of each year shall be paid, upon the establishment of a valid claim therefor, in the order of precedence prescribed in section 12.

"(c) In case a former Member of Congress receiving an annuity under this section shall die without having received in annuities an amount equal to the amount of annuities purchasable with the total sums deducted from his basic salary, pay, or compensation or deposited by him, together with interest at 4 percent per annum to December 31, 1947, and at 3 percent per annum thereafter, compounded on December 31 of each year, the difference and/or any accrued annuity due shall be paid, upon the establishment

of a valid claim therefor, in the order of precedence prescribed in section 12."

(b) Except as provided in this section the amendments made by this act shall not apply to any person subject to the provisions of section 3A of the act of May 29, 1930, as amended.

Sec. 4. Section 4 of the act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 4. (a) The annuity of an officer or employee retired under this act shall be a life annuity, terminable upon the death of the annuitant and shall be an amount equal to the following: (1) 1½ percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service, or (2) 1 percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service, plus a sum equal to \$25 for each year of such service: *Provided*, That if deposit or redeposit under section 7, 9, or 12 (b) hereof has not been made, the annuity for the period or periods of service covered by the deposit or redeposit shall be in an amount equal to 1 percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of such service: *Provided further*, That in no case shall the annuity exceed an amount equal to 90 percent of the highest average annual basic salary, pay, or compensation received by the officer or employee during five consecutive years of allowable service.

"(b) Any officer or employee retiring under the provisions of this act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity payable to him during his life, and an annuity after his death payable to a survivor annuitant, duly designated in writing and filed with the Civil Service Commission at the time of his retirement, during the life of such survivor annuitant equal to 50 percent of such reduced annuity and upon the death of such survivor annuitant all payments shall cease and no further annuity shall be due and payable. The annuity hereunder payable to the officer or employee shall be 90 percent of the life annuity otherwise payable if the survivor annuitant is the same age or older than the annuitant, or is less than 5 years younger than the annuitant; 85 percent if the survivor annuitant is 5 but less than 10 years younger; 80 percent if the survivor annuitant is 10 but less than 15 years younger; 75 percent if the survivor annuitant is 15 but less than 20 years younger; 70 percent if the survivor annuitant is 20 but less than 25 years younger; and 60 percent if the survivor annuitant is 25 or more years younger: *Provided*, That no person may be designated as survivor annuitant unless he shall be related to the employee within one of the following classes: husband or wife; child (including stepchild or legally adopted child but excluding grandchild); parent (including stepparent or adopted parent); brother or sister (including those of half or whole blood, stepbrother or sister).

"(c) For the purpose of this act all periods of service shall be computed in accordance with section 5 hereof, and the monthly annuity installment shall be fixed at the nearest dollar.

"(d) The term 'basic salary, pay, or compensation,' wherever used in this act, shall be so construed as to exclude from the operation of the act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation."



SEC. 5. The first paragraph of section 5 of the act of May 29, 1930, as amended, is amended to read as follows:

"Subject to the provisions of section 9 hereof, the aggregate period of service which forms the basis for calculating the amount of any annuity provided in this act shall be computed from the date of original employment, whether as a classified or an unclassified officer or employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States, and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States; in the case of an officer or employee, however, who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of an officer or employee who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or resulting from an explosion of an instrument of war, the period of the military service shall be included: *Provided*, That an officer or employee must have served for a total period of not less than 5 years exclusive of such military or naval service before he shall be eligible for annuity under this act. Nothing in this act shall be construed as to affect in any manner an officer's or employee's right to retired pay, pension, or compensation in addition to the annuity herein provided."

SEC. 6. The first three paragraphs of section 6 of the act of May 29, 1930, as amended, are amended to read as follows:

"Any officer or employee to whom this act applies who shall have served for a total period of not less than 5 years computed as provided in section 5 of this act, and who, before meeting the age and service requirements for retirement under section 1 (a) hereof, becomes totally disabled for useful and efficient service in the grade or class of position occupied by the officer or employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the officer or employee, shall upon his own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity computed in accordance with the provisions of section 4 hereof: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than 5 years next prior to becoming so disabled for useful and efficient service, shall not be required in any case. No officer or employee shall be retired under the provisions of this section unless examined by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons, designated by the Civil Service Commission for that purpose, and found to be disabled in the degree and in the manner specified herein. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within 6 months thereafter. The time limitation for execution of claims for retirement under the terms of this section may be waived by the Civil Service Commission in case of an officer or employee who at the date of separation from service or within 6 months thereafter is receiving hospital treatment, but the application in such case must be filed with the Civil Service Commission not later than 6 months after the termination of such hospitalization; in the case of any such person heretofore separated from service application may be filed within 6 months after the effective

date of this act. Such time limitation may similarly be waived in the case of an officer or employee who at the date of separation from service or within 6 months thereafter is mentally incompetent, but the application in such case must be filed with the Civil Service Commission within 1 year from the date of restoration of such person to competency or the appointment of a fiduciary whichever is the earlier.

"Every annuitant retired under the provisions of this section unless the disability for which retired be permanent in character, shall at the expiration of 1 year from the date of such retirement and annually thereafter, until reaching age 60, be examined under the direction of the Civil Service Commission by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Civil Service Commission for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching age 60 and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding 1 year from the date of the medical examination showing such recovery. Should the annuitant fail to appear for examination as required under this section, payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. The Civil Service Commission may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any officer or employee retired on an annuity under this section.

"If a recovered disability annuitant whose annuity is discontinued subsequent to June 30, 1945, shall fail to obtain reemployment in any position included in the provisions of this act, he shall be considered as having been involuntarily separated from the service within the meaning of section 7 (a) of this act as of the date he was retired for disability and shall, after the discontinuance of the disability annuity, be entitled to a deferred annuity in accordance with the provisions of such section."

SEC. 7. Section 7 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 7. (a) Should any officer or employee to whom this act applies, after having served a total of 5 years computed as prescribed in section 5 of this act and before becoming eligible for retirement on annuity under section 1 (a) become involuntarily separated not by removal for cause on charges of misconduct or delinquency, such officer or employee shall be paid as he may elect, (A) a deferred annuity beginning at the age of 62 years computed as provided in section 4 of this act, or (B) the total amount credited to his individual account plus a reduced deferred annuity beginning at the age of 62 years computed as provided in section 4 of this act.

"(b) Should any officer or employee to whom this act applies, other than an officer or employee described in subsection (a), after having served a total of 10 years computed as prescribed in section 5 of this act and before becoming eligible for retirement on annuity under section 1 (a), become separated from the service, such officer or employee shall be paid as he may elect, (A) a deferred annuity beginning at the age of 65 years computed as provided in section 4 of this act, or (B) the total amount credited to his individual account plus a reduced deferred annuity beginning at the age of 65 years computed as provided in section 4 of this act.

"(c) No officer or employee who receives a return of deductions under this section shall thereafter receive full credit for the period of service covered by the refund unless he shall be reemployed in a position within the purview of this act and redeposit the amount so returned."

SEC. 8. Section 8 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 8. In the case of any officer or employee who before the effective date of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, or section 8 (a) of the act of June 16, 1933, the annuity shall be increased, effective on the first day of the fourth month following the month in which this act is enacted by 25 percent or \$300, whichever is the lesser: *Provided*, That each such annuitant may, prior to the effective date herein prescribed, elect to retain his present annuity, in lieu of the increased annuity provided by this section, and name his wife to receive upon his death one-half of his present annuity during the remainder of her life and upon her death no further annuity shall be due or payable.

"In case any officer or employee shall have been separated subsequent to January 23, 1942, and prior to date of approval of this act and have acquired title to annuity under section 7 of the act of May 29, 1930, as amended, beginning after such date of approval, such annuity shall be computed in accordance with section 4 of this act, but any reduction applicable thereto shall be determined as if this act had not been enacted: *Provided*, That any such officer or employee may elect to forfeit his right to such annuity and elect in lieu thereof to receive the benefits provided by section 7 of this act."

SEC. 9. Section 9 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 9. Each officer or employee within the purview of this act may deposit to the credit of the 'civil-service retirement and disability fund' a sum equal to 2½ percent of his basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926; 3½ percent of the basic salary, pay, or compensation for services rendered from and after July 1, 1926, and prior to July 1, 1942; 5 percent of such basic pay, salary, or compensation for services rendered from and after July 1, 1942, and prior to the first day of the first pay period in 1948, and also 6 percent thereafter, covering service during which no deductions were withheld for deposit in the said fund. Each such officer or employee may elect to make such deposits in installments during the continuance of his service in such amounts and under such conditions as may be determined in each instance by the Civil Service Commission. The amount so deposited shall be credited to the individual account of the officer or employee in the said fund. Upon making such deposit, the officer or employee shall be entitled to full credit for the period or periods of service involved: *Provided*, That no deposit shall be required for any service rendered prior to August 1, 1920, or for periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States."

SEC. 10. The first two paragraphs of section 10 of the act of May 29, 1930, as amended, are amended to read as follows:

"Beginning as of July 1, 1942, there shall be deducted and withheld from the basic salary, pay, or compensation of each officer or employee to whom this act applies a sum equal to 5 percent of such officer's or employee's basic salary, pay, or compensation: *Provided*, That from and after the first day of the first pay period in 1948, there shall be deducted and withheld from the basic salary, pay, or compensation of each officer or employee to whom this act applies a sum equal to 6 percent of such officer's or employee's basic salary, pay, or compensation.

The amounts so deducted and withheld from the basic salary, pay, or compensation of each officer or employee shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of the 'civil-service retirement and disability fund' created by the act of May 22, 1920, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this act.

"Any officer or employee may at his option and under such regulations as may be prescribed by the Civil Service Commission deposit additional sums in multiples of \$25 but not to exceed 10 percent of his annual basic salary, pay, or compensation, for service rendered since August 1, 1920, which amount together with interest thereon at 3 percent per annum compounded as of December 31 of each year, shall, at the date of his retirement, be available to purchase, as he shall elect and in accordance with such rules and regulations as may be prescribed by the Civil Service Commission, an annuity in addition to the annuity provided by this act. The life annuity shall consist of \$7 for each \$100 in case the officer or employee has not reached age 60; \$8 if he has reached age 60 but not age 65; \$9 if he has reached age 65 but not age 70; and \$10 if he has reached age 70. In the event of death or separation from the service of such officer or employee before becoming eligible for retirement on annuity, the total amount so deposited with interest at 3 percent per annum to date of death or separation compounded on December 31 of each year shall be refunded in accordance with the provisions of section 12 of this act."

SEC. 11. Section 12 of the act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 12. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each officer or employee for credit to the 'civil-service retirement and disability fund' created by the act of May 22, 1920, covering service from and after August 1, 1920, shall be credited to an individual account of such officer or employee.

"(b) (1) In the case of any officer or employee to whom this act applies who shall become involuntarily separated not by removal for cause on charges of misconduct or delinquency, before he shall have completed an aggregate of 5 years of service computed in accordance with section 5 of this act, the amounts credited to his individual account together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter to date of separation shall be returned to such officer or employee.

"(2) In the case of any officer or employee to whom this act applies who shall be transferred to a position not within the purview of this act, or who shall become absolutely separated from the service (other than by involuntary separation not for cause on charges of misconduct or delinquency) before he shall have completed an aggregate of 10 years of service computed in accordance with section 5 of this act, the amounts credited to his individual account shall be returned to such officer or employee.

"(3) All amounts returned to an officer or employee under this subsection must, upon reinstatement, retransfer, or reappointment to a position within the purview of this act, be redeposited by such officer or employee before he may receive full credit for the service covered by the refund.

"(c) (1) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act and is survived by a widow, such widow shall be paid an annuity beginning the first day of the month following the death of the

officer or employee or following the widow's attainment of age 60, whichever is the later, equal to one-half the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee: *Provided*, That such payments shall cease upon death or remarriage of the widow.

"(2) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act and is survived by a widow and a surviving child or children, such widow shall be paid an immediate annuity terminable upon death, remarriage, or upon termination of payments to the last surviving child, equal to one-half the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee. There shall also be paid to or on behalf of each such child an immediate annuity equal to one-fourth the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee, but not to exceed \$900 divided by the number of such children or \$360, whichever is lesser. Upon the death of such widow, the annuity of such child or children shall be recomputed and paid as provided in section 12 (c) (3) hereof.

"(3) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act and leaves no surviving widow but leaves a surviving child or children, there shall be paid to or on behalf of each such child an immediate annuity equal to one-half the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee, but not to exceed \$1,200 divided by the number of such children or \$480, whichever is lesser.

"(4) The annuity payable to a child under this subsection shall be terminable upon (A) his attaining the age of 18 years, (B) his marriage, or (C) his death, whichever first occurs, except that if such child is incapable of self-support by reason of mental or physical disability his annuity shall be terminable only upon death, marriage, or recovery from such disability. In any case in which the annuity of a child, under this subsection, is terminated, the annuities of any other child or children, based upon the service of the same officer or employee, shall be recomputed and paid as though the child whose annuity was so terminated had not survived such officer or employee.

"(d) As used in this section—

"(1) The term 'widow' means a surviving wife of an individual, who either (A) shall have been married to such individual for at least 5 years immediately preceding his death, or (B) is the mother of issue by such marriage.

"(2) The term 'child' means an unmarried child under the age of 18 or an unmarried child who because of physical or mental disability is incapable of self-support, a dependent stepchild, or an adopted child.

"(3) Questions of dependency and disability arising under this section shall be determined by the Civil Service Commission and its decisions with respect to such matters shall be final and conclusive and shall not be subject to review. The Commission may order or direct at any time such medical or other examinations as it shall deem necessary to determine the facts relative to the nature and degree of disability of any annuitant or applicant for annuity under this section, and may suspend or deny any such annuity for failure to submit to any such examination.

"(e) In case an officer or employee to whom this act applies shall die (1) before having rendered 5 years of civilian service computed as prescribed in section 5 of this act or with a survivor or survivors entitled to annuity benefits provided by section 12 (c)

hereof the total amount of deductions credited to his individual account with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of death or (2) leaving a survivor or survivors entitled to such annuity benefits the total amount of deductions credited to his individual account without interest, shall be paid upon the establishment of a valid claim therefor in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such officer or employee and recorded with the Civil Service Commission;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such officer or employee;

"Third, if there be no such beneficiary or executor or administrator payment may be made, after the expiration of 30 days from the date of the death of the officer or employee, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

"(f) In case a retired employee who has not elected a joint and survivorship annuity as provided in section 4 (b) of this act shall die without having received in annuities an amount equal to the total amount credited to his individual account with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of retirement, the difference and/or any accrued annuity due shall be paid upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such annuitant and recorded with the Civil Service Commission;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such annuitant;

"Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of 30 days from the date of the death of the annuitant, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

"(g) Where any payment under this act is to be made to a minor, or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate: *Provided*, That where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State of residence of the claimant, the Civil Service Commission shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

"(h) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed \$1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of 30 days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recover by any other person.



"(1) Each employee or annuitant to whom this act applies shall, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this act."

Sec. 12. The first paragraph of section 13 of the act of May 29, 1930, as amended, is amended to read as follows:

"Annuities granted under the terms of this act shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. Payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the Treasury Department in such form and manner and with such safeguards as shall be prescribed by the Civil Service Commission in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments."

Sec. 13. The third paragraph of section 13 of the act of May 29, 1930, as amended, is amended to read as follows:

"An annuity granted for retirement under the provisions of section 1 or 2 of this act shall commence the 1st day of the month following the date of separation from the service, or on the 1st day of the month following the month in which salary shall cease provided the employee meets the age and service requirements for retirement at that time, and shall continue during the life of the annuitant. An annuity granted under the provisions of section 6 or 7 hereof shall be subject to the limitations specified in said sections."

Sec. 14. Section 14 of the act of May 29, 1930, as amended, is hereby repealed.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

Mr. LANGER. Mr. President, the principal purposes of the bill as amended by the committee are to provide benefits for dependent survivors of employees dying in service, to permit retired employees now on the annuity rolls to obtain certain increased annuity benefits or in lieu thereof to obtain certain benefits for their widows, to provide simpler and more equitable methods for computing annuities, to reduce service requirements for both age and optional retirement, to permit refunds upon separation prior to retirement without regard to length of service, to increase the rate of employees' contributions to the retirement fund, and to simplify administration of the Retirement Act.

I may say that shortly after the Senate committee reported this bill, by a vote of 12 to 1, the House passed House bill 1427, known as the Stevenson bill. We have had various conferences in an effort to agree upon certain amendments. The proposed Taft substitute which the Senator from Ohio submitted on Monday, and which is printed and on the desks of Senators, has been carefully considered by the staff of the Committee on Post Office and Civil Service.

Not only that, but all the members of the Post Office and Civil Service Committee whom I have been able to see in connection with it agree with me that substantially the substitute bill, which is known as the Taft bill, meets with the

approval of the various members of the committee.

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

The ACTING PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Delaware?

Mr. LANGER. Not now, Mr. President. So far as I, as chairman of the committee, am concerned, I believe the Taft substitute bill in many respects is a more liberal bill and a better one than the original Senate bill 637 as introduced by my distinguished colleague [Mr. CHAVEZ] and myself.

I therefore move that all the language after the enacting clause be stricken out and that the Taft bill be substituted therefor.

Mr. TAFT. Mr. President, a point of order.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. The difficulty in doing that is that I do not know whether amendments to the substitute bill would be in order.

The ACTING PRESIDENT pro tempore. The Chair has been informed that such amendments would be in order. The committee substitute is to be considered as original text and an amendment thereto subject to amendment in one degree.

Mr. LANGER. I call the attention of the Senate particularly to this fact, that Senate bill 637—

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

Mr. LANGER. Not at this time.

Mr. WILLIAMS. A point of order, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. WILLIAMS. I am trying to get back to the subject of the Taft bill as a substitute. Has that bill been agreed to?

The ACTING PRESIDENT pro tempore. The Senator's question is, Has the so-called Taft amendment been agreed to by the Senate?

Mr. WILLIAMS. That is correct.

The ACTING PRESIDENT pro tempore. The answer is that it has not been.

Mr. LANGER. I wish particularly to call the attention of the Senate to the fact that in the House no provision was made for children of deceased employees, while in the Taft substitute that matter is taken care of. Another very desirable feature is the fact that the age at which a widow may become eligible has been reduced from 60 years to 50 years.

I now yield to my distinguished colleague from New Mexico [Mr. CHAVEZ], and I also yield the floor.

Mr. CHAVEZ. The committee has been working on Senate bill 637 many months. Extended hearings were held, and the committee came to the conclusion that a retirement bill was in order and that the matter had too long been delayed. The Senator from Ohio [Mr. TAFT] has submitted a substitute. I have studied the substitute very carefully, and have come to the conclusion that notwithstanding the changes made by the Taft substitute, the main purposes of Senate bill 637, as originally

introduced by the Senator from North Dakota [Mr. LANGER] and myself are carried out in the Taft measure. The point I should like to make is that a retirement bill should be passed, and that the Taft substitute carries out practically everything that was included in the Langer-Chavez bill.

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

Mr. CHAVEZ. I yield.

Mr. TAFT. I wish to explain how I happened to become connected with this matter.

Mr. CHAVEZ. If the Senator will permit, let me say that in my opinion the substitute bill changes the Langer-Chavez bill very little, in such unimportant respects that the big proposition of passing a retirement bill should be carried out even if we have to pass the Taft substitute, which I am perfectly willing to do. I hope the Senate will realize that the most important thing to be considered now is whether a retirement bill shall be passed at this time. The committee felt that it should. The Taft substitute, as I stated before, which the Senator from Ohio will explain, is entirely satisfactory to the majority of the committee.

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

Mr. CHAVEZ. I yield. As a matter of fact, I yield the floor.

Mr. TAFT. Mr. President, this has nothing particularly to do with the bill under discussion, but I have been attempting at the last session and at this to try to obtain some reconciliation of differing views. There is on the calendar, as the Senator knows, the House bill, the so-called Stevenson bill, which in some respects is different from the Langer-Chavez bill. In working it over we took some sections of one bill and some sections of the other and endeavored to reconcile differences and to fill some of the loopholes that existed. So that this substitute is not particularly a bill of mine; it is really the Langer-Chavez-Stevenson bill. I do not wish to maintain that there are any important changes; it is simply an attempt to reconcile differences in existing views.

