

CONFIRMATIONS

Executive nominations confirmed by the Senate June 8 (legislative day of June 1, 1948):

MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Hon. Andrew McCaughrin Hood to be an associate judge of the municipal court of appeals for the District of Columbia.

UNITED STATES COURT OF CUSTOMS AND PATENT APPEALS

NOBLE J. JOHNSON to be an associate judge of the United States Court of Customs and Patent Appeals.

UNITED STATES ATTORNEY

J. Skelly Wright to be United States attorney for the eastern district of Louisiana.

DEPARTMENT OF THE TREASURY

Thomas J. Lynch to be general counsel for the Department of the Treasury.

COLLECTOR OF CUSTOMS

Austin J. Mahoney to be collector of customs for customs collection district No. 8, with headquarters at Rochester, N. Y.

IN THE ARMY

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

The nominations of Col. James Lendsey McKinnon et al., to be colonels in the Regular Army of the United States, under the provisions of sections 502 and 510 of the Officer Personnel Act of 1947, were confirmed today, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for Thursday, June 3, 1948, under the caption "Nominations," beginning on page 7042 with the name of Col. James Lendsey McKinnon, and ending on page 7043 with the name of Brig. Gen. Paul Frailey Yount.

The nominations of Col. Leon Jacob Livingston et al., to be lieutenant colonels in the Regular Army of the United States, under the provisions of sections 502 and 518 of the Officer Personnel Act of 1947, were confirmed today, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for Thursday, June 3, 1948, under the caption "Nominations," beginning on page 7043 with the name of Col. Leon Jacob Livingston, and ending on page 7060, with the name of Chaplain (Lt. Col.) John James Wood.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES, IN THE GRADE AND CORPS SPECIFIED, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE ARMY, UNDER THE PROVISIONS OF SECTION 506 OF THE OFFICER PERSONNEL ACT OF 1947 AND TITLE II OF THE ACT OF AUGUST 5, 1947 (PUBLIC LAW 365, 80TH CONG.)

To be lieutenant colonel

Howard W. K. Zellhoefer, MC, O233474.

To be majors

Charles T. Brown, MC, O301818.

Paul V. Davis, MC, O1685365.

Horace W. Doty, Jr., MC, O212407.

William W. Franklin, DC, O272330.

Vance H. Marchbanks, Jr., MC, O379380.

Harry Spitz, MC, O209984.

James C. Vanneter, MC, O247042.

To be captains

Jesse F. Brown, MC, O1747307.

Roy E. Clausen, Jr., MC, O1786358.

Oscar K. Diamond, MC, O402602.

George J. Hayes, MC, O1725182.

John J. Kavanagh, MC, O542367.

Julien C. Kennedy, MC, O392610.

James W. Lassiter, MC, O469872.

Charles S. Lueth, MC, O1725172.

Richard L. Martin, MC, O1747313.

Melvin T. Pennell, MC, O414939.

Earl S. Smith, DC, O1775014.

William C. Strong, DC, O1746019.

Henry Thompson, Jr., MC, O539345.

Norman A. Tigger, MC, O1725493.

To be first lieutenants

Charles F. Althaus, MC, O936899.

Francis E. Barry, MC, O1705683.

John R. Black, MC, O1786936.

Ralph W. Clements, MC, O1718624.

Millard E. DeYoung, DC, O1756583.

Charles C. Dugan, MC, O490998.

Cloyce L. Duncan, MC, O935981.

William F. Enos, Jr., MC, O1705088.

James D. Green, MC, O1756385.

Harry M. Henderson, Jr., MC, O1776460.

Frank F. Marsh, MC, O1714764.

Marion E. McDowell, MC, O1765012.

William A. Moore, MC, O1786509.

Thomas M. O'Grady, MC, O1717760.

Edmond Scavone, MC, O1725570.

Martin J. Schumacher, MC, O1755987.

David G. Simons, MC, O1726132.

Harry F. Sproat, MC, O935706.

Richard J. Sullivan, DC, O1746777.

Clarence G. Sutherland, MC, O1735210.

George C. Walter, MC, O1786575.

Gordon T. Wannamaker, MC, O1736519.

William H. Westbrook, MC, O1776236.

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES, IN THE GRADE OF SECOND LIEUTENANT, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE ARMY, UNDER THE PROVISIONS OF SECTION 506 OF THE OFFICER PERSONNEL ACT OF 1947

Regular Army

Lonnie E. Harrington, Wilmer C. Marvin Jr., Graham A. Penniman, Jr.

Walter N. Higgins, Jr., Lynn L. Pesson

John W. Hodnett, Jr., Walter Redd

Albert L. Loth, Jr., Robert P. Reder

James W. Mann, Jack R. Sadler

Robert W. Martin, John R. Tilden

IN THE AIR FORCE

APPOINTMENTS IN THE REGULAR AIR FORCE OF THE UNITED STATES, IN THE GRADE OF SECOND LIEUTENANT, WITH DATES OF RANK TO BE DETERMINED BY THE SECRETARY OF THE ARMY, UNDER THE PROVISIONS OF SECTION 506 OF THE OFFICER PERSONNEL ACT OF 1947

Regular Air Force

Stanley W. Ahrends, Thomas J. Mathews

James M. Burdette, Jr., Robert F. Saydah

George W. Mathews, Ofus L. Slayton, Jr.

Jr.

IN THE NAVY

Vice Adm. Forrest P. Sherman, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving under a designation in accordance with section 413 of the Officer Personnel Act of 1947.

The following five groups of appointments in the Navy, which were received by the Senate on Thursday, June 3, 1948, and which were confirmed today, appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for Thursday, June 3, 1948, under the caption "Nominations," beginning on the pages indicated:

The nominations of Aaron G. Alexander et al., beginning on page 7060 with the name of Aaron G. Alexander;

The nominations of Samuel J. Abel et al., beginning on page 7061;

The nominations of George W. Absher, Jr., et al., beginning on page 7064;

The nominations of Kenneth Adams et al., beginning on page 7066; and

The nominations of Raymond B. Corob et al., beginning on page 7067.

IN THE MARINE CORPS

The following-named citizens to be second lieutenants in the Marine Corps:

Stuart M. Cohen, John B. Garrett, Jr.

Morris N. Jenkins, John F. Merritt

Donald A. McCartin, Edward E. Smith

Frederic L. McGiffin, Roy M. DuCharm

Frank G. Peterson, Lyle H. Worster

The following-named permanent warrant officers, now serving in temporary commis-

sioned ranks, to be permanent commissioned warrant officers in the Marine Corps, to rank with but after second lieutenants:

Reuben C. Collins

Charles B. Hirsch

Richard S. Hooker

The following-named officers for appointment to the temporary grade of colonel in the Marine Corps:

Austin R. Brunelli, Edward H. Forney

Richard C. Mangrum, Samuel G. Taxis

Wynne H. Adams, Harry G. Fortune

John H. Cook, Jr., Walter T. Short

The following-named officers for appointment to the permanent grade of lieutenant colonel in the Marine Corps:

Wade M. Jackson, William M. Gilliam

Frank J. Ervin, Hector R. Mignault

The following-named officers for appointment to the temporary grade of lieutenant colonel in the Marine Corps:

Harry A. Waldorf

Nicholas A. Sisak

John W. Stevens II

The following-named officers for appointment to the permanent grade of major in the Marine Corps:

Frank R. Wilkinson, James C. Short

Jr., Howard M. Lee

Irving B. Hayes, Jules M. Rouse

Leslie A. Gilson, Jr., Fritz Stampfli

Paul M. Smith, George J. Brookes, Jr.

Whitman S. Bartley, Robert E. Johnson

Bruce E. Keith, Gordon L. Allen

Robert S. Anderson

The following-named officers for appointment to the permanent grade of captain in the Marine Corps:

Wallace D. Blatt, Louis R. Daze

Carl E. Schmidt, John Finn, Jr.

Baxter R. Little, Donald S. Hopkins

Orian R. Lodge, John R. Hyneman

George J. Edelmann, John C. Shoden

Jr., Richard B. Smith

The following-named officers for appointment to the permanent grade of first lieutenant in the Marine Corps:

Donald E. Holben, Jack H. Butler

James E. Condra, Robert D. Winn

James M. Hayes, Donald E. Morin

Patrick J. Hagarty

The following-named officer for appointment to the temporary grade of first lieutenant in the Marine Corps:

Roy L. Parker

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 8, 1948

The House met at 10 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord and Father, unto this waiting assembly do Thou manifest to each Member and officer such knowledge and wisdom that will guide the present-day life of our country. If any be conscious of undue burden or care which cannot be well endured, O reveal unto him Thy guiding presence. Forgive every empty resolution and wasted opportunity and keep us mindful of our own omissions that we may be patient with the follies of others.

We pray for those conditions out of which come spiritual discipline and understanding that is beyond the analysis of man. Bless our whole land, that our homes may become nurseries of virtue and affection in which we find strength

to be brave in the hour of adversity. O Master, touch our hearts and minds and lead us in the way everlasting. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolution (S. Res. 253):

IN THE SENATE OF THE UNITED STATES,

June 7 (legislative day, June 1), 1948.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. THOMAS L. OWENS, late a Representative from the State of Illinois.

Resolved, That a committee of two Senators be appointed by the Presiding Officer of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate, at the conclusion of its business today, take a recess until 11 o'clock a. m. tomorrow.

The message also announced that, pursuant to the above resolution, Mr. Lucas and Mr. Brooks were appointed members of the committee on the part of the Senate.

SPECIAL ORDER GRANTED

Mr. LEFEVRE. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes tomorrow following the regular business of the day and any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ADVICE TO BATTERY COMMANDER FROM LEAD DRIVER

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

THE SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, at Grand Island, Nebr., President Truman on his political or nonpolitical trip, as you will, was presented a pair of silver spurs which he promised to use on Congress.

In World War I, President Truman was an officer in a horse-drawn artillery regiment. I was a private, first class, in that same regiment—a driver of a lead pair. Captain Truman, One Hundred and Twenty-ninth Field Artillery, knew what President Truman, U. S. A., should not forget.

A lightly, judiciously applied spur to a horse—lead, swing, or wheel—may be a good thing. But when the horse is “gigged” too sharply it can become a bucking, kicking, biting, stamping package of viciousness, capable of unseating its rider.

May a former lead driver respectfully advise the former battery commander to use those spurs lightly and judiciously?