Mr. CHAVEZ. I am sure the Senator from Ohio is entirely correct. I have stated heretofore and will state again that it is still the Langer-Chavez bill with some amendments submitted by the Senator from Ohio in the way of a substitute which would endeavor to compromise the views on the House side and the views on the Senate side. The main purpose is to try to pass a retirement bill.

The ACTING PRESIDENT pro tempore. Without objection, the amendment in the nature of a substitute offered by the Senator from North Dakota [Mr. LANGER] will be printed in full in the RECORD without reading.

The amendment was to strike out all after the enacting clause and insert in lieu thereof the following:

That section 2 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 2. (a) Except as provided in section 204 of the act of June 30, 1932 (47 Stat. 404),

and section 3 of the act of July 13, 1937 (50 Stat. 512), any officer or employee to whom this act applies who shall have completed 10 years of service computed as provided in section 5 of this act shall, on the last day of the month in which he attains the age of 70 years, or completes 10 years of service if the beyond such age, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and the head of each department, branch, or independent office of the Government concerned shall notify each such employee under his direction of the date of his separation from the service at least 60 days in advance thereof: *Provided*, That should the head of the department, branch, or independent office fall, through error, to give timely notification, the employee's separation from the service shall not be effected without his consent until the expiration of said 60-day period. Upon such separation, the officer or employee shall be eligible for retirement on annuity as provided in section 4 hereof.

"(b) No person who is receiving an annuity under the provisions of this act and who has reached the age of 60 years shall be eligible again to appointment to any appointive office, position, or employment under the Government of the United States or of the District of Columbia, unless the appointing authority determines that he is possessed of special qualifications: *Provided*, That no deductions from the retirement fund shall be withheld from the salary, pay, or compensation of such person, but there shall be deducted from his salary, pay, or compensation otherwise payable a sum equal to the retirement annuity allocable to the period of actual employment: *Provided further*, That the annuity in such case shall not be redetermined upon such person's subsequent separation from the service."

SEC. 2. Section 4 of the act of May 9, 1930, as amended, is amended to read as follows:

"SEC. 4. (a) The annuity of an officer or employee retired under this act shall be a life annuity, terminable upon the death of the annuitant and shall be an amount equal to the following: (1) 1½ percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service not exceeding 35 years, or (2) 1 percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service not exceeding 35 years, plus a sum equal to \$25 for each year of such service but not exceeding 35 years: *Provided*, That in no case shall the annuity exceed an amount equal to 80 percent of the highest average annual basic salary, pay, or compensation received by the officer or employee during five consecutive years of allowable service.

"(b) Any officer or employee, if a husband, retiring under the provisions of section 1, 2, or 6 of this act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity and an annuity after his death payable to his surviving widow equal to 50 percent of such life annuity. The annuity of the officer or employee making such election shall be equal to 90 percent of such life annuity, reduced by three-fourths of 1 percent of such life annuity for each full year, if any, his wife is under the age of 60 at the date of such election; but shall in no case be less than 75 percent of such life annuity. The annuity of such widow shall begin on the first day of the month in which the death of the husband occurs or the first day of the month following the widow's attainment of age 50, whichever is the later, and shall terminate upon her death or remarriage.

"(c) For the purpose of this act all periods of service shall be computed in accordance with section 5 hereof, and the monthly annuity installment shall be fixed at the nearest dollar.

"(d) The term 'basic salary, pay, or compensation', wherever used in this act, shall be so construed as to exclude from the operation of the act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation."

SEC. 3. The first paragraph of section 5 of the act of May 29, 1930, as amended, is amended to read as follows:

"Subject to the provisions of section 9 hereof, the aggregate period of service which forms the basis for calculating the amount of any annuity provided in this act shall be computed from the date of original employment, whether as a classified or an unclassified officer or employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States; in the case of an officer or employee, however, who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of an officer or employee who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or resulting from an explosion of an instrument of war, the period of the military service shall be included: *Provided*, That an officer or employee must have served for a total period of not less than 5 years, exclusive of such military or naval service, before he shall be eligible for annuity under this act. Nothing in this act shall be construed as to affect in any manner an officer's or employee's right to retired pay, pension, or compensation in addition to the annuity herein provided."

SEC. 4. The first three paragraphs of section 6 of the act of May 29, 1930, as amended, are amended to read as follows:

"Any officer or employee to whom this act applies who shall have served for a total period of not less than 5 years computed as provided in section 5 of this act, and who, before becoming eligible for retirement under the conditions defined in the preceding section hereof, becomes totally disabled for useful and efficient service in the grade or class of position occupied by the officer or employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the officer or employee, shall upon his own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity computed in accordance with the provisions of section 4 hereof: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than 5 years next prior to becoming so disabled for useful and efficient service, shall not be required in any case. No officer or employee shall be retired under the provisions of this section unless examined by a medical officer of the United States or a duly qualified physician or surgeon, or board of physicians or surgeons, designated by the Civil Service Commission for that purpose, and found to be disabled in the degree and in the manner specified herein. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's

separation from the service or within 6 months thereafter. The time limitation for execution of claims for retirement under the terms of this section may be waived by the Civil Service Commission in case of an officer or employee who at the date of separation from service or within 6 months thereafter is receiving hospital treatment but the application in such case must be filed with the Civil Service Commission not later than 6 months after the termination of such hospitalization; in the case of any such person heretofore separated from service application may be filed within 6 months after the effective date of this act. Such time limitation may similarly be waived in the case of an officer or employee who at the date of separation from service or within 6 months thereafter is mentally incompetent, but the application in such case must be filed with the Civil Service Commission within 1 year from the date of restoration of such person to competency or the appointment of a fiduciary whichever is the earlier.

"Every annuitant retired under the provisions of this section unless the disability for which retired be permanent in character, shall at the expiration of 1 year from the date of such retirement and annually thereafter, until reaching age 60, be examined under the direction of the Civil Service Commission by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Civil Service Commission for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching age 60 and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding 1 year from the date of the medical examination showing such recovery. Should the annuitant fail to appear for examination as required under this section, payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. The Civil Service Commission may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any officer or employee retired on an annuity under this section.

"If a recovered disability annuitant whose annuity is discontinued subsequent to June 30, 1945, shall fail to obtain reemployment in any position included in the provisions of this act, he shall be considered as having been separated from the service within the meaning of section 7 (a) of this act as of the date he was retired for disability and shall, after the discontinuance of the disability annuity, be entitled to a deferred annuity in accordance with the provisions of such section."

SEC. 5. Section 7 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 7. (a) Should any officer or employee to whom this act applies after having rendered 5 years of civilian service, computed as prescribed in section 5 of this act, and before becoming eligible for retirement under this act become separated from the service, such officer or employee shall be paid as he may elect, (A) a deferred annuity beginning at the age of 62 years, or the age at separation if beyond the age of 62 computed as provided in section 4 (a) of this act, or (B) the total amount credited to his individual account together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of separation.



"(b) All amounts returned to an officer or employee under this section must upon reinstatement, retransfer, or reappointment to a position within the purview of this act be redeposited, together with interest at 4 percent per annum to December 1, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, by such officer or employee before he may receive any credit for the service covered by the refund."

Sec. 6. Section 8 of the act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 8. In the case of any officer or employee who before the effective date of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, or section 8 (a) of the act of June 16, 1933, the annuity shall be increased, effective on the first day of the second month following the month in which this act is enacted by 25 percent or \$300, whichever is the lesser: *Provided*, That each such annuitant may, prior to the effective date herein prescribed, elect to retain his or her present annuity, in lieu of the increased annuity provided by this section, and name his wife or her husband to receive upon his or her death one-half of his or her present annuity but not to exceed \$600 per annum during the remainder of the life of such surviving husband or wife and upon the death of such survivor no further annuity shall be due or payable.

"In case any officer or employee shall have been separated subsequent to January 23, 1942, and prior to effective date of this act and have acquired title to annuity under section 7 of the act of May 29, 1930, as amended, beginning after such effective date, such annuity shall be computed as if this act had not been enacted: *Provided*, That any such officer or employee may elect to forfeit his right to such annuity and elect in lieu thereof to receive a refund as provided by section 7 of this act."

Sec. 7. Section 9 of the act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 9. Each officer or employee within the purview of this act may deposit with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, to the credit of the 'civil-service retirement and disability fund' a sum equal to 2½ percent of his basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926; 3½ percent of the basic salary, pay, or compensation for services rendered from and after July 1, 1926, and prior to July 1, 1942; 5 percent of such basic pay, salary, or compensation for services rendered from and after July 1, 1942, and prior to the first day of the first pay period which begins after June 30, 1948, and also 6 percent thereafter, covering service during which no deductions were withheld for deposit in the said fund. Each such officer or employee may elect to make such deposits in installments during the continuance of his service in such amounts and under such conditions as may be determined in each instance by the Civil Service Commission. The amount so deposited shall be credited to the individual account of the officer or employee in the said fund. Unless such deposit is made, no credit shall be allowed for the period or periods of service involved: *Provided*, That no deposit shall be required for any service rendered prior to August 1, 1920, or for periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States."

Sec. 8. The first paragraph of section 10 of the act of May 29, 1930, as amended, is amended to read as follows:

"Beginning as of July 1, 1942, there shall be deducted and withheld from the basic

salary, pay, or compensation of each officer or employee to whom this act applies a sum equal to 5 percent of such officer's or employee's basic salary, pay, or compensation: *Provided*, That from and after the first day of the first pay period which begins after June 30, 1948, there shall be deducted and withheld from the basic salary, pay, or compensation of each officer or employee to whom this act applies a sum equal to 6 percent of such officer's or employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each officer or employee shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of the 'civil-service retirement and disability fund' created by the act of May 22, 1920, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this act."

Sec. 9. Section 12 of the act of May 29, 1930, as amended, is amended to read as follows:

"Sec. 12. (a) Under such regulations as may be prescribed by the Civil Service Commission, the amounts deducted and withheld from the basic salary, pay, or compensation of each officer or employee for credit to the 'civil-service retirement and disability fund' created by the act of May 22, 1920, covering service from and after August 1, 1920, shall be credited to an individual account of such officer or employee.

"(b) (1) In the case of any officer or employee to whom this act applies who shall become absolutely separated from the service before he shall have completed an aggregate of 5 years of service computed as prescribed in section 5 of this act, or who shall be transferred to a position not within the purview of this act, the amount credited to his individual account together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of separation shall be returned to such officer or employee: *Provided*, That in computing interest under this subsection, a fractional part of a month in the total service covered by the refund shall be disregarded, and no interest shall be allowed in any case unless the service covered by the refund aggregates more than 1 year.

"(2) All amounts returned to an officer or employee under this subsection must, upon reinstatement, retransfer, or reappointment to a position within the purview of this act, be redeposited by such officer or employee before he may receive any credit for the service covered by the refund.

"(c) (1) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act and is survived by a widow, such widow shall be paid an annuity beginning the first day of the month following the death of the officer or employee or following the widow's attainment of age 50, whichever is the later, equal to one-half the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee: *Provided*, That such payments shall cease upon death or remarriage of the widow.

"(2) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act and is survived by a widow and a surviving child or children, such widow shall be paid an immediate annuity terminable upon death or remarriage, equal to one-half the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee. There shall also be paid

to or on behalf of each such child an immediate annuity equal to one-fourth the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee, but not to exceed \$900 divided by the number of such children or \$360, whichever is lesser. Upon the death of such widow, the annuity of such child or children shall be recomputed and paid as provided in section 12 (c) (3) hereof.

"(3) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act and leaves no surviving widow but leaves a surviving child or children, there shall be paid to or on behalf of each such child an immediate annuity equal to one-half the amount of an annuity computed as provided in section 4 hereof with respect to such officer or employee, but not to exceed \$1,200 divided by the number of such children or \$480, whichever is lesser.

"(4) The annuity payable to a child under this subsection shall be terminable upon (A) his attaining the age of 18 years, (B) his marriage, or (C) his death, whichever first occurs, except that if such child is incapable of self-support by reason of mental or physical disability his annuity shall be terminable only upon death, marriage, or recovery from such disability. In any case in which the annuity of a child, under this subsection, is terminated, the annuities of any other child or children, based upon the service of the same officer or employee, shall be recomputed and paid as though the child whose annuity was so terminated had not survived such officer or employee.

"(5) Any surviving widow entitled to an annuity under this subsection may elect to waive the right to receive such annuity and to receive in lieu thereof a refund of amounts credited to the individual account of the officer or employee with interest thereon at the rate of 4 percent per annum to December 31, 1947, and 3 percent thereafter, compounded on December 31 of each year to the date of such officer's or employee's death. In any case in which a surviving widow elects to receive a refund under this paragraph, no annuity shall be payable to such widow or to any surviving child of the officer or employee under this subsection. This paragraph shall not be applicable in the case of the surviving widow of any officer or employee if such officer or employee shall have filed a notice in writing with the Civil Service Commission to the effect that he does not desire such paragraph to be applicable in his case.

"(d) As used in this section—

"(1) The term 'widow' means a surviving wife of an individual, who either (A) shall have been married to such individual for at least 5 years immediately preceding his death, or (B) is the mother of issue by such marriage.

"(2) The term 'child' means an unmarried child, including a dependent stepchild or an adopted child, under the age of 18, or an unmarried child who because of physical or mental disability is incapable of self-support, a dependent stepchild, or an adopted child.

"(3) Questions of dependency and disability arising under this section shall be determined by the Civil Service Commission and its decisions with respect to such matters shall be final and conclusive and shall not be subject to review. The Commission may order or direct at any time such medical or other examinations as it shall deem necessary to determine the facts relative to the nature and degree of disability of any annuitant or applicant for annuity under this section, and may suspend or deny any such annuity for failure to submit to any such examination.

"(e) In case (1) an officer or employee to whom this act applies shall die before having

rendered 5 years of civilian service computed as prescribed in section 5 of this act or without a survivor or survivors entitled to annuity benefits provided by section 12 (c) hereof the total amount of deductions credited to his individual account with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of death, or (2) the annuity of an annuitant under section 12 (c) shall terminate before he and any other persons who shall have received an annuity based upon the service of the officer or employee shall have received in annuities an aggregate amount equal to the amount to the credit of such employee's individual account as of the date of commencement of the annuity under section 12 (c) and no other person is entitled to an annuity based upon such service, the total amount of deductions remaining to the credit of the individual account of such officer or employee, with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, to the date of commencement of such annuity, shall be paid upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such officer or employee and recorded with the Civil Service Commission.

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such officer or employee.

"Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of 30 days from the date of the death of the officer or employee, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

"(f) In case a retired employee who has not elected a joint and survivorship annuity as provided in section 4 (b) of this act shall die without having received in annuities an amount equal to the total amount credited to his individual account with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of retirement, the difference and/or any accrued annuity due shall be paid upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such annuitant and recorded with the Civil Service Commission.

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such annuitant.

"Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of 30 days from the date of the death of the annuitant, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

"(g) Where any payment under this act is to be made to a minor, or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate: *Provided*, That where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State of residence of the claimant, the Civil Service Commission shall

determine the person who is otherwise legally vested with the care of the claimant or his estate.

"(h) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed \$1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of 30 days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person.

"(i) Each employee or annuitant to whom this act applies shall, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this act."

SEC. 10. The first paragraph of section 13 of the act of May 29, 1930, as amended, is amended to read as follows:

"Annuities granted under the terms of this act shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. Payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the Treasury Department in such form and manner and with such safeguards as shall be prescribed by the Civil Service Commission in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments."

SEC. 11. The third paragraph of section 13 of the act of May 29, 1930, as amended, is amended to read as follows:

"An annuity granted for retirement under the provisions of section 1 or 2 of this act shall commence the first day of the month following the date of separation from the service, or on the first day of the month following the month in which salary shall cease, provided the employee meets the age and service requirements for retirement at that time, and shall continue during the life of the annuitant. An annuity granted under the provisions of section 6 or 7 hereof shall be subject to the limitations specified in said sections."

SEC. 12. Section 14 of the act of May 29, 1930, as amended, is hereby repealed.

SEC. 13. Except insofar as amendments made by this act change rates of interest, such amendments shall not apply to any person subject to the provisions of section 3A of the act of May 29, 1930, as amended, and the rights and obligations of such person under such act shall continue as though this act had not been enacted.

Mr. McMAHON. I should like to address an inquiry to the chairman of the committee. At the last session a retirement bill was passed. As I understand, there is nothing in this substitute which in any way conflicts with the rights granted in connection with the Federal Bureau of Investigation at the last session?

Mr. LANGER. That is correct.

Mr. TAFT. I will say to the Senator from Connecticut that the provisions relating to the Federal Bureau of Investigation stand without amendment in this substitute bill.

Mr. McMAHON. I thank the Senator.

Mr. BYRD. Mr. President, I should like to ask how many retirement plans are in effect besides this bill. How many agencies of the Government have their own retirement plans?

Mr. LANGER. I do not know exactly, but the intention is to cover in this bill everyone we possibly can.

Mr. BYRD. Has not the committee any information as to how many agencies have their own retirement plans?

Mr. LANGER. No; it has not.

Mr. BYRD. There are quite a large number, are there not?

Mr. LANGER. Yes.

Mr. WILLIAMS. Mr. President, has the amendment been agreed to?

The ACTING PRESIDENT pro tempore. No; it has not.

The question is on agreeing to the amendment which has been offered in lieu of the committee amendment.

Mr. TAFT. Mr. President, I offer three amendments. I think I have the right to modify the substitute. These three amendments are on the desk of the Senators in mimeograph form and will be part of the substitute to be discussed.

The ACTING PRESIDENT pro tempore. The Chair wishes to determine whether the Senator from Ohio desires to have the amendments considered and acted upon en bloc or individually.

Mr. TAFT. I think I have a right to modify the amendment simply by requesting that it be thus modified. So I request that it be modified by the adoption of these three amendments. Then a motion to strike out will be in order.

Mr. BYRD. Mr. President, these are very important amendments. I happen to favor two of them, but I am opposed to one. I wish to enter my protest against having all three of them considered and acted upon at one time.

Mr. TAFT. Then, Mr. President, I modify my request, and I now ask that the substitute be modified by adopting the amendment to section 14 and the amendment on page 18, as to which I understand the Senator from Virginia has no objection.

Mr. BYRD. That is correct; I have no objection at all to them.

Mr. TAFT. And thereafter I shall move the other amendment, which then can be discussed.

Mr. BYRD. The amendment which the Senator from Virginia wishes to hear fully discussed is the one on page 11, in line 15.

Mr. TAFT. Yes. I shall reserve that at this time, and shall offer it later for action by the Senate.

Mr. BYRD. Very well.

The ACTING PRESIDENT pro tempore. The modifications proposed by the Senator from Ohio to his own amendment will be made.

The modifications are as follows:

On page 18, line 12, after "(2)", insert the following: "any separated officer or employee who is entitled to a deferred annuity as provided in section 7 hereof shall die before having established a valid claim for annuity, the total amount credited to his individual account with interest at 4 percent per annum



to December 31, 1947, or the date of separation, whichever is earlier, and 3 percent per annum thereafter, compounded on December 31 of each year, to date of death, or (3)."

On page 23, after line 3, add a new section as follows:

"SEC. 14. Section 3 (a) of the act of May 29, 1930, as amended is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this act, any officer or employee in the legislative branch of the Government within the classes of officers or employees which were made eligible for the benefits of this act by the act of July 13, 1937, serving in such position on the effective date of this act, may give notice of his desire to come within the purview of this act at any time prior to July 1, 1948."

Mr. TAFT. Mr. President, I now offer to my amendment in the nature of a substitute the amendment which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 11, line 15, it is proposed to strike out the word "may" and insert in lieu thereof "shall."