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article. I am informed by the Public Printer that it will exceed two pages of the RECORD and will cost \$195, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

Mr. DONDERO asked and was given permission to extend his remarks in the Appendix of the RECORD and include a letter.

Mr. POULSON asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. KUNKEL asked and was given permission to extend his remarks in the RECORD and include two editorials from the Washington Star on the Mundt-Nixon bill.

Mr. FOOTE asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial and a resolution.

Mr. SEELY-BROWN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. RICH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by George S. Benson, president, Harding College, in reference to aid for education.

STANDARD OF LIFE

Mr. MATHEWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MATHEWS. Mr. Speaker, we will not make much real progress until we again put the standard of life ahead of the standard of living.

ADDITIONAL COMPENSATION TO WIDOWS AND OTHER DEPENDENTS OF CERTAIN VETERANS

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 647, Rept. No. 2232), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3748) to provide additional compensation to widows and other

dependents of certain veterans, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs, the bill shall be considered as having been read for amendment, and no amendment shall be in order to the said bill. At the conclusion of general debate, the Committee shall rise and report the bill to the House, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

INCREASES OF COMPENSATION FOR CERTAIN VETERANS OF WORLD WAR I AND WORLD WAR II

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 648, Rept. No. 2233), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5588), to provide increases of compensation for certain veterans of World War I and World War II with service-connected disabilities who have dependents, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs, the bill shall be considered as having been read for amendment, and no amendment shall be in order to the said bill. At the conclusion of general debate, the Committee shall rise and report the bill to the House, and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

THE PRESIDENT'S NONPOLITICAL TOUR

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, it must have been humiliating, yet quite understandable, why the President had 8,000 empty seats before him in the auditorium at Omaha, Nebr. when he spoke the other night. I have been informed only 1,200 people were present. All of the people are getting tired of his double-talk. He accuses the other candidates of having farm programs only in the West and forgetting it when they are down East.

Mr. Truman has a farm program in the West and is campaigning for higher commodity prices while touring the West, but cries out loudly against the high cost of living when he gets back East. All this does not add up in my book, and the public is getting tired of it and he will realize it before he gets back home.

He talks of high parity and supported prices, as well as a long-range agricultural program. All of this carries with it acreage restrictions and marketing

quotas. Now, of course, farmers everywhere are willing that prices should remain high, but they want those prices to be made in the market place and not in Washington. Farmers are universal in their opposition to controls. Supported prices have cost the taxpayers billions of dollars and caused prices to spiral upward. In fact, it causes commodities to be priced off of the market. I am thinking of apples, potatoes, and peanuts.

The price of peanuts has been taken from \$40 a ton to \$240 a ton, with the result that the Commodity Credit Corporation has so many peanuts on hand that they recently sold several million dollars worth to a Philadelphia dealer on a contract that the CCC would buy them back unless the purchaser could make money.

Surely, even the peanut growers cannot subscribe to this kind of business.

Farmer reaction to the administration's agriculture policy is quite evident in a statement issued recently by John A. Smith, who is secretary of the Pennsylvania State committee of the Agriculture Department's production and marketing division. Smith is complaining in an Associated Press article that farmers are slow in accepting the Federal hand-outs this spring. Smith claims it is due to low-cash income on the farms. This is definitely a misstatement of fact. It is due to the general disgust of the agriculture policy that prevails. Smith laments the fact that 13,000 less farmers in Pennsylvania are participating in the program this year than did a year ago.

This is what Mr. Truman is finding out on his western jaunt. People generally are finally catching up with the New Deal.

I received a letter this morning from Lakeland, Fla., from a lady complaining about the high cost of living, who says her husband is a retired railroad worker and finds it difficult to make ends meet on his retirement. She says she wrote to Senator PEPPER explaining her problem, and he in turn sent her one of the new cook books with 150 recipes, telling her how to make ends meet.

Now, she says, "I have been a house-keeper for 52 years, but we just cannot eat grass along with soybeans and all the stuff the cook book says is so grand and nourishing. Sure the Agriculture Department is a crazy bunch," and I agree she is exactly right.

If that is all that the New Deal has to offer, after 16 years of planning, is there any wonder that there is such a wave of righteous indignation rising all over the land?

EXTENSION OF REMARKS

Mr. DOMENGEAUX asked and was given permission to extend his remarks in the RECORD.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. LESINSKI asked and was given permission to extend his remarks in the RECORD and include a radio address he delivered over Station WWJ, Detroit, Mich.

VIRGIN ISLANDS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, about 30 years ago the Government of the United States acquired the Virgin Islands as a military base.

The Virgin Islands is an acquired possession of the United States. Our economic history since the purchase in 1917 reflects the absence of a stable colonial policy, a disregard—undoubtedly not intentional—for the basic economic development of the islands, a long chain of noncorrelated attempts of correcting the evils, and a condition today where the islands are faced with an economic catastrophe.

Let us briefly summarize the past 30 years' history:

First. The Virgin Islands were bought by the United States in 1917, during the First World War, for military reasons.

Second. Naval administration governed islands from 1917 to 1931.

Third. The main industries of St. Croix were sugar and rum. Prohibition was introduced in the United States, extended to the Virgin Islands, and the rum industry was killed.