On page 12, beginning with the word "Unless", in line 10, strike out through the word "involved", in line 12, and insert in lieu thereof the following: "notwithstanding the failure of an officer or employee to make such deposit, credit shall be allowed for the service rendered, but the annuity of such employee shall be reduced by an amount equal to the amount of annuity such deposit would purchase if made, unless the officer or employee shall elect to eliminate such service entirely from credit under this act."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio to his amendment in the nature of a substitute.

Mr. TAFT. Mr. President, I should like to make a brief statement at this time as to the general purposes of the bill.

This bill revises the civil-service retirement system which covers most of the civil-service employees in various employments under the Federal Government. As the Senator from Virginia has pointed out, there are perhaps 12 other retirement plans applying to Federal employees. The State Department has a separate plan, the TVA has a separate plan, and so forth. It is unfortunate that this entire subject has not been subjected to more complete study and coordination.

Nevertheless, this particular proposal, covering the bulk of the employees of the Government, has been before the Senate for a year, now.

Mr. REVERCOMB. Mr. President, will the Senator yield at this point?

Mr. TAFT. I yield.

Mr. REVERCOMB. Is the Senator from Ohio addressing his remarks to the bill, as presented, or to the substitute which he is offering?

Mr. TAFT. I am addressing my remarks to the substitute. We are working now on the substitute which I have offered, but which is a combination of the House bill and the Senate bill. However, I am speaking now of the program as amended by the substitute.

Mr. WILLIAMS. Mr. President, will the Senator yield for a question?

Mr. TAFT. I yield.

Mr. WILLIAMS. Has any estimate been made of the prospective cost to the Government of the substitute bill?

Mr. TAFT. The last estimate which has been made is that it will cost approximately \$42,000,000 a year, in addition to the present cost. However, if the Senator does not mind my doing so, I prefer first to make a statement as to the general nature of the bill, and what it does.

Mr. WILLIAMS. Will the Senator yield at this point for a further question?

Mr. TAFT. I yield.

Mr. WILLIAMS. I notice that the chairman of the committee has said that the substitute is a more liberal measure. I wonder whether the Senator from Ohio feels that this is a more expensive bill than Senate bill 637, or whether it is a cheaper bill.

Mr. TAFT. It is a cheaper bill; its cost will be approximately \$42,000,000 less, according to the estimate of the actuaries.

Mr. WILLIAMS. Mr. President, will the Senator yield further?

Mr. TAFT. I yield.

Mr. WILLIAMS. In the committee report on Senate bill 637, which is the bill before us, the cost is estimated as follows:

It is estimated by the Civil Service Commission that the contributions from the employees plus the savings brought about through the economies cited above would almost totally finance the cost of S. 637, as amended. On the basis of maximum estimated expenditures and minimum estimated savings, the ultimate cost to the Government when the system reaches maturity, approximately 30 years hence, may be four or five million dollars per year; no immediate increase in appropriations is required.

I now understand from the Senator from Ohio that he has a bill which will be \$60,000,000 cheaper than this bill, but still will cost us \$40,000,000 a year more than the original bill. Is that correct?

Mr. TAFT. The statement I made was that after the present plan is amended by the bill as presented under the substitute plan, it will increase by \$42,000,000 a year the annual pensions paid by the United States Government. It will be less expensive than the Langer bill.

Mr. WILLIAMS. It will be less expensive by \$60,000,000, and yet it will cost us \$42,000,000 more. I do not quite understand that.

Mr. TAFT. I have no defense to make for the various varying estimates submitted by different Government departments in the past, but the one upon which I am relying shows that the Stevenson bill, the House bill, would cost approximately \$84,000,000 more than the present system, and the substitute would cost approximately \$42,000,000 more than the present system.

Mr. WILLIAMS. Let me ask the Senator from Ohio when the estimate of \$84,000,000 as to the House bill was made, and by whom.

Mr. TAFT. Under date of January 16, by a letter of which the Senator from Delaware has a copy, I am sure.

Mr. WILLIAMS. That is correct.

Mr. TAFT. It was addressed to the Honorable Harry B. Mitchell, President of the Civil Service Commission, by the Government actuaries.

Mr. WILLIAMS. As the Senator has said, I have received a copy of the letter. But the point I cannot quite understand is that I hold in my hand at this time a copy of another letter, under date of July 24, signed by Mr. Mitchell, President of the Civil Service Commission, in which he gave a report on the same bill, House bill 4127; and at that time he said the cost would be only \$15,000,000. The report is signed by the same group of actuaries, and no amendments have been made to the bill thus far.

Mr. TAFT. Of course, I do not propose to reconcile different statements submitted by different Government officials at different times.

All I can say is what this letter shows. I ask consent that it be printed at this point.

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

JANUARY 16, 1948.

HON. HARRY B. MITCHELL,  
President, United States Civil Service Commission, Washington, D. C.

DEAR MR. MITCHELL: In accordance with the request of the Civil Service Commission, the Board of Actuaries, joining with Mr. John D. Phenix, actuary and statistician of the Senate Civil Service Committee, and Maurice S. Brown, actuary of the Civil Service Commission, has prepared a new valuation of the cost to the Government of the existing Civil Service Retirement and Disability Fund as of September 30, 1947, and the corresponding cost as it would be if the bill H. R. 4127, passed by the House of Representatives on July 21, 1947, became a law. The figures have been rushed and the results are submitted in this communication without delaying the submission for the preparation of a report. The work was done under the immediate supervision of Mr. Brown.

On August 29, 1947, you joined WILLIAM LANGER, chairman of the Senate Committee on Civil Service, in requesting data as to sex, years of service, age, and salary from all departments and agencies having members under the Civil Service Retirement Act. From some departments complete returns were secured, and from others, sample returns were submitted. The results gave a sample of better than 30 percent of the entire membership. For departments which submitted on the sampling basis, the results were adjusted to represent the total number of current employees as reported by such departments. The total membership thus obtained was 1,510,670 members on an annual compensation base of \$4,438,862,859, and all figures of cost presented herein were predicated on this membership.

Records of annuitants are maintained by the Retirement Division of the Commission. Including an allowance for applications and the process of adjudication, the retired roll on September 30, 1947, was 120,684 persons drawing allowances at the rate of \$109,760,951 per annum.

In calculating the costs under the two sets of retirement provisions, the Board has shown the contribution rates necessary to liquidate the accrued liability, that is, the liability on account of prior service, as the percentages of the total active pay roll, which represent interest at the valuation rate of 4 percent on the respective amounts of the accrued liabilities under the two plans. This procedure gives a lower percentage rate of

pay roll than does the one previously used by the Board with respect to prior service contributions under the existing law. However, it was deemed desirable to proceed in this manner in order not to include in the figures comparing the relative costs of the two groups of provisions, an allowance for the amortization of the accrued liability which might tend to overstate the true differences between the plans. The revised normal cost of the provisions under the existing law and the normal cost of the provisions under the proposed law as obtained from the present valuations are as follows:

TABLE 1.—The normal cost of the various benefits allowable under the existing plan, expressed as percentages of pay roll, compared with the corresponding costs under H. R. 4127 as passed by the House of Representatives on July 21, 1947

Benefit	Normal rates		Ratio of H. R. 4127 to existing plan
	Existing plan	H. R. 4127	
	Percent	Percent	Percent
Service.....	4.59	5.09	111
Disability.....	.75	.84	112
Discontinued service:			
Voluntary.....	.39	.38	97
Involuntary.....	.58	.82	141
Return of contributions on withdrawal without a retirement benefit and on death.....	1.14	1.08	95
Subtotal.....	7.45	8.21	110
Widows:			
Payments deferred to age 60.....		.47	
Payments during period youngest child is under age 18.....		.09	
Subtotal.....		.56	
Total rates.....	7.45	8.77	118
Less rate payable by employees.....	5.00	6.00	120
Net rate payable by Government.....	2.45	.77	113

The Board then determined the total present value of the liabilities under the present plan and under the proposed act and the respective present values of the future normal contributions under the plans. Deducting the funds in hand and the present value of the future contributions from the total liability gives the accrued liability for each plan. The figures obtained from the valuation are shown on the following page.

TABLE 2.—Comparative statement of assets and liabilities under the existing plan and of the corresponding assets and liabilities under H. R. 4127, as passed by the House of Representatives on July 21, 1947, prepared as of Sept. 30, 1947

ASSETS (MILLIONS)			
Item	Existing plan	H. R. 4127	Ratio of H. R. 4127 to existing plan
Funds in hand.....	\$2,707	\$2,707	100
Service credit payments payable by members who wish to receive credit for past service.....	209	97	46
Present value of prospective contributions of employees.....	2,663	3,195	120
Present value of prospective contributions by Government:			
Normal.....	1,304	1,481	114
Accrued liability.....	2,866	4,616	161
Subtotal.....	4,170	6,097	146
Total assets.....	9,749	12,096	124

TABLE 2.—Comparative statement of assets and liabilities under the existing plan and of the corresponding assets and liabilities under H. R. 4127, as passed by the House of Representatives on July 21, 1947, prepared as of Sept. 30, 1947—Continued

LIABILITIES (MILLIONS)			
Item	Existing plan	H. R. 4127	Ratio of H. R. 4127 to existing plan
Value of voluntary deposits.....	6	6	100
Present value of annuities payable to retired annuitants as of the valuation date:			
Annuitants now on roll.....	963	1,187	123
Annuitants eligible for deferred annuities.....	369	437	118
Subtotal.....	1,332	1,624	122
Present value of prospective benefits payable to or on behalf of present active members:			
Retiring on account of age.....	6,011	7,221	120
Retiring on account of disability.....	804	868	108
Retiring on a discontinued service benefit:			
Voluntary separation.....	249	261	105
Involuntary separation.....	568	774	139
Withdrawing without a retirement benefit or dying.....	789	637	81
Subtotal.....	8,411	9,761	116
Present value of prospective benefits payable to widows of deceased members:			
Upon attainment of age 60 by widow.....		618	
During period that youngest child is under age 18.....		87	
Subtotal.....		705	
Total liabilities.....	9,749	12,096	124

The normal cost figures combined with the accrued liability figures, as previously presented, may be expressed in terms of the annual appropriations needed to support the benefits, as shown in table 3:

TABLE 3.—Annual contributions required to support the existing plan compared with corresponding contributions under H. R. 4127 as passed by the House of Representatives on July 21, 1947, prepared as of Sept. 30, 1947

Contributions payable by—	Normal cost as—		Deficiency cost as—		Total cost as—	
	Percentage of pay roll	Annual amount as of Sept. 30, 1947 (millions)	Percentage of pay roll	Annual amount as of Sept. 30, 1947 (millions)	Percentage of pay roll	Annual amount as of Sept. 30, 1947 (millions)
EXISTING PLAN						
Total.....	7.45	\$331	2.59	\$115	10.04	\$446
Employees.....	5.00	222			5.00	222
Government.....	2.45	109	2.59	115	5.04	224
H. R. 4127						
Total.....	8.77	389	4.17	185	12.94	574
Employees.....	6.00	266			6.00	266
Government.....	2.77	123	4.17	185	6.94	308
RATIO OF H. R. 4127 TO EXISTING PLAN	Percent	Percent	Percent	Percent	Percent	Percent
Total.....	118	118	161	161	129	129
Employees.....	120	120			120	120
Government.....	113	113	161	161	138	138

We trust that the above figures and comments will give the committee such information as it needs in order to arrive at the relative difference in cost between the existing law and H. R. 4127 as passed by the House of Representatives on July 21, 1947.

Very truly yours,

GEORGE B. BUCK,  
EDWARD B. FACKLER,  
R. B. REACH,  
JOHN D. PHENIX,  
MAURICE S. BROWN.

Mr. TAFT. Mr. President, as we see from reading the letter, it shows that the cost of the Stevenson bill is approximately \$84,000,000 a year. I may say that informally the same actuaries have estimated that the cost of the substitute will be approximately one-half of that cost, or \$42,000,000 a year additional.

Mr. President, let me finish the general statement in regard to the bill: What the bill does, in the first place, is to increase the pensions of those who already have retired. The bill will increase their pensions by 25 percent, or \$300, whichever is less. That amounts to an average increase in pensions of approximately 23 percent for those who already have retired. Of course, that is a straight gift. Their pensions accumulated under a certain plan; and, frankly, this would be a gift on the part of the Government, in order to increase their pensions somewhat. No one has suffered in the United States as much from the increase in the cost of living as the people who have been on fixed pensions. While I do not know that we can adopt any such policy for other employees, I think the Government, as an employer, can properly go back and make that increase.

Mr. ELLENDER. Mr. President, will the Senator inform us whether the additional amount to be given pensioners is to be borne entirely by the Federal Treasury, or will any of it come from the pension fund?

Mr. TAFT. It will be borne by the Federal Treasury. Obviously that is done in respect to those who are drawing the pensions to which their contributions entitle them, with the additional Government contribution. This is an additional Government contribution. It makes up about \$24,000,000 of the additional cost of \$42,000,000. It is the most expensive single item, but one which I think on any basis of fairness and justice is justified.

Mr. ELLENDER. Mr. President, will the Senator tell us what differences, if any, exist in his substitute to the pending bill, as to the age of retirement of employees?

Mr. TAFT. The age of retirement is left exactly as it is in the existing law. We eliminated entirely section 1 of both bills. It is left exactly as it is in the existing law. Some modification may be necessary, but that is one feature which was eliminated. Roughly speaking, a man may retire at 62 after 15 years' service; at age of 60, if he has had 30 years of service; or with 30 years' service, he may retire at 55, but in that case the pension is calculated as being of the same value as the pension he would have received at age 60.

Mr. ELLENDER. In any event the age of retirement is not affected by the



substitute; it remains as it is in the present law, does it not?

Mr. TAFT. Exactly.

Mr. ELLENDER. How about the payments to be made by the employees? What difference is there between the present law, the pending bill, and the Senator's substitute?

Mr. TAFT. The provision of the present law is 5 percent. All the bills, including the substitute, increase that to 6 percent.

Mr. ELLENDER. I thank the Senator.

Mr. COOPER. Mr. President will the Senator yield?

Mr. TAFT. I yield to the Senator from Kentucky.

Mr. COOPER. Relative to the matter of the payment of the additional \$300 a year just discussed, is it not true that the Government must appropriate each year sums additional to those paid by employees to make payments to annuitants?

Mr. TAFT. Yes; obviously. In many private pension funds, the employer pays in half and the employee pays in half, but the Government has never paid in anything. Its payments are made on a current basis, as the pensions are paid, and about \$223,000,000 is appropriated today by the Government as its share of the pensions. To that, of course, is added whatever the employee is entitled to, from what he has put into the fund.

Mr. COOPER. Then it will be necessary to increase appropriations to provide for the payment to each annuitant of the additional \$300, will it not?

Mr. TAFT. The appropriation will be enlarged, as far as I can judge, by approximately \$24,000,000 over the present payments to those who have already retired.

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

Mr. TAFT. I yield to the Senator from Nebraska.

Mr. WHERRY. I wish the distinguished Senator from Ohio would explain what was in section 1 of Senate bill 637. It is cut out, and the amendment substituted.

Mr. TAFT. It raises a question as to whether a man may retire at 55 after 25 years of service. That provision expired in 1947. Whether it should now be renewed and made permanent is debatable. I mean, those matters are still in the House bill, and they may be discussed in conference, but in order to avoid furious controversies, as I thought, it seemed desirable to leave the law as it is. There is no objection that I can see to the present law, except that it makes a little more difficult the calculation of pensions on a reduced basis.

Mr. WHERRY. Does the Senate bill have this provision in it?

Mr. TAFT. The House and Senate bills adopted a special, arbitrary type of deduction, when one retired at 55 and got a pension at 55. This leaves it to be determined on an actuarial basis by the actuaries, and that is the provision of the present law.

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

Mr. TAFT. I yield to the Senator from West Virginia.

Mr. REVERCOMB. First, I want to ask the Senator a question, so that we may be very clear on this point. The bill covers and applies, does it not, to employees of the Congress, the officers of both Houses of Congress, and the office employees of Senators, on their retirement?

Mr. TAFT. Yes. It applies to legislative employees.

Mr. REVERCOMB. I call the Senator's attention to page 3, section 4, line 8, of his substitute, in which it is provided that "1½ percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years" shall be the basis of the payments to annuitants. On page 4, subsection (d), it is provided as follows:

(d) The term "basic salary, pay, or compensation," wherever used in this act, shall be so construed as to exclude from the operation of the act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

As I understand, the annuity is based and calculated upon what we call the base pay, but I am advised that the amount of the deductions is based upon the gross pay, including overtime payments. There seems to be a discrepancy between deductions based on gross pay and the payment of annuities figured on base pay, exclusive of overtime.

Mr. TAFT. I am informed that at least as far as legislative employees are concerned, the calculations are made on gross pay. It is so interpreted. Why it is so interpreted I cannot tell the Senator. The provision is in the existing law, and in all the other bills. I had not had it called to my attention, but I am informed that because of the way the legislative provision was drawn, it is based on gross pay. I imagine that is because the legislative salary is not stated as a bonus, but as pay calculated on statutory pay, plus certain additions and percentages.

Mr. REVERCOMB. But those additions and percentages were made in lieu of overtime payments, and were paid in some of the departments. Does not the Senator feel that it is rather inequitable, so far as the employees of the legislative branch may be concerned, to have deductions made upon gross pay, and annuities paid only upon base pay?

Mr. TAFT. No. I understand the annuity is based on gross pay, as far as legislative employees are concerned. I am so informed.

Mr. REVERCOMB. I did not have that information. If that is correct, then there is no inequity.

Mr. TAFT. The deductions are also made on gross pay, but the pension is figured on gross pay. I am so informed.

Mr. REVERCOMB. Then, I ask the Senator again, does the provision which states that the annuity shall be calculated upon base pay apply to legislative employees?

Mr. TAFT. Apparently it does not. Why it does not, I do not know. As I have said, this has been in all the bills, and my attention had not been called to it until the Senator brought it up. If the Senator finds the situation is otherwise

and has an amendment to offer, we should certainly be glad to consider it.

Mr. REVERCOMB. I certainly feel, I may say to the able Senator, that, in order to be fair, deductions and calculations of annuities should be upon the same basis.

Mr. TAFT. Oh, they are on the same basis. There is no question about that.

Mr. REVERCOMB. If there is any question of the new bill affecting that or changing that in any way with respect to employees of any branch of the service, I think it ought to be taken care of.

Mr. TAFT. It does not change in any way the existing law. That much I can tell the Senator with certainty.

Mr. REVERCOMB. If it does not change the existing law, then it does not change the situation with respect to employees of the legislative branch, I take it.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I just wish to remark, in connection with what the Senator from Ohio has said, that in the committee it was our intention at all times to have the annuity fixed on the same basis with the deductions, so far as the retirement fund is concerned.

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

Mr. TAFT. I yield to the Senator from Virginia.

Mr. BYRD. With respect to legislative employees, they were given a percentage increase in lieu of overtime. That is the reason why the total would not be included in the base pay.

Mr. TAFT. I suppose that the base pay for legal purposes is what we regard as the gross pay, and that what we refer to as base pay is just a basis of calculation to determine the legal base pay. I assume that is the reason for the ruling.

Mr. BYRD. An exception was made that an increase in salaries be provided for by giving to those in the legislative branch the percentage increase in lieu of overtime because it was impossible to calculate the overtime. I should like to know, as the Senator from West Virginia asked, whether this will include the percentage of overtime which was a part of the increase of the legislative branch. It was impossible to calculate the overtime.

Mr. TAFT. I understand the base pay includes that increase, and that the calculations of the pensions and deductions, in the case of legislative employees, are all based today on the gross pay. I am so informed, and I have every reason to believe that is the fact. In any event, it is exactly the same as the present law.

Mr. President, section 4 of the act is amended on page 3 of the substitute by changing the basis of calculating the annuity. It makes the procedure simpler. It will be, I think, very little more expensive than the present system, but it is much more easily understandable, and under it calculations can be made much more easily.

There are some differences between section 2 of my substitute and the Langer-Chavez bill. One has to do with

the 35-year limitation, which is the current law. Another is that the annuity shall in no case exceed an amount equal to 80 percent instead of 90 percent, which is the provision contained in the Langer-Chavez bill. That is the maximum. In other respects my substitute is very much the same as the present law.