Fourth. Private enterprise struggled on in the sugar industry, minus the rum business. Made money in 1921 for the last time, and went into bankruptcy in 1929.

Fifth. In 1931 civilian administration succeeded the Navy. The islands were placed under the jurisdiction of the Department of the Interior.

Sixth. Economy of St. Croix at the time of introduction of civilian regime entirely collapsed. The Red Cross stepped in and fed the majority of the population. Large tracts of land were converted from cane fields to pasture—farmers went into cattle raising, requiring fewer hands.

Seventh. Young men and women by the hundreds left the islands for New York. They represented the best of the younger population, those with energy and knowledge and skills and who had saved enough to pay for the passage. Very few of these people have ever returned to the islands.

Eighth. NRA, PWA, and other emergency programs of the early Roosevelt administration were extended to the Virgin Islands. Considerable sums of money were spent, however, on projects dictated and planned from national headquarters of the programs, without proper planning and integration with actual local long-range needs. The beneficial results of these programs were simply feeding, for the time being, of those employed, but no assets or improvements of sizable proportion were left for the community on which to build up the future.

Ninth. In 1934 the Virgin Islands Company was formed as a Government corporation to resume the growing of cane

and production of sugar and rum and to engage in other projects for the economic uplift of the islands. The Company has employed from 800 to 1,500 persons, depending upon the seasons of the year. During the years since its formation the Company has not succeeded financially, but it has constituted the balancing factor between a minimum standard of living and starvation for the majority of the population. The benefits from its operation have not extended only to those directly employed by the Company, but, of course, to the entire islands' economy in many direct and indirect ways.

Businessmen have not considered the management of the Virgin Islands Company as entirely efficient, or even prudent, and it is their belief that considerable improvements could be effected in the administration of the Company.

Tenth. After the lifting of prohibition, private industry also engaged in the production of rum, and this business became a good booster of the local economy culminating during the last war, but now entirely at a standstill.

Eleventh. In 1936 the Organic Act of the Virgin Islands was passed by Congress. Universal suffrage was introduced.

Twelfth. The islands were climbing up the ladder at the time the last war started. During this war limited military activities were extended to the Virgin Islands, mainly in St. Thomas, where large installations were built, while in St. Croix only an airport was built, Benedict Field. Before the close of the war the importance of the Virgin Islands for the conduct of the war had diminished, and military contingents were withdrawn. The expenditures made by the military authorities had been absorbed by the community in the form of pay rolls, and so forth, more or less in the same way as money distributed during the operation of emergency programs mentioned above. There were no war industries of any type established in the islands. The rum business boomed as a result of the war.

Thirteenth. The postwar period has brought about a momentarily very dark economic picture for the Virgin Islands. This same period has also brought excellent possibilities of a permanent solution of the economic problem. It is a very delicate period, and without proper planning and vision we might lose the advantages.

First the unfavorable factors:

(a) The war disrupted a normal development of a budding tourist industry, it created no new industries, it left a crippled rum industry, the meat export to Puerto Rico through the local abattoir has been discontinued as non-competitive with duty-free meat imports to Puerto Rico from the Dominican Republic. The inhabitants of the islands depend upon imported food, clothing, and so forth. The price of these items have skyrocketed in the United States proper, and the prices here have increased even more, because of increased cost of transportation. Consequently most cost-of-living commodities have increased over 100 percent in

cost, while the income of the inhabitants has decreased. This is probably the only area within the United States where the postwar economy has, so to speak, reversed. Only development of industry and export trade or direct subsidy from the United States' Congress can remedy the situation.

(b) The favorable factors are several. The Army left St. Croix with Benedict Field, one of the best airfields in the Caribbean. Efforts are presently being made to encourage direct flights from New York by Pan American World Airways, who are willing to use the field, provided the CAB approves their plans. Air transportation has placed St. Croix within 8 hours from New York. Our climate is wonderful, the beaches are excellent, there is plenty of land available for development for the tourist and vacation industry and for sites for winter homes. Our rainfall is scant, but it has been proved through experimentation last winter that we can grow tomatoes and ship at a profit to New York by air—or fast steamers during the mid-winter months. A private company has been formed which will ship in quantities next winter season. Many continental Americans have bought land in the island with the intent of putting up winter homes, several small hotels and guest houses have been built or planned. It is felt that with the proper capitalization for development of a tourist industry, diversification of the present one-crop—sugar—system, and development of small industries, it should be possible to finally bring about a sound self-sufficient economy for these islands.

This cannot be done overnight. It will take considerable experimentation to develop a balanced diversified crop system, and some access to loans for development of the tourist industry will be necessary. In the proposed charter bill for the Virgin Islands Company have been included provisions which should take care of a proper development of our economy, and it is the opinion of this Chamber, which has already gone on record in favor of the rechartering, that the proposed new charter, as it now reads, would constitute no competition to established business and industry. Under the provisions of the new charter, the Virgin Islands Company would be in an excellent position to help the islands pass the next few and difficult years, and it seems reasonable to expect that if the Virgin Islands can use the next 5 years to build up their economy based upon the new opportunities, then the future need for Federal assistance should be negligible.

TAFT-ELLENDER-WAGNER BILL

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'TOOLE. Mr. Speaker, the Eightieth Congress is rushing and roaring blindly under the lash of the Republican leadership down the road to adjournment. Like all run-aways, it is ob-

livious to everything in its path. It sees not, nor hears not. There will be adjournment despite the failure of the Republican leadership to allow the Congress to consider some of the most crucial problems that have ever faced the Republic.

Committees that are handling the legislation affecting these problems are either being handcuffed by the leadership or by their own chairmen who in most instances even refuse to consider the plight of millions of our citizens.

As Pope Pius XII said but a few days ago, one of the two most vital problems in the world today is the question of proper housing. This is particularly true in these United States. Millions of our people, veterans and nonveterans, single and married, find themselves not only with inadequate housing, but with unsanitary, antiquated, disreputable dwellings. In Brooklyn, a community of 2,800,000 people, the problem has reached such proportions that it now borders on catastrophe. The head of our local government, the Honorable John Cashmore, is besieged morning, noon, and night by unfortunate human beings who are victims of the housing debacle. They represent almost every degree of our social scale—the poor, the middle class, and even the upper crust. We have had men and women with families sleep on the borough hall steps until succored by Mr. Cashmore. The borough president has held conferences with private builders, housing authorities, charitable, church, veteran, and fraternal groups in an effort to bring about some relief. He has made frequent visits to Washington to consult those in charge here. He has held a series of conferences with the nine Congressmen of Brooklyn in an effort to develop some workable plan. He has come to the conclusion, as have all the people who have studied this problem, that the only solution is the passage of the Taft-Elleender-Wagner bill.

Private builders have endeavored to fill the needs of the country, but have failed miserably. The problem is too vast for private enterprise to handle alone. While I recognize that the great majority of the builders are honest, decent Americans, yet there is scarcely a community in the United States today that is not having a scandal as a result of the acts of jerrybuilders. Veterans and nonveterans have lost their life savings in purchasing new homes which later developed to be nothing more than improperly erected packing boxes.

The problem is more than a political one. It is as Mr. Cashmore said in a recent meeting with the Brooklyn congressional delegation:

One of the greatest moral issues of our day.

He said that—

Families are being broken up, homes destroyed, and the friendly relationship between "in-laws" battered.

He further stated that—

No architect, regardless of his degree of skill, has ever been able to design an apartment spacious enough for two families to live in in peace and happiness. It is one of the greatest contributing causes of juvenile delinquency in our community.

Gentlemen, these are the words of a man who has control of the civil destinies of close to 3,000,000 people. His situation is not unique. His words have been echoed by the civil heads of our local governments throughout the Nation. Gentlemen, the responsibility must rest somewhere, and it does. It rests fairly and squarely in the halls of this Congress. It rests particularly in the committee room of the Committee on Banking and Currency, which has charge of housing legislation. If that committee, and if this House does not care to face this problem that is bringing ruination and moral degradation to millions of our people, then the answer must be made not only to the electorate but also to Almighty God. If we are contributing through nonfeasance to the increase of divorce, to the increase of juvenile delinquency, to the lowering of the national birth rate, to a lower standard of living, to the promotion of crime, and to the general discomfort of our people, we have failed in our trust and we are not worthy of sitting as the people's representatives in this body.

It is my sincere hope that every Member of this Congress will bring the utmost pressure to bear upon the chairman of the Committee on Banking and Currency in an effort to bring the Taft-Elleender-Wagner bill to the floor. If we are not successful in this effort, then I ask that you follow my example and refuse to vote for adjournment until such time as the measure is brought before this House.

THE LATE SENATOR OVERTON

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Speaker, 3 weeks ago Senator John Overton, of Louisiana, died at the Bethesda Medical Center and speeches were made praising his magnificent work as a leader for flood control and rivers and harbors work. One of the last acts of the Senate prior to his death was to place in the civil functions appropriations bill an item to begin work on the Overton Red River canal—a project dedicated to his legislative work and his memory. Were Senator Overton alive today, he would be sitting beside the House and Senate conferees working on this bill with them.

The people of Louisiana are hopeful. They are very hopeful that this item will be retained in the bill. They are pleading that conferees will continue the recognition in death which this Congress has willingly given in life. The Overton Red River canal project should remain in the civil functions bill.

SPECIAL ORDER GRANTED

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, I am asking for this time in order to make a unanimous-consent request that on Thursday next, after the disposition of the business on the Speaker's table and all special orders granted for the day I may be granted 1 hour's time for the purpose of the delegation from California to place in the RECORD their opinions of the two retiring members of our delegation, the gentlemen from California [Mr. ELLIOTT and Mr. LEA] and for the convenience of any other Members who desire to participate.

Mr. LEA has served in this House for 32 years with an honorable and creditable record. Mr. ELLIOTT has served for 10 years. Both are retiring voluntarily, neither having sought reelection in the primaries. I think it is incumbent upon us to express our opinions in the RECORD to show our appreciation for the services these gentlemen have rendered to the Nation. I invite and would appreciate other Members of the House besides the California delegation to participate in these ceremonies.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

WORLD ASSEMBLY OF MORAL REARMAMENT

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, last week it was my great privilege to represent, though unofficially, the United States in the World Assembly of Moral Rearmament held in Los Angeles, Calif. In attendance were about 200 prominent leaders of industry, labor, and of governments of 21 countries, Britain, France, Burma, China, Greece, Germany, Japan, Italy, Sweden, India, and many others.