Section 3 on page 4 of the substitute requires that 5 years of civilian service be rendered before any employee may be eligible to an annuity, rather than a combination of civilian and military service as provided in the present law. Under the present law we got into a situation where a man could serve in the Army, and then be brought into the civilian service. He could then take advantage of the years he had served in the Army, without paying any back money, and after a very short time begin to draw a pension after he retired, by receiving credit for his years of service in the Army. The substitute requires that an individual must have at any rate 5 years of civilian service before he is entitled to a pension under the civilian pension law.

Section 4 is not material. It will allow employees who are receiving hospital treatment an additional period to file claims for disability annuities. The provision will cover only a few meritorious cases. It will also eliminate the necessity for medical examination of disabled annuitants after they have reached the age of 60.

Section 5 on page 9 of the bill makes perhaps the most important change in the Langer law. Under the law, as amended, after 5 years of service, an individual may retire at any time. He may then receive the money he has paid into the pension fund, no matter how long he served, either less or more than 5 years. He may receive back the money he has paid in with interest at 4 percent, and 3 percent after December 31, 1947. Or he may take a deferred annuity beginning at age 62 which, of course, will only be equivalent to the number of years which he served. The amount involved may be very small. If he has served 5 years it would be a small amount, of course, but the amount is based on the number of years he has served.

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

Mr. TAFT. I yield.

Mr. BYRD. In other words, an employee of the Government can receive back, whenever he desires it and terminates his service, any deposit he has made?

Mr. TAFT. That is correct. He may get back what he has paid in with interest.

Mr. BYRD. Regardless of how long he has served?

Mr. TAFT. Yes. Or he may receive a deferred annuity.

Mr. BYRD. When he does take the deposit he separates himself entirely from any annuity in the future?

Mr. TAFT. Yes.

Mr. BYRD. I am very much in favor of that provision.

Mr. TAFT. Not only that, but the measure provides further that if subse-

quently he returns to the service—and this is something which has produced some of the cases of serious abuse—if he subsequently returns to the service he cannot get back into the pension system except by placing in the fund the money he had previously drawn out. So if a man had served 4½ years, and retired, and draws out the money he has paid into the fund, and then later returns to the service and serves a half year more, and then makes a claim for a pension, he must return the money he previously drew from the fund if he again wants to come in under the law and receive a pension.

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

Mr. TAFT. I yield.

Mr. REVERCOMB. With respect to the question which I raised, and which was discussed a few moments ago, concerning the provision on page 4, subsection (d), I wish to say to the Senator from Ohio that the Federal Employees Pay Act of 1945 is very clear that the employees of the judiciary branch and of the legislative bodies shall have their deductions based on gross pay, and their annuities based on gross pay. There may be some question respecting the language of the pending measure, and I suggest that on page 4, line 19, in subsection (d), the word "the" be stricken, and that there be inserted in lieu thereof, "except as provided in sections 501 and 522 (b) of the Federal Employees Pay Act of 1945, as amended, the."

Then the language would continue "the term 'basic salary, pay or compensation,'" and so forth.

Mr. TAFT. Mr. President, has the Senator the amendment in written form?

Mr. REVERCOMB. Yes.

Mr. TAFT. If the Senator would care to submit the amendment I shall be glad to accept it.

Mr. REVERCOMB. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 4, line 19, it is proposed to strike out the word "the" and insert in lieu thereof the words, "except as provided in sections 501 and 522 (b) of the Federal Employees Pay Act of 1945, as amended, the."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from West Virginia.

The amendment to the amendment was agreed to.

Mr. GEORGE. Mr. President, is there anything in the substitute which affects section 602, I believe it is, of the Reorganization Act of 1946, which gave to Members of the House and the Senate the benefit of the retirement system? Is there anything in the substitute which affects that section?

Mr. TAFT. No. I left out the provision respecting Senators and Representatives entirely.

It seemed to me that it was wise, if we were going to revise that section, to revise it at a separate time. There is one ex-

ception to that statement, however. The measure reduces the rate of interest after the 1st of January 1948 to 3 percent. Otherwise it makes no change in the existing pension for Representatives and Senators.

Mr. GEORGE. That is, in case deductions are withdrawn?

Mr. TAFT. Yes; and the rate of interest affects the size of the annuity to some extent in the future.

Mr. President, perhaps the thing which is most sought after by the employees, and to which I think they are most entitled, is survivorship payments. The measure provides for them. If a man dies, his wife will receive an annuity equal to 50 percent of the annuity which he would have received, from the time that she is 50 years of age. In that respect the bill is more liberal than the Langer bill. Under the Langer bill she would not become eligible until 60 years of age. The measure now before us provides that she can start receiving her pension at 50 years of age if she has not remarried by that time; that is, unless she has a minor child or children. There is then provided an annuity for minor children left by a man who dies in the service.

Most pension plans today provide for such survivorship benefits, and I think it is certainly only putting this system in line with other systems to provide that additional matter. I think I am correct in saying that the entire cost of those survivorship benefits is paid by increasing the payment from 5 percent to 6 percent. That is substantially what the increase in the deduction from the pay is for—to pay for the survivorship benefits. The other cost additions in the substitute are covered by the increased cost to the Government, which is approximately the same proportion as the increased cost to the employee.

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

Mr. TAFT. I yield.

Mr. COOPER. Upon the question of survivorship, is there any particular reason, actuarial or otherwise, for providing that the benefit shall not be paid until the widow reaches the age of 50 years?

Mr. TAFT. The bill, after all, is a pension bill, to take care of people in the upper-age groups. It is not primarily life insurance. I cannot answer the Senator's question. I suppose it can be done anyway. But the bill as presented, I think both in the House and Senate, provided for the widow's pension to begin at age 60. If the man has retired, he may accept a reduced annuity in consideration of the fact that after his death his widow shall continue to receive a 50-percent pension. That is true, I think, no matter what her age may be, after the husband has retired, if he accepts a reduction in his own pension. He may provide his widow with a pension by accepting a reduction. But this provision is to cover cases of death in the service, and in most cases I suppose that the widow under 50 is presumably able to work. Most widows are unless they have minor children. If a widow has a minor child or children, then she may draw her pension.



Mr. COOPER. I note also on page 17 the substitute defines a widow as "a surviving wife of an individual who \* \* \* shall have been married to such individual for at least 5 years immediately preceding his death."

Is there any particular reason for requiring as a condition of eligibility that a widow must have been married 5 years?

Mr. TAFT. I think that provision is contained in both measures, and I suppose it was placed in the substitute in order that a man on his deathbed might not marry for the purpose of giving a woman a pension. I think that is undoubtedly the reason for the language. Unless there were a time limit such a situation may be open to serious abuse.

Mr. COOPER. It seems to me that only in rare cases would a marriage occur for such a reason. There would be greater possibility that a deserving widow who had married within 5 years before the death of her husband would be deprived of the advantages of the survivorship provision.

Mr. TAFT. If she had a child, that provision would be waived, and she would receive the pension. If she had been married only a short time, and her husband died, presumably she would be just as well off as before she was married, just as able to work again, and possibly just as able to marry again.

Mr. COOPER. The Senator has placed this provision in his amendment to meet abuses which he assumes might occur. It seems to me that it is more likely the provision will work a hardship upon many surviving widows who need and deserve benefits and who did not marry for the purpose of securing benefits.

Mr. TAFT. Mr. President, I think I have covered the main features of the bill, as proposed to be amended by the substitute, except for the matter of the amendment which is now pending.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER] on behalf of the Senator from Ohio [Mr. TAFT].

Mr. TAFT. Mr. President, I wish to state the question involved in the amendment. When the bill was drafted I did not understand the exact issue raised in this amendment, so it is not in the bill which was introduced day before yesterday; but I favor the amendment.

The amendment provides, on page 12, that any person may make deposits for past service. That is the general purpose of section 9. A person may make deposits for past service at certain percentages of his salary plus interest, and thereby bring himself into the pension system and receive a full pension. However, the present law provides that a person who does not wish to make back payments may still receive a pension based upon the Government's contribution, or the contribution which the Government would have made if he had made such deposits. In other words, a man who comes into the system may pay his share, which is, let us say, half the cost of his pension, by making back payments. The Govern-

ment then puts up approximately the same amount, and the pension which he receives is based upon those amounts.

Under the present law a man who does not wish to make the back payments—and a man who has been in the service for 20 years may not be able to make such payments—even though he does not make the payments, may receive that part of the pension which would have been contributed by the Government if he had made his payments. It does not cost the Government any more than if he made his deposits, except that without this amendment, in the case of a person who did not make the deposit, the Government would not put up anything.

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

Mr. TAFT. I yield.

Mr. BYRD. Suppose an employee had not made a deposit for 10 years, and then made a deposit under this provision. This provision would give him an advantage, as contrasted with other employees by reason of the contribution by the Government.

Mr. TAFT. Anyone who has been able to come into the system and has not elected to come in, cannot get in now, as I understand.

Mr. BYRD. In previous years there was a smaller deposit, and in some previous years no deposit was required. As I understand, under this provision a person who did not make any deposit would get the benefit of the Government contribution, which would give him an unfair advantage over employees who made the deposit.

Mr. TAFT. I do not understand that a person who failed to elect to come in can come in at this time. The provision covers only cases of new employees.

Mr. BYRD. The language is:

Notwithstanding the failure of an officer or employee to make such deposit, credit shall be allowed for the service rendered, but the annuity of such employee shall be reduced by an amount equal to the amount of annuity such deposit would purchase if made, unless the officer or employee shall elect to eliminate such service entirely from credit under this act.

Mr. TAFT. That is correct. It is exactly the same provision as that which applies to Senators and Representatives. Perhaps it is a disputable point, but any Senator or Representative who came in during the past 2 years may refuse to make a deposit, and yet receive in his pension a reflection of the contribution which the Government would make if he made the deposit. That has been the law for civil-service employees and for Senators and Representatives. I think it is a very liberal provision.

As I understand, this provision would not give any new right to any employee that he does not have under existing law.

Mr. BYRD. It must apply to a present employee, because a new employee would automatically come under the system.

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

Mr. TAFT. I yield.

Mr. WILLIAMS. As I understand the amendment of the Senator from Ohio, it merely retains the provisions now contained in the act. Under those provisions it is possible for a man who has had 10 or 20 years' service to withdraw from the Government service and take all his money back. If he can obtain employment for 1 day with some Government agency, or on some Senator's staff, he can be fired, and will still be eligible for a pension. By resigning or being removed, either voluntarily or involuntarily, he can withdraw all his money; and by reinstatement for as little as 1 day he can become eligible for a pension based upon his entire length of service. That was one of my objections with respect to the bill in the beginning. That provision was eliminated in the original so-called Taft substitute, but this amendment now proposed would restore the provision. I think the Senator from Ohio will agree with me.

Mr. TAFT. Yes. Unless this provision goes into the bill we shall be changing the existing law.

I should like to have the Senator cite a case in which he thinks this provision would give a person an undue advantage over someone who has been in the system all along.

Mr. WILLIAMS. One case I shall cite is a case which was described in the Washington Daily News of December 10, 1947, in an article written by Mr. John Cramer. In that article he referred to the case of a Mr. Geoffrey May, a Government employee who had been working with the Bureau of the Budget for about 14 years. The article states—and this was later confirmed—that he had decided to leave the Government service. I understand that he is now employed by the Government in the Greek relief program. Mr. May, with the knowledge and consent of Mr. Flemming and Mr. Irons, of the Civil Service Commission, arranged a deal whereby he would be employed by the Federal Security Agency on a newly created job which was to last for 45 days, at the end of which the job was abolished as prearranged, making Mr. May eligible under the involuntary separation provision of the act. He thereby became eligible for a greatly increased annuity valued at about \$9,000. He went to this job at a salary of \$10,000 a year. He paid into the fund for 45 days. His contribution amounted to approximately \$50 in that period. He thereby increased his annuity valuation \$9,000 for a payment of approximately \$50. I communicated with the Civil Service Retirement Division, and the story was confirmed. The job was started on May 15. It was abolished on June 30. No one seems to know what the man did, except that he set up his retirement privileges during the 45 days. I understand that the benefits which Mr. May received have since been taken away. I was also told that this was an isolated case, and that the same situation arose in very few cases. However, this is not true, as I find that it has happened 6,439 times in the past 12

months. That is confirmed in a letter under date of December 11, 1947, which I received, signed by Mr. Irons, of the Civil Service Commission, in which he stated that there had been 6,439 such cases during the past 12 months. I asked Mr. Irons to pull from their files for me copies of the first 50 cases of persons retired during the month of March, as well as 50 who retired under that provision during the month of October. I took those 2 months, and the first 50 names in each month, in order to obtain a cross-section. I have the names of those retired under that provision.

To illustrate some of the extreme cases, I have the name of Mr. George W. Bunce. The total amount of his contribution was \$116.11 for his entire period of service. He is now on retirement at an annuity of \$409.56. The total value of his annuity is \$8,109.

Mr. TAFT. How long did he work for the Government?

Mr. WILLIAMS. Sixteen years and 10 months. His age is 55. He is retired under a reduced annuity. He was in the system only long enough to pay \$116.11, based upon an average salary of \$4,155. That means that he was in the system for only 2 or 3 months. He is now retired; and, according to the life-expectancy tables of the Civil Service Commission, there will be payments for nearly 20 years, amounting to a total of \$8,109.

Another case is that of James M. Bedford, who worked for the Government for 12 years and 10 months. Mr. Bedford has \$72.86 in the fund. He is on retirement, and at the age of 56 years and 11 months he has a paid-up retirement worth \$4,640.24.

Another case is that of Mr. George J. Barber. Mr. Barber worked for 34 years and 2 months. He was blanketed into the system in 1942. Mr. Barber has paid a total of \$138.18 into the fund.

Mr. TAFT. Let us take the case of a man who worked 34 years and 2 months and finally, for one reason or another, a law was passed placing him under the act and providing for compulsory deductions thereafter from his salary. The Government will add its share of his pension, covering 34 years. I do not know why it should not do so, even though he does not have the money to pay back a number of thousands of dollars which he might have paid year by year if he had been covered by a retirement plan at the beginning of the 34 years. This pension is an addition. The Government is saying, "If a man has worked for the Government for many years we will recognize that fact and give him a certain amount which will be in addition to his salary." To the extent that he himself has paid money into it it adds to the amount of this Government gift. It is true that various persons have been covered in. Sometimes they were not subject to the system. Of course no one was subject to it at one time. Groups of persons have been added in, and the Government took care of their past service also. There may be some abuses, but I think the principle of it is per-

fectly sound. Incidentally, if it is not sound, then it is clearly unsound with reference to Representatives and Senators who have been covered into the system. I do not know of any private company which establishes a pension system which does not base its pension at the beginning on a certain number of years' service to which neither the employee nor the employer contributes.

Mr. BYRD. Mr. President, there is no question at all that the Representatives and Senators have a special privilege given them in the law. I happened to be the one who offered an amendment to strike that out, and it received 20 votes out of 96.

Consider, for example, a man who has served 20 years in the legislative branch of the Congress, as a clerk to a committee, during which time there was no applicable retirement plan. There was no assessment made. That man can go to one of the departments of the Government and receive temporary employment and, by paying 5 percent of his salary for 1 year, can receive retirement pay for the rest of his life.

Mr. TAFT. I understand it has to be based upon permanent appointment, not temporary appointment.

Mr. BYRD. I happen to know of some appointments which were not permanent.

Mr. TAFT. That may have been the fact in the past. I do not think temporary appointments are covered by the plan at all.

Mr. BYRD. It is possible for a man to hold a position for 6 months or a year and pay in 5 percent of his salary and receive a life pension based on 20 years service in some other branch of the Government.

Mr. TAFT. Every pension system established today gives some credit for past service and contributes gradually a sum to bring up the necessary amount. Nearly every industry has done that. There is no particular reason why the Government should not add its share. It is not giving an employee any more than he would receive if he had paid up all of his deductions all those years. He receives the same amount which he would have received from the Government if he had paid those deductions. That is the only difference.

Mr. BYRD. Suppose the salary were \$3,000. He would pay in 5 percent. That would amount to \$150. He could then obtain a pension for his service, including all of his service in any other agency of the Government where there was no retirement system at that time. Consecutive service is one of the main factors in the determination of the amount of retirement.

Mr. TAFT. I suppose that any private employer is faced with the necessity of paying a man a pension, although that man contributes nothing. Every employer today thinks he has a moral obligation to take care of people who have worked for him a long time. I see nothing wrong with the theory that the Government contribute, out of the Government's pocket, if you please, a certain amount for pensions based on the num-

ber of years of service employees have had, in addition to the salaries paid at that time. The Government will not pay any more whether an employee pays or does not pay in his deductions. If he paid during that time he will receive a larger pension, and he receives the value of the money which he may deposit later. The Government does not pay any more. The Government simply recognizes the fact that a man who has worked for the Government for a certain number of years is entitled to a pension. There are some features of this system that are perhaps too liberal, but I do not think that principle is wrong. I think that when we begin a pension system and someone comes under its provisions because of the passage of a new law, it is fair that the Government should give a man a pension based on the number of years of his employment, whether or not he is able to pay up the back payments.

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

Mr. TAFT. I yield.

Mr. WILLIAMS. The Senator from Ohio followed the particular case which I cited, that of a man who had 34 years of service. This particular gentleman, Mr. George J. Barber, who was the twenty-fifth man who retired during the month of March 1947, under the involuntary separation clause, held a position with the Government to the extent that he had been a substitute mail driver, I have been informed, for approximately 30 years, and also held an independent job with a private industry. He drove the mail only on occasions when the regular mail driver was absent. He was blanketed in and retired on an annuity, notwithstanding the fact that for 30 years he had worked in private industry. The Senator from Ohio seems to think he was entitled to it. The value of the annuity to be received under the present law is \$17,850.60, for a payment of only \$138.18. The law passed in 1942 made that possible. The examples I have cited may be extreme cases, but there is not one of them in which the Government has not been "taken for a ride." The total amount of deductions from the salaries of these 100 employees sampled amounted to \$69,394.96, and the amount of the accrued liability of the Government required to pay their retirement pensions for the duration of their lives is \$501,-607.33.

The Ramspeck Act was passed on the assumption that it would cost the Government very little. I have no objection to the Government's paying retirement benefits to employees based upon service, but I do not see any reason why we should pass a law providing for the payment of benefits for which the employees make no contribution.

According to the Department of Commerce there are 10,000,000 persons in this country over the age of 60 years. I do not see why we should give a special privilege just because a person is fortunate to have a Government job for as



short a time as 1 week. The Senator from Ohio says that we cannot give benefits under a temporary appointment. But the law says that a man can work as short a time as 1 week on the assump-

tion that he has a permanent appointment, and then can separate from the service, and be eligible for such benefits. I ask unanimous consent to have printed in the RECORD the list of the 100 cases

to which I have referred, containing the figures which I have cited. There being no objection, the list was ordered to be printed in the RECORD, as follows:

Analysis of 100 involuntary separation annuities  
FIRST 50 AWARDED DURING MARCH 1947

Table with 12 columns: Annuitant, Service (Years, Months), Age at commencing annuity (Years, Months), Average salary, Amount contributed to fund, Annuity awarded, Years of Life expectancy, Total of annuity to be received under present law, Present law annuity at 62 if voluntary separation, H. R. 4127 annuity at 62 if voluntary separation. Rows 1-60.

FIRST 50 AWARDED DURING OCTOBER 1947

Table with 12 columns: Annuitant, Service (Years, Months), Age at commencing annuity (Years, Months), Average salary, Amount contributed to fund, Annuity awarded, Years of Life expectancy, Total of annuity to be received under present law, Present law annuity at 62 if voluntary separation, H. R. 4127 annuity at 62 if voluntary separation. Rows 61-110.