The basic purposes as expressed by almost all of the foreign representatives was the preservation of Christian democracy throughout the world.

It was most inspiring to feel the warmth and friendship of all in one common cause, a better world understanding in social and spiritual needs of all the earth and also of the ultimate defeat of totalitarianism in any form.

You who saw the Good Road in Washington were inspired by the message of an ideological answer to totalitarianism and the preservation of our own Christian democracy.

The Good Road was presented by the same cast in the Hollywood Bowl last Thursday night to an audience of 20,000 people. That it was well received is putting it mildly.

Dr. Frank N. D. Buchman, founder of Moral Rearmament, was honored on this occasion of the tenth anniversary of its birth. A delegation of nine from Japan were most deeply interested in the purposes of Christian democracies as well as prominent leaders from Germany, China, and many others. I might quote

from many messages received by mail and cable to the World Assembly but I quote one from the Minister of Labor of India, the Honorable Jagjivan Ram:

Am wholeheartedly in sympathy with the ideals of moral rearmament. Without a spiritual program neither economic rehabilitation nor military preparation will save the peoples of the world from disasters too terrible to contemplate.

The leaders and workers in moral rearmament are an inspired people, giving of their time and money generously for a most worthy cause, to live in a country where democracy lives, to enjoy the freedoms and the many privileges in a democracy instead of a totalitarian state where everyone becomes the slave of the dictator. It is my firm belief that moral rearmament is the greatest moving force in the world today for preservation of Christian democracy.

EXTENSION OF REMARKS

Mr. JAVITS asked and was given permission to extend his remarks in the RECORD.

Mr. O'KONSKI asked and was given permission to extend his remarks in the RECORD on two different subjects.

Mr. BUSBEY asked and was given permission to extend his remarks in the RECORD and include an editorial entitled "Cracked Voice," from the Wall Street Journal of June 4.

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD in two instances.

Mr. HAND asked and was given permission to extend his remarks in the RECORD and include a speech on the subject of reciprocal trade.

SPECIAL ORDERS GRANTED

Mr. JAVITS. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

PAY RAISES FOR POSTAL AND OTHER FEDERAL EMPLOYEES

Mr. FULTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON. Mr. Speaker, I am appearing this morning as a gentle reminder that we should not forget the pay raise for our good postal employees and the other Federal employees. Of course, Congress has many bills before it, and we are getting down to the last-minute rush

when there are many worthy causes which should be heard, but we have had news that promises were made to the postal employees and the Federal employees that they would be considered for a pay raise before this Congress adjourns.

I think that not only the Republicans but the Democrats should put forward every effort to see that these worthy employees are given their just recognition. They have never struck, they have never held up the mails, they have never done anything but do their job efficiently and without complaint. When we find employees in industry getting raises year by year, the least we in Congress can do is to consider these people more than two or three times in a period of 25 years. I think the pay raise is overdue because of the admittedly great increase in the cost of living.

I hope Congress immediately passes an \$800 cost-of-living increase in pay for these employees, in order to maintain the fine personnel we now have on a career basis. This increase should be made retroactive as there is no doubt that the present scale of compensation has been inadequate to support these families on a decent basis for some time. I urge immediate action by Congress.

COMMUNIST PERSECUTION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include some newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, were it not for the fact that we are crowded for time I would rise to a question of personal privilege and discuss the persecution that is being carried on against me even in the courts of the District of Columbia—not by the courts but in the courts.

You saw in the morning paper about this lawsuit that has been inspired solely because of my activities on the Committee on Un-American Activities in trying to protect my country against those subversive elements that are plotting the overthrow of our Government and the destruction of our American way of life.

It is nothing in God's world but an attempt to embarrass me here and at home. This morning a friend of mine from Ohio sent me a newspaper clipping along the same line. It says:

The Columbus Civil Rights Committee—

That means the Communist front, if you want to know—

yesterday announced plans for an extensive drive in Columbus Sunday as a part of the observance of national Civil Rights Day.

The group will seek contributions for the national fund to aid the civil rights program and will also seek signatures for petitions calling for the ouster of Congressman RANKIN, of Mississippi, and endorsing anti-lynching legislation and other civil-rights legislation.

A goal of \$1,000,000, the equivalent of \$1 for each Negro who served in the armed forces during World War II, has been set nationally for the national radio goodwill fund drive.

Mr. Speaker, if they want to oust me because of my stand for Americanism

and my opposition to the communistic civil rights program, I am ready for the vote—I am ready for the vote now. They are raising money as they have done before—they say they are raising tens of thousands of dollars to send to my district to try to keep me from coming back to Congress.

But they cannot bluff me.

All I have to say to these Reds and their satellites is in the words of Shakespeare—

Lay on, Macduff, and damn'd be him that first cries, "Hold, enough!"

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a radio speech.

SHORE PROTECTIVE WORKS AT NOME, ALASKA

Mr. DONDERO. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 57, authorizing a change in the enrollment of the bill (S. 1025) to provide for the construction of shore protective works at the town of Nome, Alaska.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 1025) to provide for the construction of shore protective works at the town of Nome, Alaska, to make the following correction, namely: In line 5 of the Senate engrossed bill, strike out the words "Secretary of War" and insert "Secretary of the Army."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WHITAKER (at the request of Mr. McCormack) was given permission to extend his remarks in the RECORD and include a newspaper article and editorial.