1 Annuity reduced according to outstanding deposits or redeposits, if any.

Analysis of 100 involuntary separation annuities—Continued

FIRST 50 AWARDED DURING OCTOBER 1947—continued

Annuitant	Service		Age at commencing annuity		Average salary	Amount contributed to fund	Annuity awarded <sup>1</sup>	Years of life expectancy	Total of annuity to be received under present law	Present law annuity at 62 if voluntary separation <sup>1</sup>	H. R. 4127 annuity at 62 if voluntary separation <sup>1</sup>
	Years	Months	Years	Months							
87. Charles M. Rittman.....	18	7	55		2,600.00	1,383.52	423.84	19.80 M	8,392.03	696.48	947.75
88. Charles T. Hoist.....	5	1	65		1,800.00	445.39	224.28	13.13 M	2,944.79	211.56	221.02
89. Tom D. White.....	11	7	69		1,750.00	370.26	449.28	10.82 M	4,861.20	380.52	310.60
90. William J. Dolan.....	7	4	70		1,700.00	1,866.03	293.28	10.28 M	3,014.91	264.00	308.00
91. Cyrus E. Eubanks.....	8	7	55		2,300.00	703.35	196.44	19.80 M	3,889.51	325.56	412.00
92. Alice L. Heffle.....	7	11	55	8	1,800.00	602.65	199.32	22.26 F	4,436.86	291.48	325.83
93. Claude J. Hinman.....	7	5	62		2,500.00	414.47	302.64	15.00 M	4,539.60	264.48	355.41
94. Walter M. Adams.....	13	0	60	6	3,229.54	1,517.34	526.32	15.99 M	8,415.85	512.04	732.24
95. Herbert G. Gortner.....	10	11	79		2,910.94	761.47	408.96	6.17 M	2,523.28	408.96	455.28
96. Charles A. Terry.....	16	8	64		2,831.53	721.86	574.20	13.74 M	7,889.50	559.00	640.58
97. William C. O'Hara.....	12	0	61	1	2,859.72	750.86	405.12	15.60 M	6,319.87	411.00	480.70
98. Carl A. Hanson.....	5	0	57	11	1,700.00	1,211.68	204.36	17.74 M	3,625.34	259.00	278.95
99. Roy C. Loucks.....	5	0	68		1,650.00	417.03	198.00	11.38 M	2,253.24	191.00	206.50
100. Martin Swetzer.....	11	8	59	6	2,300.00	544.72	374.16	16.66 M	6,233.50	397.00	541.18
Total, 100 cases.....						69,394.96	32,878.83		501,607.33	35,107.95	43,007.27

<sup>1</sup> Annuity reduced according to outstanding deposits or redeposits, if any.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. WILLIAMS. Mr. President, I send to the desk at this time an amendment which I offer as a substitute to the Senator's amendment and ask that it be agreed to. This amendment provides that Members of Congress shall make contributions before becoming eligible to receive retirement benefits. I see no reason at all why a Member of Congress should expect a retirement benefit from the Government for services which he renders in Washington during any period in which he contributes nothing to the fund.

I ask that the amendment which I offer, making it mandatory that every Member of Congress, in order to receive the benefits of the fund, shall be required to pay contributions into it, be agreed to.

The ACTING PRESIDENT pro tempore. The Chair will advise the Senator from Delaware that the Chair has been informed that the amendment which the Senator wishes to offer at this time is not in order, for the reason that it is an amendment in the third degree to the amendment which has been offered by the Senator from Ohio, which must first be disposed of.

Mr. WILLIAMS. Would it be in order to move to substitute my amendment in place of the amendment offered by the Senator from Ohio?

The ACTING PRESIDENT pro tempore. The Chair is informed that the same objection would be applicable to the Senator's last request.

Mr. TAFT. Mr. President, I ask unanimous consent that the rule may be waived, and that the amendment of the Senator from Delaware may be offered as a substitute for the amendment to my amendment in the nature of a substitute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered. If the Senator from Delaware will send to the desk his amendment to the amendment of the Senator from Ohio to his amendment in the nature of a substitute, it will be read by the clerk.

Mr. WILLIAMS. Mr. President, I send my amendment to the desk and ask that it be stated.

The ACTING PRESIDENT pro tempore. The clerk will state the amendment offered by the Senator from Delaware to the amendment of the Senator from Ohio to his amendment in the nature of a substitute:

The CHIEF CLERK. On page 22, after the section number in line 21, it is proposed to insert "(a)."

On page 22, after the comma in line 22, insert the following: "and except as provided in this section."

On page 23, after line 3, insert a new subsection as follows:

(b) Paragraph (5) of section 3A of such act of May 29, 1930, as amended, is amended by adding at the end thereof a new sentence as follows: "In computing years of service for the purpose of this paragraph, there shall be excluded all periods of service for which no deductions have been made as provided in paragraph (2) and no deposit shall have been made as provided in section 9."

Mr. TAFT. Mr. President, I withdraw my amendment to my amendment in the nature of a substitute, in order that the Senator from Delaware may first offer his amendment to my amendment in the nature of a substitute.

The ACTING PRESIDENT pro tempore. Without objection, the amendment of the Senator from Ohio to his own amendment in the nature of a substitute is withdrawn.

The question now is on agreeing to the amendment of the Senator from Delaware to the so-called Taft amendment in the nature of a substitute.

Mr. WILLIAMS. Mr. President, this amendment merely provides that Members of Congress shall be treated in exactly the same manner as it is proposed that all other Government employees shall be treated under the so-called Taft substitute—for instance, employees making as little as \$1,000, or \$1,200 a year. In other words, all will pay into the fund, or else they will not participate. I ask that my amendment to the Taft amendment in the nature of a substitute be adopted.

Mr. TAFT. Mr. President, I should like to ask the Senator from Delaware a question. In the first place, is the amendment retroactive?

Mr. WILLIAMS. It is.

Mr. TAFT. That is to say, Representatives and Senators who have taken advantage of the option under which they pay nothing into the fund but simply come under the act and receive the benefit of the Government's payments for their past years of service, will have that option canceled, and hereafter they will have to make all payments for past years of service. Is that correct?

Mr. WILLIAMS. No, Mr. President. As I understand this amendment, it does not affect any Member of Congress who has retired during the past 12 months under the act as it was passed.

Mr. TAFT. But I have in mind Members who are now serving in the Congress.

Mr. WILLIAMS. It is my intention, if this amendment to the amendment in the nature of a substitute is adopted, that every Member of Congress now serving will pay into the fund in the same manner that all other Government employees are required to pay into the fund.

Mr. TAFT. I do not think the Senator from Delaware has so drafted his amendment. As I read it, I do not think it is retroactive. It seems to me that those now serving, who have already made the election, would not be affected.

Mr. WILLIAMS. I am advised that my amendment will apply to all Members of Congress who now are serving, and it will apply to all annuities which are computed after the date of the enactment of this measure.

Mr. TAFT. Mr. President, I myself feel that Representatives and Senators should be treated in exactly the same manner as other persons who have belatedly come under the Retirement Act for some particular reason. I myself believe that this amendment to the Taft amendment, in the nature of a substitute, should be rejected, and that my amendment to the Taft amendment should be adopted. If that is done, Members of Congress will be on the same basis as other Government employees.

Of course, the present congressional pension system provides that a Representative or Senator who has served for 30 years, let us say, may come into the system and may pay nothing, and yet he will receive from the Government its



contribution for those 30 years. Of course, he will receive a smaller pension in that way, as compared to the pension he would receive if he made the back payments on his part for the 30-year period.

As I have said before, when a pension fund is established and when someone who has not been subject to it and could not be subject to it and had no right to come into it is brought under it by law or in some other way, it seems to me to be a perfectly sound principle that he shall not have to make up all those back payments which he would have made if he had been a member of the fund. If he has had that length of service, it seems to me that the Government should be willing to contribute the same amount that it would contribute if he did make the back payments. In that way there will be no special advantage to him, except that he will be spared the very difficult job of making all past payments or deposits.

Mr. WILLIAMS. Mr. President, prior to the adoption of the retirement system for Members of Congress, there were no deductions, and they were not proposed. But when the bill was passed and went into effect, I could not find in the Record anything to show that any Member of Congress objected to having the Government make its portion of the payments for his past years of service.

The bill as now before us for discussion provides that every civilian employee of the Government shall make back payments into the fund. So I do not see why we Members of Congress should consider ourselves privileged officials to the extent that we do not have to pay for all retirement benefits we receive.

Mr. TAFT. Mr. President, I fully agree with the Senator from Delaware that Members of Congress should have no advantage over anyone else in Government service, and that is one reason why I presented my amendment, because apparently we were taking away from the ordinary civil-service employees the rights they had had, and which we had given to Members of Congress last year or the year before. I thought we should restore that right.

I see no reason why the Government, in setting up the pension system, should not assume a liability for all the years of service on the part of such a Government employee, regardless of whether he has made payments. Of course, if he has made the payments, he will receive a larger pension or annuity. If he has not made payments, under the amendment he would receive from the Government the same amount of Government contribution that he would have received if he had made payments on his own part and, to match them, had received payments by the Government on its part.

If we recognize the principle of having salaries based on the number of years of service, I do not see why we should not recognize that same principle as applied to pensions based on the number of years of service, regardless of whether the employee has made payments on his own part, at least insofar as payments by the Government are concerned.

So I think the amendment offered by the Senator from Delaware to the Taft substitute should be rejected, and that my amendment to my substitute should be adopted. Then all Government employees will be treated on the same basis.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Delaware to the Taft amendment in the nature of a substitute.

Mr. CAIN. Mr. President, as I understood the reading of the amendment of the Senator from Delaware, it would serve the purpose of seeing to it that as of the present and in the future no person shall draw any retirement annuity benefits from the Government unless he has contributed his proportionate share of those benefits.

Mr. TAFT. Unless such Government employees had contributed for all their years of service, beginning with the date of the original employment, thus picking up payments which they could not have made prior thereto, during many years of service with the Government.

Mr. CAIN. That is not my interpretation of the intention of the amendment of the Senator from Delaware. I think we must clear up that point before we shall be able to know precisely what the amendment is intended to achieve. I should like to ask that question of the Senator from Delaware.

Mr. WILLIAMS. It is the purpose of my amendment to the Taft substitute to provide that any Member of Congress who in the future goes on retirement must first have paid into the retirement fund his deductions for all years which he wishes to have included in calculating the amount of his pension. In other words, if a Member of Congress served for 6 years in the Congress and during that time made payments into the fund, and if thereafter he served six other years for which he did not make payments into the fund, he would have to make his payments for the 6 years for which he had not made payments, or else he would not be able to receive credit under the retirement or pension fund, except for those years for which contributions had been made.

In other words, in my own case, if I served 6 years as a Senator and during that time did not make payments into the retirement fund, I would receive nothing. On the other hand, after serving those 6 years and making no payments, I perhaps could get a job in a Senator's office and could serve the Government in that way over a brief period of time, and during that time could make a few payments, and thus I would receive a pension for the rest of my life.

Mr. TAFT. Mr. President, I am not able to say whether the Senator from Delaware is accurate in that statement or not. But certainly I would not object to a provision that if a man had been able to make such payments, but elected not to join the fund, he could not later join the fund, even in some other capacity. To such a provision I would be entirely agreeable. But if that person had been in a position in which he was not eligible to join the fund, and under which he had no way of joining the fund,

then it seems to me the principle I am advocating should apply. I had rather understood that was the objection at the present time.

Mr. WILLIAMS. As I understand the present law, every time a man accepts a new job with the Government, he is eligible to come under the retirement fund. In the legislative branch, if he does elect to go under the retirement system at that time, he is credited with all the years of his prior service with the Government, regardless of whether he made contributions to the fund during those years, although if he has not made such contributions he will be paid a pension under a reduced formula.

But I say that no one is entitled to a pension unless he has paid for it. If I come to the Congress and serve for a certain period of time and do not make payments to the retirement fund, certainly I am not thereafter entitled to receive a pension based on such service when I attain the age of 62. That is particularly true when it is proposed in the bill now before us to grant that exemption to Members of Congress only and not to extend it to the rest of the people. What will be done later on the Senator's amendment is a matter to be discussed, but the bill as now before the Senate proposes that everybody in the Government service except Members of Congress shall pay into the fund. I ask that my amendment be adopted.

Mr. TAFT. Mr. President, payment of this deduction on the part of employees is not optional except in the legislative branch. In other words, the question does not really arise, except that the Senator has pointed out one possible loophole. It is apparently true that if somebody in the legislative service who has the right to elect to go in or not to go in, a right not shared by others, should elect not to go in, then if he obtains a job in the civil service he apparently may, as the Senator points out, pay nothing in, pick up his past years' service, and go on with the pension. I should be perfectly willing to modify the bill to provide that anyone who has had the optional right to pay in or not to pay in, and who chooses not to go in, shall not thereafter have the right to go in, if he becomes an administrative employee. I think some such an amendment as that might be appropriate, but I think the general principle that a man who has not been able to pay because the law did not permit him to pay, should not be required to go back and pay at a future time in order to take advantage of the Government's share of his pension.

Mr. WILLIAMS. Mr. President, I differ with the Senator from Ohio to this extent: In my opinion, the Government has no obligation to Members of Congress dating back prior to the enactment of the retirement legislation, as incorporated in the Reorganization Act. That act provides that the Government give credit for the number of years which a Member of Congress has served, and pay into the fund the Government's share without requiring that Congressman pay anything for those years antedating the act. I say this is inequitable and unfair to the other employees who are denied

this advantage under the present proposal. I do not see why any man should stand up and argue for the right to participate in a retirement fund toward which he has made no contribution. I therefore ask that my amendment, which corrects this inequity, be adopted.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Delaware.

Mr. WILLIAMS. I ask for the yeas and nays.

The yeas and nays were not ordered.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. WILLIAMS. Mr. President, may we have a division?

On a division, the amendment to the amendment was rejected.

Mr. TAFT. Mr. President, I want to modify my amendment before I offer it again, and if there are other amendments to be offered, I would suggest that they be submitted, and that we then proceed with this amendment.

Mr. HOLLAND. Mr. President, will the Senator from Ohio yield for a question at this point?

Mr. TAFT. I yield.

Mr. HOLLAND. When the able Senator was discussing the features of his substitute bill, I was called from the Chamber. I was not present when he discussed the details of his substitute bill which have to do with present annuitants; that is, former Federal employees who have already been retired. I should like to get from the Senator, if I may, information with respect to provisions of the so-called Langer-Chavez bill, which allowed an increase, in the event of the enactment of that bill, of \$300 a year to each of the present annuitants, and also additional privileges to the widows of present annuitants and to dependents, whether those provisions are altered or changed by the substitute bill offered by the Senator from Ohio.

Mr. LANGER. If I may answer the question, I will say to the distinguished Senator from Florida that they are all included in the substitute bill.

Mr. HOLLAND. Are the provisions of the substitute bill on this point identical with the provisions of the Langer-Chavez bill?

Mr. LANGER. Yes. As a matter of fact, they are more liberal, because the widow gets in at age 50 instead of 60.

Mr. HOLLAND. I am glad to hear that. I appreciate the information.

The PRESIDENT pro tempore. Are there any further amendments to the Taft substitute?

Mr. TAFT. Mr. President, I should like to take some time to amend the amendment along the lines suggested to the Senator from Delaware, before I offer it again.

The PRESIDENT pro tempore. The Chair has asked for other amendments. None seem to be available.

Mr. WHERRY. Mr. President, I ask that the Senate take a recess, subject to the call of the Chair.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska? The Chair hears none.

Thereupon (at 2 o'clock and 6 minutes p. m.) the Senate took a recess, subject to the call of the Chair.

The Senate reassembled at 2 o'clock and 12 minutes p. m., when called to order by the President pro tempore.

Mr. TAFT. Mr. President, I offer an amendment which is based on the amendment I offered previously. My amendment is on page 11, line 15, to strike out the word "may" and insert in lieu thereof "shall," and on page 12, beginning with the word "Unless" in line 10, strike out through the word "involved" in line 12, and insert in lieu thereof, "notwithstanding the failure of an officer or employee (other than an officer or employee who had an opportunity to elect to come within the provisions of this act and who failed to exercise such election) to make such deposit, credit shall be allowed for the service rendered, but the annuity of such employee shall be reduced by an amount equal to the amount of annuity such deposit would purchase if made, unless the officer or employee shall elect to eliminate such service entirely from credit under this act."

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Ohio [Mr. TAFT] to the amendment in the nature of a substitute to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The substitute amendment offered by the Senator from Ohio is open to further amendment.

Mr. COOPER. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 17, line 12, it is proposed to strike out the word "five" and insert in lieu thereof the word "two."

Mr. COOPER. Mr. President, I discussed this matter awhile ago with the Senator from Ohio. The purpose is simply to change that portion of the section defining a "widow," which reads, "a surviving wife of an individual, who \* \* \* shall have been married to such individual for at least 5 years immediately preceding his death," to make it, "2 years immediately preceding his death," so as to read, "a surviving wife of an individual who shall have been married to such individual for at least 2 years immediately preceding his death."

I believe that with this change protection is maintained against abuses which the author fears, and at the same time the benefits of survivorship will be made available to a large class of widows who deserve benefits, and whom the husband would want to protect.

Mr. TAFT. Recognizing the typical courtesy of all Senators from Kentucky, I am glad to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the amendment in the nature of a substitute offered by the Senator from Ohio.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. Are there further amendments to be proposed to the substitute amendment offered by the Senator from Ohio?

Mr. WILLIAMS. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 11, lines 7 and 8, it is proposed to strike out the words "as if this act had not been enacted", and insert in lieu thereof the words "as though this act had been in effect on the date of such separation."

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Delaware to the amendment in the nature of a substitute.

Mr. WILLIAMS. Mr. President, the amendment merely provides that in the cases of all of those who are now out of Government service, or have an accumulated equity in the retirement fund, such equity will be figured from the formula of the new act and not from the formula of the old act.

Mr. TAFT. Mr. President, will the Senator again please explain the purpose of the amendment?

Mr. WILLIAMS. The bill as it now reads states that—

In case any officer or employee shall have been separated subsequent to January 23, 1942, and prior to effective date of this act, and have acquired title to annuity under section 7 of the act of May 29, 1930, as amended, beginning after such effective date, such annuity shall be computed as if this act had not been enacted.

What I am proposing to do is to say that in the case of those persons who had an equity under section 7, as the act now stands, their annuity must be computed under the new formula. That merely removes from those who have been separated from the service on an involuntary basis the privilege of being granted a 25-percent approximate increase to their pension due to the fact that they were involuntarily severed. I might say that there are 75,800 such annuitants who are now waiting, who left the service last year, and according to the Civil Service Commission they were eligible to receive an annuity under section 7 of the old act upon reaching retirement age. I merely propose under this amendment that those annuities shall be computed under the new formula.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Delaware to the amendment in the nature of a substitute.

Mr. TAFT. Mr. President, I am not perfectly certain of the effect of the amendment, but I am willing to have it placed in the bill and be taken to conference with the House conferees and there worked out.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.



The PRESIDENT pro tempore. Are there further amendments to be presented to the substitute amendment?

Mr. BYRD. Mr. President, I call attention to the fact that there are 16 different pension systems in the Federal Government, and I express the hope that the Post Office and Civil Service Committee will conduct an investigation with respect to that situation and make a recommendation to the Congress. I will name the 16 retirement systems. They are as follows:

- First. Civil-service; Panama Railroad.
- Second. Canal Zone.
- Third. Alaska Railroad.
- Fourth. Foreign Service.
- Fifth. Federal Reserve.
- Sixth. Tennessee Valley Authority.
- Seventh. Comptroller of the Currency.
- Eighth. Civilian Teachers at Naval Academy.
- Ninth. District of Columbia teachers.
- Tenth. District of Columbia policemen and firemen.
- Eleventh. Federal judiciary.
- Twelfth. Judiciary of Federal Territories and possessions.
- Thirteenth. Construction period workers, Panama Canal.
- Fourteenth. Canal Zone employees, disabled.
- Fifteenth. District of Columbia judges.
- Sixteenth. Panama Railroad, disabled.

It seems to me that some study should be made so as to consolidate, if possible, the various retirement systems into the regular system.

Mr. LANGER. Mr. President, I might say to the distinguished Senator from Virginia that at the beginning of the drafting of the bill we did consider that subject, but the railroad men did not wish to come in. The result is we did not investigate any other systems, but decided to complete the bill. I can assure the Senator from Virginia that a full and complete investigation of the subject will be made at the present session of Congress.