CAPITOL POWER PLANT

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 565) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expense of conducting the investigation and study of the present condition of the Capitol Power Plant incurred by the House Building Commission, not to exceed \$8,000, including expenditure for the employment of competent engineers, shall be paid out of the contingent fund of the House on vouchers authorized by such Commission, signed by the chairman of such Commission, and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CLERK OF HOUSE OF REPRESENTATIVES

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Ad-

ministration, I call up House Resolution 636 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That during the period of any adjournment or recess of the House after the close of the second session of the Eightieth Congress until January 3, 1949, the Clerk of the House is authorized to pay out of the contingent fund of the House an amount equal to 6 months' salary of any deceased employee of the House at the rate such employee was receiving at the time of his or her death and an additional amount not to exceed \$250 toward defraying the funeral expenses of any such employee to whomsoever in the judgment of the Clerk is justly entitled thereto subject to the approval of the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I call up Senate Concurrent Resolution 51 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That 1,000 additional copies of the hearings held before the Committee on Public Lands on Investigation of National Resources on May 15, 16, and 20, 1947, be printed for the use of the Committee on Interior and Insular Affairs.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

HOOVER DAM POWER AND WATER CONTRACTS AND RELATED DATA

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 391, a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the publication entitled "The Hoover Dam Power and Water Contracts and Related Data," published in 1933 by the United States Department of the Interior, shall be brought up to date and printed with illustrations as a House document.

With the following committee amendment:

On page 1, line 4, after the word "printed" insert "with illustration."

The committee amendment was agreed to.

The resolution was agreed to.

LONG-RANGE AGRICULTURAL POLICY, PARTS NOS. 1 AND 2

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 555, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Agriculture of the House of Representatives

be, and is hereby, authorized and empowered to have printed for its use 500 additional copies each of the hearings held before said committee during the Eightieth Congress entitled "Long Range Agricultural Policy, Parts No. 1 and No. 2."

The resolution was agreed to.

ECONOMIC FACTORS IN STATUTORY MINIMUM WAGES

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 557, a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That 3,000 additional copies of Senate Document No. 146, Eightieth Congress, second session, entitled "Economic Factors in Statutory Minimum Wages" be printed, of which 2,000 copies shall be for the use of the House document room and 1,000 copies shall be for the use of the Senate document room.

The resolution was agreed to.

OLD-AGE AND SURVIVORS' INSURANCE

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 558, a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That 3,000 additional copies of Senate Document No. 149, Eightieth Congress, second session, entitled "Old-Age and Survivors' Insurance," be printed, of which 2,000 copies shall be for the use of the House document room and 1,000 copies shall be for the use of the Senate document room.

The resolution was agreed to.

LONG-RANGE AGRICULTURAL POLICY—SELECTED TRENDS AND FACTORS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 588, a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Agriculture of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of the study prepared for said committee during the Eightieth Congress entitled "Long-Range Agricultural Policy—A Study of Selected Trends and Factors Relating to the Long-Range Prospect for American Agriculture."

The resolution was agreed to.

INTERNATIONAL MOVEMENTS OF THE COMMITTEE ON FOREIGN AFFAIRS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 611, a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved That there be printed as a House document and that there be printed 1,000 additional copies of supplement IV of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs, entitled "The Strategy and Tactics of World Communism—Five Hundred Leading Communists (in the Eastern Hemis-

sphere, Excluding the U. S. S. R.)," for the use of the Committee on Foreign Affairs.

The resolution was agreed to.

RECORDS OF SELECT COMMITTEE
ON FOREIGN AID

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I desire to call up House Resolution 601, a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Clerk of the House of Representatives is hereby authorized and directed to transfer all records of the Select Committee on Foreign Aid created by House Resolution 296, Eightieth Congress, to the Joint Committee on Foreign Economic Cooperation created by section 124 of the Foreign Assistance Act of 1948 (Public Law 472, 80th Cong.). Such transfer shall be upon condition that the joint committee will not commingle such records with any other records in its possession and will, when its need for such records ceases to exist, return them to the Clerk of the House of Representatives.

The resolution was agreed to.

DISPOSAL OF CERTAIN OBSOLETE
GOVERNMENT PUBLICATIONS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on Rules, I call up House Concurrent Resolution 204, authorizing the disposal of certain obsolete Government publications now stored in the folding rooms of the Congress, a privileged resolution, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Sergeant at Arms of the Senate and Doorkeeper of the House of Representatives, respectively, shall prepare a statement showing the noncurrent and obsolete congressional publications now stored in the folding rooms of the Senate and House of Representatives, respectively, and to submit an itemized list thereof, in duplicate, to the Joint Committee on Printing, which is hereby authorized and directed to dispose of the publications enumerated on such lists as follows:

First. A printed statement of such publications shall be submitted to each Senator, Representative, Delegate, Resident Commissioner, and officer of the Senate and House of Representatives, and any Member or officer of either House having any of such publications to his credit may dispose of the same in the usual manner at any time before September 1, 1948.