Mr. BYRD. I thank the Senator from North Dakota.

Mr. LANGER. I am delighted that the Senator from Virginia has called the attention of the Senate and the country to the situation.

The PRESIDENT pro tempore. Are there any further amendments to be offered to the substitute amendment?

Mr. WILLIAMS. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 10, after the colon in line 19, it is proposed to insert the following: "Provided, That no such increase shall (1) exceed an amount which, when added to the present annuity of any such officer or employee, exceeds the amount of annuity which such officer or employee would have received had the provisions of this act been in effect at the date of his retirement, or (2) be payable in any case in which the present annuity of any such officer or employee exceeds the amount of annuity which such officer or employee would have received had such provisions been in effect on such date."

Mr. WILLIAMS. Mr. President, this amendment merely proposes that any annuitant who is now on the rolls shall not be eligible for an increase if such increase brings his pension over and above that which would be allowed under the proposed act. It was recognized by some that there are bound to be inequities in the change-over under the new bill. The amendment merely irons out those inequities as they arise. In other words, a man who now receives an annuity will not be eligible except for that portion of the increase which would bring him up to the amount allowed under the new act.

Mr. TAFT. Mr. President, I do not think the amendment is necessary, but I am perfectly willing to have it inserted in the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment in the nature of a substitute.

The amendment to the amendment was agreed to.

Mr. WILLIAMS. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to insert a new section as follows:

Sec. —. (a) There is hereby created a joint committee to be composed of (1) three Members of the Senate, one from the Committee on Post Office and Civil Service, one from the Committee on Finance, and one from the Committee on Appropriations, to be appointed by the President of the Senate, and (2) three Members of the House of Representatives, one from the Committee on Post Office and Civil Service, one from the Committee on Ways and Means, and one from the Committee on Appropriations, to be appointed by the Speaker of the House of Representatives.

(b) It shall be the duty of the joint committee to make a full and complete study of all retirement systems applicable to officers and employees of the United States (including military and naval personnel), with a view to ascertaining the extent to which such systems should be revised or combined, and to report to the Senate and the House of Representatives at the earliest practicable date the results of such study, together with its recommendations.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in case of any failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(e) The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

Mr. TAFT. Mr. President, the amendment speaks for itself. I think the general spirit of the La Follette-Monroney Act was not to set up any more committees than were provided for by that act, and that if any committees were to be proposed the proposal should come to the Committee on Rules and Administration. Special committees have been provided for, and the procedure is to submit the matter to the Committee on Rules and Administration. The amendment makes a proposal for the establishment of a joint committee. The proposal has not gone to the Committee on Rules and Administration. It has never been submitted to the Post Office and Civil Service Committee. I should hesitate very much to set up on top of our existing committee structure another joint committee. It is true that probably a study of the matter involved should be made. The funds in question are quite numerous. However, altogether the whole 12 funds, I understand, cover only about 1½ percent of the employees, and the 98½ percent are under the general system we have been considering. It seems to me it is unnecessary to set up a new joint committee with a new joint staff, which would be expensive, and particularly without adequate consideration by the Committee on Rules and Administration or by any standing committee of the Senate.

Mr. WILLIAMS. Mr. President, generally speaking I would agree with the Senator from Ohio as to the objections to setting up a special committee, because I think it is true that perhaps many of these conditions could be worked out in the regular Senate committees and committees of the House. But the truth of the matter is that that has not been done. We have before us here a major change in the retirement legislation. We are trying to work it out on the floor when it should have been worked out in the committees. In order to show how this retirement legislation has been worked out in committees, and why there has been so much confusion regarding the cost of the particular provision in question, I wish to read from a letter which I hold in my hand.

This letter is dated March 13, 1947, signed by Mr. R. R. Reagh, the Government actuary of the Treasury Department, addressed to Mr. Riley, staff director of the Senate Committee on Post Office and Civil Service. In this letter Mr. Reagh points out a possible \$200,000,000 cost for Senate bill 637.

Again, on May 9, 1947, in a letter from Mr. Arthur S. Flemming, Acting President of the Civil Service Commission, addressed to the Chairman of the Post Office and Civil Service Committee, he

estimated the cost as being negligible. I quote from the letter:

The committee will appreciate, I am sure, that there is no current precise statistical data upon which to base a firm estimate of cost under this or any other proposal with regard to retirement; but with the facts available to us it is our judgment that the liberalized provisions are balanced by modifications elsewhere in the bill, plus, of course, increased contributions of 1 percent made by the Federal employees.

In other words, it was his opinion on May 9, 1947, that there would be no appreciable cost. The same error was repeated in the committee report.

Five days later, on May 14, 1947, a letter was written, signed by George Buck, the same Mr. Reagh and Mr. Edward Thacker, who were consulting actuaries for the Civil Service Commission. In this letter they stated that the cost would be \$109,000,000. That was 5 days after the statement that the bill would not cost anything.

We ran into a little trouble on the question of the cost of the bill before the Senate. For that reason I objected to it and insisted upon realistic estimates before any further action. A month later, on June 9, 1947, there was another letter, written by one Harry B. Mitchell, President of the Civil Service Commission, addressed to the Senator from North Dakota [Mr. LANGER], in which the cost of the same retirement bill was estimated at \$39,160,000.

On July 22, 1947, I asked the Bureau of the Budget if it could not straighten us out as to the cost of the bill. I have a letter signed by Mr. James E. Webb, Director of the Bureau of the Budget. This time he agreed with the actuaries that the cost of the bill would be \$39,160,000. Those are the only two letters that agree.

Two days later, on July 24, 1947, I received another letter from the Civil Service Commission. Apparently in order to get the bill through the last session of Congress the estimate had been revised down to \$15,000,000. Bear in mind that in the meantime no amendment to the bill had been submitted which could account for these discrepancies.

On January 16, of this year, in connection with the same bill, the Civil Service Commission made another estimate. This time its estimate was \$84,000,000.

We are endeavoring on the floor of the Senate to pass a piece of legislation which the Senator from Ohio now says is supposed to cost us about \$42,000,000, yet at the same time we are told that the cost of this bill is \$60,000,000 cheaper than the cost of the bill which the Senate Post Office and Civil Service Committee had been claiming would not cost anything.

I think it is time for some committee to go to work on retirement legislation. It has been pointed out by the Senator from Virginia that we have 16 different retirement systems in the Federal Government. They are administered by 11 different agencies. I have a copy of every one of these retirement systems. We have some retirement systems with a complete organization to administer the affairs of as few as 175 Government employees. It is costing more to administer

some of the funds than the annuitants are receiving from them. I think it is time for Congress to make a study of the problem. Such a study has not been made in our committee. We have been too much concerned with getting a piece of legislation which will not cost anything and at the same time materially increase present benefits.

I have reviewed most of the retirement legislation for the past 14 years, and I have yet to find a single piece of legislation which has been passed with respect to which it was stated that it would cost any appreciable amount. Notwithstanding that fact, on various occasions we have doubled and trebled the obligations of the Government. In 1945 we passed retirement benefits for Members of Congress. At that time it was stated that the system would not cost the Government any money; yet every Member of Congress in computing his pension, was given benefits for all the years he served in Congress. It was not going to cost the Government anything; and at the same time it was stated that a Member of Congress did not need to pay anything back.

Mr. President, I urge that my amendment be agreed to, and that a special committee be established to study the various retirement systems, perhaps with the thought of consolidating them into one system, to insure uniformity, to insure economy in administration, and to remove the remaining inequities not removed by the bill now under consideration. To do this the joint committee would secure experts on insurance and retirement from outside sources.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS] to the Taft amendment in the nature of a substitute.

Mr. LANGER. Mr. President, I think it is due the Civil Service Commission and the United States Senate that I should make the statement that the Civil Service Commission has cooperated wholeheartedly with our committee. Time and time again Mr. Irons gave us estimates of cost. Over a period of several months we asked for various estimates. We asked for estimates based upon one and a half million employees, two million employees, and two and a half million employees. We asked for estimates based upon a retirement fund of 1 percent, 1½ percent, 1¼ percent, and 2 percent. So far as I know, all the letters which were received by our committee were honest expressions of the Civil Service Commission, and I wish to say publicly that I think the Commission is doing a fine job.

Mr. TAFT. Mr. President, I wish to point out one further reason why I think we should not create more joint committees than we already have. There are no rooms left in which any new committee could find space to live. We have reached the point where I do not believe we should create any new committees unless we abolish some of the old ones. Unless there is some very strong reason for it, I do not believe that we should create new committees.

Furthermore, this is largely a technical actuarial subject. If such a study as has been suggested is to be made, it ought to be made in the first instance

by the executive department of the Government. If the Senator from Delaware will introduce a measure directing some existing Government bureau to make the study, or establishing some agency to do it, such a proposal might be proper. If he does not like the Civil Service Commission, he might propose that the Bureau of the Budget or some other agency make this study. Such a study would seem to me to be more within the scope of the ability of the executive department than that of Congress. However, I believe that we ought not to create another joint committee at this time.

Mr. WILLIAMS. Mr. President, I certainly will not sponsor a resolution creating another Government bureau.

A further example of the inefficient and biased advice we have received from the Civil Service Commission on all these proposals is revealed in the discussion to eliminate the so-called tontine payment, which is a deduction of \$1 a month from the salary of all Government employees. All the testimony which was given before our committee by officials of the Commission was to the effect that its cancellation would not cost anything. This is another example of misleading testimony inexcusable in any competent Government official.

I read from a letter signed by Mr. Arthur S. Flemming, a member of the Civil Service Commission, under date of May 9. The letter is addressed to the chairman of the Senate Civil Service Committee, and in it Mr. Flemming states:

This charge of \$1 per month levied against each Federal employee has been an administrative problem ever since its inception. It is grossly unfair, in that the \$1 per month is charged against the account of the low-salaried employee as well as the high-salaried employee. When full account is taken of the administrative handling charges, there is actually little net gain in income to the fund. Administration of the act by the agencies and by the Commission will be greatly simplified by the elimination of the tontine.

All the testimony which was given before the committee—and I think the chairman of the committee will agree with me—was to the effect that the elimination of the \$1 a month so-called tontine charge would not change the cost of the bill, yet in another letter dated July 13, 1947, signed by Harry B. Mitchell, President of the Civil Service Commission—

I was advised that the income from this tontine charge during the last year (1946) was \$16,809,186.30.

Yet, Arthur Flemming, his associate member, says that it is a negligible amount, and that we can eliminate a \$16,000,000 income without making any appreciable difference in the cost of the bill. My argument is that if we reduce that income, we must increase the appropriations to offset it. I agree that it would be much better and simpler to eliminate that charge and figure it in the percentage cost. I am not opposing the elimination of the tontine charge, but I do say that we should squarely recognize the cost. Yet prior to this letter representatives of the Civil Service Commission appeared before our committee, and the testimony was to the effect that such a provision would not cost anything.



The net income for the past 12 years has been more than \$47,000,000. I have very little respect for the advice of any official in the Civil Service Commission who regards \$47,000,000 as a negligible amount.

The Senator from North Dakota [Mr. LANGER] has spoken of the cooperation of Mr. Irons, the Chief of the Civil Service Commission retirement fund. Notwithstanding the fact that Mr. Irons appeared before our committee and testified that the bill would cost nothing, during the summer months he has been campaigning all over the country for this piece of legislation, a fact which I think should be called to the attention of the Department of Justice. I wish to read a part of one of his speeches. In speaking before a group on this retirement bill Mr. Irons said:

It is not the most generous survivorship program that can be reasonably designed, but the important thing, I think, is to get that principle across in legislation, to get it a firm part of the Retirement Act. There are other years coming. There will be more generous Congresses in the future.

Apparently he is going to help see to it that more liberal-minded men come to Congress. It appears to me that it is a violation of law for any official of any Government executive agency to go about the country lobbying for a piece of legislation. That is particularly true when he has appeared before the committee and has given false testimony on the bill.

I think it is time to establish a special committee to study this subject.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Delaware to the amendment in the nature of a substitute offered by the Senator from Ohio.

Mr. CHAVEZ. Mr. President, I should like to make one point clear. The bill is simple in its application and purpose. There are only two things involved in the entire picture.

Of necessity the bill had to be a technical bill; but the only two things involved are, first, whether we are willing to allow the Government employee, when he retires, to receive an extra \$300 a year. That is a simple question.

The next point, which deals with a liberalization of the old law, is whether a widow should be allowed to collect what the husband, when he was an annuitant, would receive, and whether the dependent children would be involved.

The rest of the provisions relate to what class of employees will receive the benefits of the bill. They are technical provisions. Those are the principal things involved.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Delaware [Mr. WILLIAMS].

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute sub-

mitted by the Senator from Ohio [Mr. TAFT].

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill coming from the House of Representatives, which will be stated by title.

The CHIEF CLERK. A bill (H. R. 4127) to amend the Civil Service Retirement Act of May 29, 1930, as amended.

Mr. WHERRY. Mr. President, I move that the Senate proceed to consider the House bill.

The motion was agreed to, and the Senate proceeded to consider the bill.

Mr. WHERRY. I move to strike out all after the enacting clause of the bill, and in lieu thereof to insert the text of Senate bill 637, as amended.

The motion was agreed to. The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 4127) was read the third time and passed.

Mr. WHERRY. I move that the Senate insist on its amendment, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. LANGER, Mr. BALDWIN, Mr. TAFT, Mr. CHAVEZ, and Mr. JOHNSTON of South Carolina conferees on the part of the Senate.

The PRESIDENT pro tempore. Without objection, Senate bill 637 is postponed indefinitely.

Mr. WHERRY. Mr. President, I ask unanimous consent that House bill 4127 be printed, showing the Senate amendment.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

#### BOARD OF VISITORS TO UNITED STATES NAVAL ACADEMY

The PRESIDENT pro tempore. Under the statute it is necessary to name four Members of the Senate to the Board of Visitors of the United States Naval Academy. On the recommendation of the chairman of the Committee on Armed Services, the Chair appoints the Senator from Wyoming [Mr. ROBERTSON], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Maryland [Mr. TYDINGS], and the Senator from Virginia [Mr. BYRD].

#### THE ST. LAWRENCE SEAWAY

Mr. WHERRY. Mr. President, I ask unanimous consent that after the calendar is called on Monday next, Calendar No. 862, Senate Joint Resolution 111, approving the agreement between the United States and Canada relating to the Great Lakes-St. Lawrence Basin, be made the unfinished business.

The PRESIDENT pro tempore. Without objection, the order is made.

#### CONTROL OF WEAPONS OF MASS DESTRUCTION

Mr. McMAHON. Mr. President, I quote very briefly from an Associated Press story appearing in the last edition of the Washington Star under today's date:

LONDON, January 23.—Winston Churchill declared today western Europe must unite quickly and demand a show-down with the Soviet Union before the Russians develop atomic weapons, possibly in a year or so.

"Even an early show-down would not guarantee that war would not come," Churchill said, but:

"I believe it would give the best chance of preventing it and, if it came, we would have the best chance of coming out of it alive.

"I believe the best chance of preventing war is to bring matters to a head and come to a settlement with the Soviet Government before it is too late," Mr. Churchill told the House of Commons.

"You may be sure the present situation cannot last. There are very grave dangers in letting everything run on and pile up until something happens and the matter passes all of a sudden out of your control."

Mr. President, I read these words with a deep sense of conviction that the former Prime Minister of Great Britain spoke words of prophecy when he made the statement which I have quoted.

Last May I addressed the Senate and pointed out, in connection with the problem of the peace, the importance of the control of weapons of mass destruction, and that unless and until complete and effective control of weapons of mass production was accomplished we were attacking the effects of the tragic situation in the world today and not the causes thereof.

I shall support aid for the stricken countries of Europe, but when I do so I shall be under no illusion that, successful though the program may be, we shall have accomplished the laying of a safe foundation of a peaceful society and a peaceful world as long as an atomic armament race is being engaged in by the two great powers of the earth.

I went on to point out last May, as the former Prime Minister of Great Britain points it out today, that unless we successfully conclude an arrangement for the control of weapons of mass destruction we are facing and proceeding straight to World War III. If, in engaging upon the Marshall program, so called, we are under any illusion that we are doing anything else except taking an important step toward the accomplishment of peace, and not striking at the hub of the matter, we shall be in error.

At a future time and on a future occasion I shall address the Senate on what I believe is necessary for the supplementation of the Marshall program, but I think it is well for the Senate and for the country and the Congress to have in mind now the basic fact which cannot be too much emphasized, that as long as this arms race proceeds, anything else we do to bring about the peace is preliminary.

#### EXECUTIVE SESSION

Mr. WHERRY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

#### EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. BUCK, from the Committee on the District of Columbia:

Guy Mason, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years, and until his successor is appointed and qualified.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

#### THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. GURNEY. I ask that the nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Army are confirmed en bloc.

#### THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. GURNEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Navy are confirmed en bloc.

#### THE AIR FORCE

The legislative clerk proceeded to read sundry nominations in the Air Force.

Mr. GURNEY. I ask that the nominations in the Air Force be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

#### THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. GURNEY. I ask that the nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Marine Corps are confirmed en bloc.

Mr. GURNEY. Mr. President, I ask that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

#### ORDER OF BUSINESS

Mr. GURNEY. Mr. President, I should like to direct a question to the senior Senator from Ohio. Our committee has been importuned to secure as rapid action as is possible on two small bills. I believe I previously notified the Senator of our interest in them. I understand the St. Lawrence seaway matter is going

to be considered next week, and I wondered what chance there would be for consideration on Monday.

Mr. TAFT. I have no particular feeling about it. I think perhaps we ought to have a little notice, however, that the bills are coming up. That is my only reservation.

Mr. GURNEY. Then at this time I wish to mention the two bills which I should like to have called up on Monday. The first is the procurement bill. The other one would modify the provisions of the Vinson-Trammell Act in regard to the purchase of materials for the Navy and the Air Force.

Mr. WHERRY. Mr. President, prior to the suggestion made just now by the Senator from South Dakota, the St. Lawrence seaway joint resolution was made the unfinished business for Monday. Of course, the Senator from South Dakota has a perfect right to move that these other bills be brought up first on Monday, temporarily displacing the St. Lawrence seaway measure. But since the chairman of the Judiciary Committee is not in the Chamber at this time, I wonder whether the Senator from South Dakota will withhold his request until Monday.

Mr. GURNEY. I do not believe it is necessary to make a formal request in regard to these bills, but I simply give notice of a desire to have them taken up for consideration as soon as possible. They are Calendar No. 597 and Calendar No. 657.

Mr. AIKEN. Mr. President, a week ago I asked to have the procurement bill passed over, during the call of the calendar, because other departments of the Government, particularly the Treasury procurement service, felt they should have the right to make purchases in emergency conditions in the same way that the armed services might have. However, I understand that the Comptroller General objects to having the procurement service given that right, and really is not enthusiastic about having the armed services given it.

In view of that situation, and inasmuch as I am not able to spend the necessary time in endeavoring to work out amendments and have them adopted, or possibly rejected, I shall not object to having the procurement bill acted upon at any time the Senate sees fit to take action upon it.

Mr. TAFT. Mr. President, I suggest that possibly the St. Lawrence seaway legislation will not consume all Monday afternoon; so probably after the termination of the consideration of that legislation on Monday, there will be an hour or so during which it will be possible to consider the two bills mentioned by the Senator from South Dakota.

Also there is another bill, I believe.

Mr. WHERRY. Mr. President, I would prefer not to have other bills brought into the picture at this time, until we determine what we shall do in regard to the St. Lawrence seaway measure. I submit that the proper time to bring up other bills will be on Monday

afternoon, after we begin to consider the unfinished business, the St. Lawrence seaway joint resolution.

Mr. REVERCOMB. Mr. President, did I correctly understand the Senator from Ohio to say that the St. Lawrence seaway legislation will not consume very much time?

Mr. TAFT. My understanding is that on the first day of the consideration of such measures, Senators very often run out of speeches at about 5 o'clock in the afternoon.

Mr. REVERCOMB. In other words, the Senator from Ohio does not think the Senate will take final action on the St. Lawrence seaway joint resolution on Monday?

Mr. TAFT. I do not.

#### THE UNTIMELY ENDS OF MY SENATOR FRIENDS—POEM BY HORACE C. CARLISLE

Mr. CAPPER. Mr. President, I send to the desk and ask unanimous consent that there be printed at this point in the RECORD, a poem by Horace C. Carlisle entitled "The Untimely Ends of My Senator Friends."

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

#### THE UNTIMELY ENDS OF MY SENATOR FRIENDS

"The path of the just is as the shining light that shineth more and more unto the perfect day."

These dear Senators who have now passed from my view

Out into the great Unknown Beyond,  
All of them loved this life, with its struggle and strife,

But when Death called they had to respond—

And, tho these have all gone, still the Senate runs on,

Little changed by the passing of years,  
As they sweep swiftly by, to where past ages lie,

Undeterred by life's turmoils and tears.

In their faces, now gone, their sweet characters shone

With a beauty that can't be expressed,  
As they toiled on and on, toward the eternal dawn,

Without taking time for needed rest.

All of these, whom I knew, bade the Senate adieu,

To re-live in the sweet by-and-by—  
And they all I've enshrined in the heart of my mind,

There to stay till I meet them on high.

Underwood, Harrison, Blease, and Sheppard are gone—

I saw Fletcher and Trammell both pass—  
I saw death still the tongue of Maloney and Long,

Johnson, Norris, McNary, and Glass—  
And, from this life below, I saw Bailey, Bilbo, Bankhead, and Andrews, too, slip away—  
In the harness they died, by their works glorified,

And the Senate mourns them to this day.

—Horace C. Carlisle.

#### ADJOURNMENT TO MONDAY

Mr. WHERRY. Mr. President, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 51 minutes p. m.) the Senate adjourned until Monday, January 26, 1948, at 12 o'clock meridian.



## NOMINATIONS

Executive nominations received by the Senate January 23 (legislative day of January 21), 1948:

## COLLECTOR OF CUSTOMS

Joseph T. Sylvester, of Portland, Maine, to be collector of customs for customs collection district No. 1, with headquarters at Portland, Maine. (Reappointment.)

## UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointment and promotion in the Regular Corps of the Public Health Service:

To be medical director (equivalent to the Army rank of colonel), effective date of acceptance:

Frederick A. Johansen

To be surgeons (equivalent to the Army rank of major), effective date of acceptance:

Harold M. Janney

Russell O. Settle

Surgeon to be senior surgeon (equivalent to the Army rank of lieutenant colonel):

Maurice A. Roe

Senior surgeon to be temporary medical director (equivalent to the Army rank of colonel):

Maurice A. Roe

Surgeons to be temporary senior surgeons (equivalent to the Army rank of lieutenant colonel):

Harold M. Janney

Russell O. Settle

Senior assistant sanitary engineers to be temporary sanitary engineers (equivalent to the Army rank of major):

Donald L. Snow

Roscoe H. Goeke

Senior assistant engineer to be temporary engineer (equivalent to the Army rank of major):

George L. Carley, Jr.

Senior scientists to be temporary scientist directors (equivalent to the Army rank of colonel):

Floyd S. Daft

Justin M. Andrews

Senior assistant scientists to be temporary scientists (equivalent to the Army rank of major):

Harry D. Pratt

Francis M. Middleton

Roy F. Fritz

H. Page Nicholson

Ralph C. Barnes

## IN THE MARINE CORPS

The following-named officers for appointment to the permanent grade of colonel in the Marine Corps:

Raymond E. Hopper  
 William P. Battell  
 Cornelius P. Van Ness  
 Edson L. Lyman  
 George H. Cloud  
 Charles E. Shepard, Jr.  
 Peter A. McDonald  
 Thomas B. Hughes  
 William B. McKean  
 Fred D. Beans  
 Wallace M. Greene, Jr.  
 Paul W. Russell

Frank M. Reinecke  
 John M. Davis  
 Walfried H. Fromhold  
 James T. Wilbur  
 Charles H. Hayes  
 Donald M. Weller  
 Edward A. Montgomery

Edgar O. Price  
 Robert E. Hill  
 James M. Daly  
 Ronald D. Salmon  
 Russell Lloyd  
 Ernest W. Fry, Jr.

The following-named officer for appointment to the temporary grade of colonel in the Marine Corps:

August Larson

The following-named officers for appointment to the permanent grade of lieutenant colonel in the Marine Corps:

William R. Williams  
 William F. Harris  
 Gordon D. Gayle  
 James D. McBrayer, Jr.  
 Jack Hawkins  
 James B. Glennon, Jr.  
 William A. Stiles  
 Edwin C. Aiken  
 Russell Duncan  
 Richard M. Huizenga  
 George M. Lhamon  
 William A. Cloman, Jr.  
 Alfred N. Gordon

Alfred F. Robertshaw  
 Jino J. D'Alessandro  
 Henry J. Revane  
 Melvin D. Henderson  
 Elliott B. Robertson  
 Chester A. Henry, Jr.  
 Sidney F. Jenkins  
 George F. Gober  
 John D. Howard  
 Fred T. Bishopp  
 Cecil W. Shuler  
 Glenn R. Long  
 Samuel D. Mandeville, Jr.

William G. Muller, Jr.  
 Benjamin B. Manchester III  
 Frank E. Gallagher, Jr.  
 Robert C. McDonough  
 Boyd O. Whitney  
 Richard D. Strickler  
 Frederick R. Findtner  
 James W. Keene  
 John F. Kinney  
 Michiel Dobervich  
 Robert F. Jenkins, Jr.  
 Lewis A. Jones  
 Norman E. Sparling  
 Julian V. Lyon  
 Carl M. Longley  
 Francis W. Benson  
 George R. Stallings  
 William J. McKennan  
 LeRoy P. Hunt, Jr.  
 Claude S. Sanders, Jr.  
 William R. Dorr, Jr.  
 Henry E. W. Barnes  
 Walter H. Stephens  
 Clarence R. Schwenke  
 John F. Mallard  
 George B. Thomas  
 Henry J. Smart  
 John E. Rentsch  
 Charles T. Hodges  
 Kenneth H. Black  
 William C. Humberd  
 Robert R. Burns  
 Marion E. Carl  
 Charles W. Somers, Jr.  
 Arthur H. Adams  
 Angus M. Fraser  
 Robert Hall  
 Ralph M. Wismer  
 Donald J. Robinson

Wyatt B. Carneal, Jr.  
 Alfred M. Mahoney  
 Robert M. Hanna  
 Erik W. Ritzau  
 Earl W. Gardner  
 John C. Brewer  
 William D. Morgan  
 William E. Clasen  
 "J" Frank Cole  
 Lowell S. Reeve  
 Homer G. Hutchinson, Jr.

Allen H. Anderson  
 Glenn L. Todd  
 Elkin S. Dew  
 Erwin F. Wann, Jr.  
 Otis V. Calhoun, Jr.  
 Talbott F. Collins  
 John H. Partridge  
 Frederick J. Karch  
 Lawrence F. Fox  
 Horace H. Figuers  
 Joseph S. Skoczylas  
 Gerald G. Williams  
 John W. A. Antonelli  
 Edwin C. Kimball  
 George W. Herring  
 David C. Wolfe  
 Edward V. Mendenhall, Jr.

Robert S. Riddell  
 George T. Fowler  
 Warner T. Bigger  
 Charles A. Rigaud  
 Roger S. Bruford  
 Randall L. Stallings  
 Edwin C. Godbold  
 Warren P. Baker  
 James Taul  
 Homer E. Hire  
 George V. Hanna, Jr.  
 Richard Quigley  
 Royce W. Coln  
 Henry S. Massie  
 Alfred T. Greene  
 Melville M. Menefee  
 Wayne M. Cargill  
 James B. Moore  
 Louis L. Frank  
 Joseph W. Kean, Jr.  
 Theodore F. Beeman

Alfred M. Mahoney  
 Robert M. Hanna  
 Erik W. Ritzau  
 Earl W. Gardner  
 John C. Brewer  
 William D. Morgan  
 William E. Clasen  
 "J" Frank Cole  
 Lowell S. Reeve  
 Homer G. Hutchinson, Jr.

Robert D. Heinl, Jr.  
 Guy B. Smith, Jr.  
 Fred J. Klingenhagen  
 Clyde T. Smith  
 Wilbur F. Meyerhoff  
 Carl J. Cagle  
 John A. Burns  
 Francis C. Clagett

The following-named officers for appointment to the temporary grade of lieutenant colonel in the Marine Corps:

Frederick Belton  
 John G. Johnson

The following-named officer for appointment to the permanent grade of lieutenant colonel in the Marine Corps Reserve:

Harold A. Strong

The following-named officers for appointment to the permanent grade of major in the Marine Corps:

Thomas B. Tighe  
 Bert Davis, Jr.  
 Robert W. Nelson  
 Hugh J. Irish  
 Thomas M. Leineweber  
 Thell H. Fisher  
 Daniel H. Davis

Bertil E. Larson  
 Arthur L. Adams  
 George P. Wolf, Jr.  
 Franklin C. Bacon  
 Webster R. Hood  
 Robert W. Anderson  
 Vernon L. Bartram  
 Robert B. Neville  
 Howard F. Stevenson  
 George Codrea  
 Thomas C. Dutton  
 James A. Pounds III  
 Karl G. Palmer  
 Robert R. Fairburn  
 Robert B. McBroom  
 Charles A. Lipot  
 Walter E. Reynolds, Jr.

Clarence H. Moore  
 Gordon E. Gray  
 Arthur N. Nehf, Jr.  
 Russell L. Janson  
 Martin B. Roush  
 Lawrence L. Herzog  
 Harry F. Schwethelm  
 James E. Johnson  
 Frank P. Barker, Jr.  
 Vance F. McKean  
 Richard H. Pierce  
 Charles E. Kollmann  
 Milton M. Cook, Jr.  
 Howard E. Cook  
 Lowell D. Grow  
 William L. G. Hughes  
 Jack B. Winters  
 Henry W. Horst  
 Carol D. Dalton

James E. Grubbs  
 Francis X. Witt, Jr.  
 Wallace J. Slappey, Jr.  
 William P. Dukes  
 John D. Noble  
 Roy R. Hewitt  
 John G. Babashanian  
 Gale W. Roberts  
 Jay E. McDonald  
 Harlen E. Hood  
 Joseph F. Wagner, Jr.  
 Scott G. Gier  
 James A. Etheridge  
 Robert D. Bachtel  
 Billie K. Shaw  
 James P. Wilson  
 Richard W. Schutt  
 Henry V. Joslin  
 Daniel J. Regan  
 Lyle K. London  
 Robert H. Daley  
 Harry A. Hadd  
 Floyd M. Johnson, Jr.  
 Richard M. Elliott  
 John C. Lundrigan  
 Victor J. Barringer  
 George S. Saussey, Jr.  
 Alexander S. Walker, Jr.

Gerard T. Armitage  
 Frank J. Clarke  
 William A. Murphy  
 James F. Lawrence, Jr.  
 Walter J. Ridlon, Jr.  
 James A. Moriarty, Jr.  
 Jerrold O. Cote  
 Marshall R. Pilcher  
 James H. Crutchfield  
 Madison C. Whiteside  
 Orvin H. Ramlo  
 Cruger L. Bright  
 William J. Sims  
 George D. Fulverton  
 Thomas W. Furlow  
 Herbert A. Peters  
 Howard L. Walter  
 Leo F. Tatro, Jr.  
 Samuel Richards, Jr.  
 Matt S. Ober, Jr.  
 George L. Hollowell  
 Jack Cosley  
 Samuel B. Folsom, Jr.  
 Conrad G. Winter  
 Philip W. Kelly  
 Robert G. Howie  
 Richard L. Nickerson  
 Walter R. Bartosh  
 William E. Crowe  
 Robert R. Ayres, Jr.  
 Jack L. Brushert  
 George M. Dawes  
 Thomas A. Heaton  
 Arthur F. O'Keefe  
 William B. Freeman  
 Sidney L. Groff  
 Wallace G. Wethe  
 Thomas H. Mann, Jr.  
 Kenneth D. Frazier  
 Arvid W. Blackmun  
 John L. Mahon  
 Homer S. Hill  
 Elmer P. Thompson, Jr.

Richard W. Hoffman  
 Robert R. Weir  
 Edward L. Bale, Jr.  
 Edward K. Pedersen  
 John W. Beebe  
 Robert K. Dahl  
 John C. Landrum  
 Robert L. Thomas  
 Dean S. Hartley, Jr.  
 Grant W. McCombs  
 William G. Johnson  
 Harold F. Brown  
 George B. Herlihy  
 Robert I. Conrad  
 William P. Mitchell  
 Robert F. Conley  
 Walter T. Warren  
 William D. Patterson, Jr.

Floyd C. Kirkpatrick  
 Ralph C. Rosacker  
 Harry C. Dees  
 Richard W. Batdorff  
 James W. Hendrick  
 Robert J. Bolish  
 Kenneth C. Greenough  
 Robert E. Brown

The following-named officers for appointment to the temporary grade of major in the Marine Corps:

Willis R. Lucius  
 Theodore A. Petras

The following-named officers for appointment to the permanent grade of captain in the Marine Corps:

John D. Case  
 Robert S. Stubbs II

Benjamin S. Read  
 Frederick A. Quint

Carl L. Hill  
 John S. Canton  
 Richard M. Giddens  
 Reverdy M. Hall  
 Edward O. Alsip  
 Edmund K. Griswold  
 Joseph P. Cushing  
 John D. Fair  
 Edward S. Fris  
 Harry B. Persinger, Jr.  
 Robert Baird  
 James W. Baker  
 Thomas H. Miller, Jr.  
 Frank C. Lang  
 Monroe E. McNeil  
 Ronald L. Bruce  
 John S. Parrott, Jr.  
 William J. Wachslar  
 Thomas R. O'Dell, Jr.  
 Robert M. Keim  
 Glenn L. Rieder  
 Laurel M. Mickelson  
 Edward R. Agnew, Jr.  
 William G. Dair, Jr.  
 James M. McGrew  
 Kenneth L. Moos  
 Theodore R. Yachik  
 John C. Donovan  
 George E. McClane  
 Chester R. Harris  
 John K. Sinderholm, Jr.  
 Alton F. Vergote  
 Charles B. Chambers  
 Wilbur G. Patton  
 William E. Greiner, Jr.  
 Benjamin G. Martin  
 George Nasif  
 James R. Martin  
 Frank J. Faureck  
 William R. Earney  
 Garth K. Sturdevan  
 William E. Melby  
 William M. Streeter  
 Peter A. Tonnema, Jr.  
 Robert E. Dawson  
 Robert D. Thurston  
 James B. Ord, Jr.  
 Charles F. McKiever  
 James T. Pearce  
 William A. Kerr  
 John B. Harney  
 Don E. Wegley  
 Lester E. Veigel  
 Charles C. Cressap  
 Clarence E. Corley, Jr.  
 Robert F. Seward  
 Victor A. Kleber, Jr.  
 Kenneth T. Whitescarver, Jr.  
 Harold E. Smith  
 Vincent J. Smith  
 Robert C. Lehnert  
 John H. Glenn, Jr.  
 Harry A. Stahlstrom  
 Earl W. Johnson  
 Robert J. Barbour  
 Rolland E. Marker  
 Robert J. Lynch, Jr.  
 Edward B. Winston  
 John W. Muldoon, Jr.  
 Rudolph L. Bittman  
 Victor A. Armstrong  
 David G. Johnson  
 Richard S. Rash  
 Robert M. Marshall  
 Robert L. Lamar  
 Albert G. Schoneberger  
 Herbert P. Mosca, Jr.  
 Royce W. Watson  
 Donald I. McKamy  
 Zaphney O. Humphreys  
 Ray T. Lemmons  
 Roy S. Bachstein  
 Donald S. Thornbury  
 George F. Lewis  
 Herbert E. Roser  
 Wilford L. Stone  
 Robert W. Lowe  
 Gordon A. Kroodsma

William E. Mack  
 Jess Thierry, Jr.  
 Gerald J. Tice  
 George M. Bryant  
 Arnold L. Emils  
 Ralph A. Soderberg  
 Charles D. Fredrick  
 Calvin C. Crum  
 Melvin J. Flannagan  
 "J" "P" Nixon  
 Eugene W. Nelson  
 James A. Harper  
 Charles H. Church, Jr.  
 Carl W. Lindell  
 Edwin H. Finlayson  
 Thomas J. Burnam  
 Manning T. Jannell  
 Loren K. Bronleewe  
 William R. Nowadnick  
 George W. Brewer  
 Harold J. Eiland  
 Warren G. Hopkins  
 Thomas J. Ross  
 John E. Barnett  
 Alfred W. King  
 Donald L. Fenton  
 Harland E. Troy  
 Vernon J. Peebles  
 Rex Wilson  
 William L. Devinney  
 Jesse V. Booker  
 Floyd W. Earnest  
 Harry R. Moore  
 Nathan B. Peevey, Jr.  
 Francis C. Jennings  
 William M. Crapo, Jr.  
 Basil T. Idler  
 Herbert G. Manning, Jr.  
 John A. Gibson, Jr.  
 Donald T. Doxey  
 Fred C. Houser  
 James C. Stanfield  
 George E. Kelly  
 Frank G. Parks  
 John J. Richards  
 Stephen Shervais  
 Clifford D. Miller  
 William J. Wagner  
 Joseph E. Davies  
 Johnny D. Lindley  
 Robert L. Dominick  
 Edwin L. Hickman, Jr.  
 Charles C. Samis  
 William E. Brandon  
 Richard A. Bjorson  
 Joseph L. Freitas, Jr.  
 Harry E. Leland, Jr.  
 Walter E. Ottmer  
 John P. Roden  
 Myron E. Wilcox, Jr.  
 John Lomac  
 William H. Cowper  
 Frederick A. Vernon  
 Elwood H. Potter  
 Harvey M. Patton  
 John E. Hansen  
 Robert D. Limberg  
 Elwood D. Bush  
 Victor E. Allen  
 Earle E. Bagnall  
 John E. Vanhousen  
 Lynn W. Griffiths  
 Valdemar Schmidt, Jr.  
 William H. Livingston  
 Robert D. Janssen  
 David Cleeland  
 Paul N. Storaasli  
 Michael D. Harvath  
 Clifford P. Blankenship  
 James T. Cotton  
 Earl B. Sumerlin, Jr.  
 Reuel H. Pletz  
 Joel L. Neuman  
 John H. Lavoy  
 William E. Zimmer  
 Andrew L. McVicars  
 Emilius R. Ciampa, Jr.  
 Robert J. Lesak  
 Lee B. Swindall  
 James C. Jewell

Arthur F. Wilson, Jr.  
 Walter S. Metzger  
 Nathaniel H. Carver  
 James A. Blakely, Jr.  
 Edward F. Danowitz  
 Walter M. Atherton  
 Ross M. MacAskill  
 Vincent J. Robinson  
 James R. Poe  
 Frank J. Hubka  
 John H. Wagner  
 Leonard A. Lemback  
 James A. Gallo, Jr.  
 Elmer A. Anderson, Jr.  
 Albert A. Black  
 Leslie L. Page

The following-named officers for appointment to the temporary grade of captain in the Marine Corps:

James W. Tuma  
 Thomas H. Cutler  
 Good Burleson  
 Arthur A. Compton  
 James D. Swinson  
 Allen F. Stockdale  
 Richard W. Sinclair  
 Donald L. Shenaut  
 Edwin M. Clements  
 Max C. Taylor  
 Mainerd A. Sorensen  
 John E. Bugary  
 Ray M. Burrill  
 Reginald M. George  
 William A. Willett  
 Albert F. Rinehart  
 Fernand A. Landry  
 William T. Smith  
 Victor E. Sellers  
 Judson Vanderhoof  
 Donald W. Houston  
 Frederick V. Osborn  
 Alexander Gagy  
 Jerome Hieronymus

Edward I. Lupton  
 Mervin B. Porter  
 William R. Van Ness  
 Thomas J. Bardon  
 Charles C. Schwartz  
 William M. Derby, Jr.  
 John R. Gill  
 Bruce A. Goewey  
 James A. Dorsey  
 James Payette  
 Lawrence P. Hart  
 Francis C. Buxton  
 Edwin J. Mika  
 Ernest A. Buford, Jr.  
 Robert Sabot  
 Roy L. Reed

Chester H. Fritts  
 Elwood E. Gebhart  
 Thomas C. Palmer, Jr.  
 Herman T. Barbee  
 Paul F. Brandenburg  
 Stanley P. Bukowski  
 William G. Reid  
 Robert J. Corbett  
 Paul Kerns  
 John Gerey  
 Henry F. Camper  
 Fred R. Philpot  
 Arthur C. Fix  
 James E. Brown  
 Alfred M. Jones, Jr.  
 Charlie H. McGee, Jr.  
 Walter L. Simpson  
 Charles O. Diliberto  
 Edward E. Burt  
 Albert J. Assad  
 Wilbur C. Conley  
 Vernon L. Hendley  
 Anthony J. Roscoe

#### CONFIRMATIONS

Executive nominations confirmed by the Senate January 23 (legislative day of January 21), 1948:

##### IN THE ARMY

Lt. Gen. Joseph Lawton Collins to be Deputy Chief of Staff, United States Army, with the rank of general.

Maj. Gen. Willard Stewart Paul to be Director, Personnel and Administration, United States Army, with the rank of lieutenant general.

Maj. Gen. Stephen J. Chamberlin to be Director of Intelligence, United States Army, with the rank of lieutenant general.

Maj. Gen. Manton Sprague Eddy to be Director of Army Education System and Commandant, Command and General Staff College, with the rank of lieutenant general.

Maj. Gen. Henry Spiese Aurand to be Director, Service, Supply and Procurement, United States Army, with the rank of lieutenant general.

##### MILITARY LIAISON COMMITTEE OF THE ATOMIC ENERGY COMMISSION AND ARMED FORCES SPECIAL WEAPONS PROJECT

Maj. Gen. Leslie Richard Groves to be Army member of the Military Liaison Committee to the Atomic Energy Commission and Chief of the Armed Forces Special Weapons Project with the rank of lieutenant general.

##### AIR FORCE

##### APPOINTMENTS IN THE UNITED STATES AIR FORCE

Lt. Gen. Hoyt Sanford Vandenberg, to be Vice Chief of Staff, United States Air Force, with the rank of general with rank from October 1, 1947.

Maj. Gen. Lauris Norstad, to be Deputy Chief of Staff for Operations, United States Air Force, with the rank of lieutenant general with rank from October 1, 1947.

Maj. Gen. Curtis Emerson LeMay, to be commanding general, United States Air Force

in Europe, with the rank of lieutenant general with rank from October 1, 1947.

Maj. Gen. Idwal Hubert Edwards, to be Deputy Chief of Staff for Personnel and Administration, United States Air Force, with the rank of lieutenant general with rank from October 1, 1947.

Maj. Gen. Howard Arnold Craig, to be Deputy Chief of Staff for Matériel, United States Air Force, with the rank of lieutenant general with rank from October 1, 1947.

Maj. Gen. Benjamin Wiley Chidlaw, to be Deputy Commander, Air Matériel Command, with the rank of lieutenant general with rank from October 1, 1947.

Maj. Gen. Elwood Richard Quesada to be commanding general, Tactical Air Command, with the rank of lieutenant general with rank from October 1, 1947.

Maj. Gen. Edwin William Rawlings to be air comptroller, United States Air Force, with the rank of lieutenant general with rank from October 1, 1947.

##### TEMPORARY APPOINTMENT IN THE AIR FORCE OF THE UNITED STATES

To be major generals, with rank from October 1, 1947

Franklin Otis Carroll  
 Joseph Hampton Atkinson

To be brigadier generals, with rank from October 1, 1947

Edward Higgins White  
 John Beverly Montgomery  
 Horace Armor Shepard

##### IN THE ARMY

##### APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

To be major generals

Manton Sprague Eddy  
 Joseph Lawton Collins  
 Matthew Bunker Ridgway  
 LeRoy Lutes

John Reed Hodge  
 John Edwin Hull  
 Lucius DuBignon Clay  
 Albert Coady Wedemeyer  
 Raymond Stallings McLain  
 Stephen J. Chamberlin  
 Willis Dale Crittendenberger  
 Geoffrey Keyes  
 Harold Roe Bull  
 Henry Spiese Aurand  
 James Alward Van Fleet  
 Clarence Ralph Huebner  
 Willard Stewart Paul  
 Robert Sprague Beightler  
 George Fleming Moore  
 William Henry Harrison Morris, Jr.  
 Walter Melville Robertson  
 Archibald Vincent Arnold  
 Louis Aleck Craig  
 Frank William Milburn  
 George Jacob Richards  
 Charles Wolcott Ryder  
 Stafford LeRoy Irwin  
 John William Leonard  
 Alfred Maximilian Gruenther  
 Joseph May Swing  
 Edward Hale Brooks  
 Wilton Burton Persons  
 Glen Edgar Edgerton  
 Everett Strait Hughes  
 Donald Hilary Connolly  
 Raymond Albert Wheeler  
 John Porter Lucas  
 Ira Thomas Wyche  
 John Louis Homer  
 Albert Monmouth Jones  
 Clift Andrus  
 Harry James Malony  
 Edwin Pearson Parker, Jr.  
 John Breitling Coulter  
 Lunsford Errett Oliver  
 William Richard Schmidt  
 Robert Walter Crawford  
 Orlando Ward  
 Jens Anderson Doe



Thomas Bernard Larkin  
James Allen Lester  
Paul John Mueller  
Leland Stanford Hobbs  
Roscoe Barnett Woodruff  
Eiorace Logan McBride  
William Morris Hoge  
William Glenn Livesay  
Robert Walker Grow  
Edward Mallory Almond  
Percy William Clarkson  
Robert Chauncey Macon  
William Curtis Chase  
Leven Cooper Allen  
Withers Alexander Burrese  
Daniel Noce  
John Matthew Devine  
Frederick Augustus Irving  
William Willis Eagles  
Ernest Nason Harmon  
Arthur McKinley Harper  
Milton Baldrige Halsey  
Charles Love Mullins, Jr.  
Frank Augustus Keating  
Herman Feldman  
Andrew Davis Bruce  
Charles Lawrence Bolté

*To be brigadier generals*

Joseph Cowles Mehaffey  
Jonathan Waverly Anderson  
Roscoe Campbell Crawford  
James Kirk  
Alfred Bixby Quinton, Jr.  
Henry Balding Lewis  
Charles Gardiner Helmick  
Douglas Lafayette Weart  
Henry Benton Saylor  
Vernon Evans  
Arthur Arnim White  
Stanley Lonzo Scott  
Charles Andrew Willoughby  
Roderick Random Allen  
Frank August Helleman  
Albert Cowper Smith  
William Frederick Marquat  
Abram Franklin Kibler  
John Ernest Dahlquist  
Lester Johnson Whitlock  
George Anthony Horkan  
Ray Tyson Maddocks  
Harry John Collins  
Hobart Raymond Gay  
Jerry Vrchlicky Matejka  
Lewis Andrew Pick  
William Herschel Middleswart  
Russel Burton Reynolds  
William Oliver Reeder  
Robert Battey McClure  
Lawrence Carmel Jaynes  
Floyd Lavinus Parks  
Hugh John Casey  
William Maynadier Miley  
Walter Leo Weible  
Leslie Richard Groves  
James George Christiansen  
Paul Wilkins Kendall  
Anthony Clement McAuliffe  
Willard Gordon Wyman  
William Benjamin Kean  
Ewart Gladstone Plank  
Lyman Louis Lemnitzer  
Clovis Ethelbert Byers  
Maxwell Davenport Taylor  
Rollin Larrabee Tilton  
Francis Page Hardaway  
John Millikin  
Benjamin Curtis Lockwood, Jr.  
Edward Montgomery  
Kenneth Thompson Blood  
Harry Lewis Twaddle  
Gordon Russell Young  
Charles Morton Milliken  
Edwin Albert Zundel  
Pearson Menoher  
Barnwell Rhett Legge  
Roy Charles Lemach Graham  
Robert Marks Bathurst  
Elbert Louis Ford  
William Kelly Harrison, Jr.  
Aaron Bradshaw, Jr.  
Laurence Bolton Kesier  
George David Shea

Willard Wadsworth Irvine  
Everett Ernest Brown  
Eugene Martin Foster  
Lewis Charles Beebe  
George Leland Eberle  
William Brooks Bradford  
Ward Hale Maris  
William Edward Bergin  
Ralph Julian Canine  
John Kirkland Rice  
Robinson Earl Duff  
Thomas Wade Herren  
Hubert Don Hoover  
Robert Oliver Shoe  
Roy Victor Rickard  
John Huston Church  
Alonzo Patrick Fox  
Josef Robert Sheetz  
Truman Casper Thorson  
William Arthur Belderlinden  
Thomas Francis Hickey  
Harry Benham Sherman  
Jesmond Dene Balmer  
Reuben Ellis Jenkins  
Robert Homer Soule  
Whitfield Putnam Shepard  
Ira Platt Swift  
Walter Joseph Muller

*To be major generals, Medical Corps*

John Mitchell Willis  
Raymond Whitcomb Bliss  
George Corwin Beach, Jr.  
Albert Walton Kenner  
Malcolm Cummings Grow

*To be brigadier generals, Medical Corps*

Omar Heinrich Quade  
Edward Allen Noyes  
James Albertus Bethea  
Guy Blair Denit  
Joseph Ignatius Martin

*To be major general, Dental Corps*

Thomas Lovet Smith

*To be brigadier general, Dental Corps*

Walter Duncan Love

*To be brigadier general, Veterinary Corps*

James Alexander McCallam

*To be major general, Chaplain*

Luther Deck Miller

*To be brigadier general, Chaplain*

Chaplain (Col.) James Hugh O'Neill

*To be captain, Adjutant General's Department*

Gordon M. Johnson

*To be first lieutenants, Air Corps*

George W. Gorman  
Paul N. Harlow

*To be first lieutenant, Medical Corps*

Benjamin G. Musser

*To be first lieutenant, Air Corps*

Howard R. Schroeder

*To be second lieutenant, Air Corps*

Kenneth B. Smith

*To be second lieutenant, Infantry*

Samuel T. Rhodes

*To be second lieutenant, Quartermaster Corps*

Andrew J. Roach

*To be second lieutenant, Infantry*

Robert K. Weaver

ARMY OF THE UNITED STATES

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

*To be major generals*

Doyle Overlton Hickey  
Joseph Cowles Mehaffey  
Jonathan Waverly Anderson  
Roscoe Campbell Crawford  
James Kirk  
Alfred Bixby Quinton, Jr.  
Henry Balding Lewis  
Charles Gardiner Helmick

Douglas Lafayette Weart  
Henry Benton Saylor  
Vernon Evans  
Arthur Arnim White  
Stanley Lonzo Scott  
Charles Andrew Willoughby  
Roderick Random Allen  
Frank August Helleman  
Albert Cowper Smith  
William Frederic Marquat  
Abram Franklin Kibler  
John Ernest Dahlquist  
Lester Johnson Whitlock  
George Anthony Horkan  
Ray Tyson Maddocks  
Hobart Raymond Gay  
Jerry Vrchlicky Matejka  
Lewis Andrew Pick  
William Herschel Middleswart  
Russel Burton Reynolds  
William Oliver Reeder  
William Maynadier Miley  
Walter Leo Weible

*To be brigadier generals*

Wendell Westover  
Franklin Prague Shaw

APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE ARMY OF THE UNITED STATES

*To be major generals*

William Henry Draper, Jr.  
John Francis Williams  
Julius Ochs Adler

*To be brigadier generals*

Paul William Johnston  
Robert West Chamberlin  
Edwin Norman Clark  
Henry Russell Drowne, Jr.  
Charles Birdsall Ferris  
Ernest Henry Hawkwood  
Kenneth Barnard Keating  
Norman Miller Lack  
John Williams Morgan  
Washington Platt  
Albert Hummel Stackpole  
William Miles Stokes, Jr.  
Kenneth Castle Townson  
Alfred Girard Tuckerman  
Elbert Parr Tuttle  
Morris Carlton Troper

*To be brigadier general, Honorary Reserve*

Gordon Cloyd Hollar

APPOINTMENTS IN THE NATIONAL GUARD OF THE UNITED STATES OF THE ARMY OF THE UNITED STATES

*To be major generals of the line*

Raymond Hartwell Fleming  
John Hall Manning

*To be brigadier generals of the line*

Ronald Cornelius Brock  
Brendan Austin Burns  
Hugh Melvin Fanning  
Joseph Bacon Fraser  
Karl Frederick Hausauer  
John Calhoun Henagan  
Albert Sidney Johnson  
Ralph Andrus Loveland  
Donald Wilson McGowan  
Howard Hebbard Maxwell  
Robert Edward Moffet  
Russell York Moore  
Fritz Albert Peterson  
William Childs Purnell  
Joseph Wallace West  
Harold Theodore Weber  
William Frank Weiler

*To be brigadier generals, Adjutant General's Department*

Theodore Albert Arndt  
Kenneth Buchanan  
Chester William Goble  
Mark Walter Lance  
Spencer Hurley Mitchell  
John Francis Mullen  
Joseph Evelyn Nelson  
Irving Otto Schaefer  
Floyd Wayne Stewart  
John Edward Walsh

IN THE NAVY  
APPOINTMENTS

To be rear admirals, officers of the line

Maurice E. Curtis  
Dixwell Ketcham

Vice Adm. John L. McCrea, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as deputy commander in chief, Pacific Fleet.

Rear Adm. Arthur C. Miles, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as Chief of the Material Division, Office of the Under Secretary of the Navy.

Admiral DeWitt C. Ramsey, United States Navy, to have the grade, rank, pay, and allowances of an admiral while serving as commander in chief, Pacific and United States Pacific Fleet.

Vice Adm. Forrest P. Sherman, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as commander, United States Naval Forces in the Mediterranean.

Vice Adm. John D. Price, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as Deputy Chief of Naval Operations (Air).

Vice Adm. Harold B. Sallada, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as commander, Air Force, United States Pacific Fleet.

Capt. Homer N. Wallin, United States Navy, for temporary appointment to the grade of rear admiral in the Navy.

TEMPORARY SERVICE

To be rear admirals

Earl E. Stone	Francis X. McInerney
Augustus J. Wellings	John P. Womble, Jr.
William S. Parsons	Byron H. Hanlon
James E. Maher	Robert F. Hickey
Leon S. Fiske	Ruthven E. Libby
Harry R. Thurber	Herbert E. Regan
John E. Wheelchel	John P. Whitney
James H. Doyle	Hugh H. Goodwin
Clarence E. Olsen	Edgar A. Cruise
Lucian A. Moebus	

APPOINTMENTS TO THE PERMANENT GRADE OF REAR ADMIRAL IN THE NAVY

Howard M. Shaffer	Alfred W. Chandler
William N. Thomas	Spry O. Clayton
Thornton C. Miller	

APPOINTMENTS TO THE TEMPORARY GRADE OF REAR ADMIRAL IN THE NAVY

Herbert L. Pugh	Herbert C. Lassiter
Bertram Groesbeck, Jr.	John Ball
Howard M. Shaffer	Clemens V. Rault

APPOINTMENTS IN THE NAVY

To be ensigns

John C. Shannon	Jerry W. Bates
Charles R. Mischke	Edward F. Krueger
Charles B. Teal	

To be lieutenants (junior grade)

Lowell K. Cuuningham	Robert W. Jessee
James H. Harris	Lee W. Stewart

To be ensigns

Marshall V. Perry	Charles R. E. Dilly
Thomas H. Boothman	Earl F. Liebttag, Jr.
James C. Carroll	Harold H. Reichert
Fred L. Cofer, Jr.	William D. Warne

To be lieutenants (junior grade)

Robert C. Doerpinghaus  
William E. Nims

NURSE CORPS OF THE NAVY

To be ensign

Patricia L. Ratcliffe

APPOINTMENTS IN THE LINE OF THE NAVY

To be commander

William L. Eagleton

To be lieutenant commanders

Roger VanN. Powelson  
Gerald V. Reynolds

To be lieutenants

Harold M. Gutekunst  
Dick M. Wheat

APPOINTMENTS IN THE MEDICAL CORPS OF THE NAVY

To be lieutenant commanders

Joseph A. Forte, Jr.  
Henry W. Miller

To be lieutenants

Alfred J. DelRey  
Dominic A. Kuljis

To be lieutenants (junior grade)

Jay S. Broadbent	John M. Jones
Carleton J. Brown	James M. Keirman
David M. Butler	Jay R. Longley
Richard B. Connor	John S. Neill
Kevin A. Doyle	John M. Packard
Adolphus W. Dunn	Bernard H. Pender
John G. Esswein	Robert W. Ratton
Frederick L. Evans	Stanley E. Reese
Mack M. Hill, Jr.	Lawrence F. Smith

APPOINTMENTS IN THE DENTAL CORPS OF THE NAVY

To be lieutenant commanders

John E. Carson  
John R. Wible

To be lieutenants

William J. Harrison	Grant A. MacLean
James F. Keenan	Joe A. Teaff

To be lieutenants (junior grade)

Malcolm E. Boone	Charles E. Oxar
William J. Carter	Eugene P. Weigand, Jr.
Bayne A. Gumm	

APPOINTMENT IN THE MEDICAL SERVICE CORPS OF THE NAVY

To be lieutenant commander

William P. Briggs

APPOINTMENTS IN THE NURSE CORPS OF THE NAVY

To be lieutenants (junior grade)

Gladys LaV. Kennedy  
Ruth C. Vickers

IN THE MARINE CORPS

Maj. Gen. Clifton B. Cates to be Commandant of the Marine Corps with the rank of general for a period of 4 years from January 1, 1948.

Maj. Gen. William P. T. Hill to be Quartermaster General of the Marine Corps with the rank of major general, for a period of 2 years from February 1, 1948.

Maj. Gen. Thomas E. Watson to have the grade, rank, pay, and allowances of lieutenant general in the Marine Corps while serving as commanding general, Fleet Marine Force, Pacific.

## SENATE

MONDAY, JANUARY 26, 1948

The Chaplain, Rev. Peter Marshall, D. D., offered the following prayer:

O God our Father, we pray that the people of America, who have made such progress in material things, may now seek to grow in spiritual understanding.

For we have improved means, but not improved ends. We have better ways of getting there, but we have no better places to go. We can save more time, but are not making any better use of the time we save.

We need Thy help to do something about the world's true problems—the problem of lying, which is called propaganda; the problem of selfishness, which is called self-interest; the problem of greed, which is often called profit; the problem of license, disguising itself as liberty; the problem of lust, masquerading as love; the problem of materialism, the hook which is baited with security.

Hear our prayers, O Lord, for the spiritual understanding which is better than political wisdom, that we may see our problems for what they are. This we ask in Jesus' name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., January 26, 1948.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FORREST C. DONNELL, a Senator from the State of Missouri, to perform the duties of the Chair during my absence.

A. H. VANDENBERG,  
President pro tempore.

Mr. DONNELL thereupon took the chair as Acting President pro tempore.

ATTENDANCE OF A SENATOR

GUY CORDON, a Senator from the State of Oregon, appeared in his seat today.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, January 23, 1948, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 84. An act for the relief of Mrs. Clinton R. Sharp;  
S. 99. An act for the relief of John T. Hollandsworth, Jr.;  
S. 136. An act for the relief of Ioannis Stephanes;  
S. 166. An act for the relief of Anna M. Kinat (Mrs. John P. Taylor);  
S. 167. An act for the relief of Mrs. Yoneko Nakazawa;  
S. 185. An act for the relief of Thomas Abadia;  
S. 186. An act for the relief of Santiago Naveran;  
S. 187. An act for the relief of Antonio Arguinzonis;  
S. 189. An act for the relief of Simon Fermin Ibarra;  
S. 190. An act for the relief of Pedro Ugalde;  
S. 191. An act for the relief of Julian Uriarte;  
S. 192. An act for the relief of Juan Llona;