Second. Upon the expiration of the aforesaid time the Joint Committee on Printing shall furnish to all Members of the Senate and House of Representatives, respectively, as promptly as practicable, a list of the publications herein referred to then remaining in the folding rooms, and thereupon such publications shall be subject to the order of any Senator, Representative, Delegate, or Resident Commissioner, in the order in which they are applied for, for a period of 30 days after the day when such list shall be furnished by the Joint Committee on Printing, but no application for the transfer of these publications may be honored.

Third. The Joint Committee on Printing shall furnish a list of all such publications remaining in the folding rooms at the expiration of the last-named period to the various departments, independent offices, and establishments of the Government at Washington, including the Superintendent of Documents, Smithsonian Institution, Li-

brary of Congress, National Archives Establishment, Bureau of American Republics, and the Commissioners of the District of Columbia, and such publications shall be turned over to any department, independent office, or establishment making written request therefor and shall be allocated in the order in which their application is made, and all such publications which shall remain in the folding rooms for a period of 10 days after such list shall have been furnished to the departments, independent offices, or establishments aforesaid shall be delivered to the Superintendent of Documents, Government Printing Office, for such disposition as he may deem to be in the best interests of the Government, and submit a report to the Joint Committee on Printing showing the tonnage so disposed of, together with the amount of money derived from such sale which shall be deposited to the credit of miscellaneous receipts in the Treasury of the United States in accordance with existing law.

Fourth. No publication which is described in the list aforesaid shall thereafter be returned to the folding rooms from any source.

Mr. LECOMPTE (interrupting the reading of the resolution). Mr. Speaker, I ask unanimous consent that the resolution be considered as read. This is a long resolution, but a routine resolution which simply provides for cleaning up and disposing of surplus material in the folding room. It is in exactly the same form as previous resolutions on the same subject, except for the change of date.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

TO AMEND THE NATIONALITY ACT OF
1940

The Clerk called the bill (H. R. 2286) to amend the Nationality Act of 1940.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AUTOMOBILES FOR DISABLED VETERANS

The Clerk called the bill (H. R. 4007) to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AMENDMENT OF JUDICIAL CODE

The Clerk called the bill (H. R. 127) to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLVERTON. Mr. Speaker, the principal purpose of this bill is to relieve Federal employees from multiple State income taxes on their salaries and to permit, with certain exceptions, only the State in which such employee is domiciled to levy such tax.

It appears that many Federal employees who would normally be stationed in the District of Columbia, because of the abnormally crowded conditions in the District have been required to work in other taxing jurisdictions.

These conditions no doubt have accentuated the problem of multiple State income taxation. However, according to the advice of the Attorney General, since 1939 numerous cases have arisen in which a person employed by the United States and stationed in a State other than the State of his domicile, has been subjected to an income tax by each of the States involved. It is recognized also that there are probably numerous individuals other than Federal officers and employees who may be temporarily sojourning for business reasons in a State other than that of their domicile and who are, therefore, subjected to multiple taxation on their incomes.

The situation in which I am personally interested relates to the unjust and unfair Philadelphia wage tax. This tax is placed upon all who work in the city of Philadelphia, regardless of where they reside. The result is that thousands of employees living in the southern part of New Jersey are required to pay this tax. It is extremely unfair to them. They receive no benefits from the city of Philadelphia and generally they are required to pay their part of the expensive and inefficient administration that now exists in the city of Philadelphia.

Very recently, it has been divulged through the efforts of a Committee of Fifteen that thousands and even millions of dollars are alleged to have been misappropriated. This investigation is going on at the present time. It creates a situation that adds to the injustice that requires citizens of another State, and in fact all who live outside the city of Philadelphia, but who work therein, to pay tribute to a politically governed city. The payment of this tax by outsiders helps to keep drones on the pay roll of the city of Philadelphia. It is unfair; it cries out for adjustment, and it has been hoped that this bill would receive the approval of the House without the necessity of obtaining a rule to bring it before the House for action.

Mr. MALONEY. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

WAR DAMAGE COMPENSATION TO
SWITZERLAND

The Clerk called the bill (S. 1605) to provide for the payment of a sum not to exceed \$12,000,000 to the Swiss Government as partial compensation for damage inflicted on Swiss territory during World War II by United States armed

forces in violation of neutral rights, and authorizing appropriations therefor.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, this bill involves entirely too much money to be considered by unanimous consent. I therefore ask that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING RECLAMATION PROJECT ACT OF 1939

The Clerk called the bill (H. R. 3194) to amend the Reclamation Project Act of 1939.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 (e) of the Reclamation Project Act of 1939 (U. S. C., 1940 edition, title 43, sec. 485h (e)) is amended to read as follows:

"(e) In addition to entering into repayment contracts pursuant to the provisions of subsection (d) of this section, the Secretary may enter into short-term contracts to furnish water for irrigation purposes: *Provided*, That—

"(1) such contracts may be made with any water user or any group of water users within the area served by the project;

"(2) such contracts shall be made for a term of no longer than 5 years;

"(3) such contracts shall require payments annually in advance of delivery of water thereunder;

"(4) in making such contracts, the Secretary shall act in conformity with the provisions for repayment for irrigation as made by the Congress;

"(5) any and all amounts payable to the United States under such short-term contracts in excess of appropriate charges for operation and maintenance during the period of water deliveries thereunder shall be credited to the repayment of the construction costs allocated to irrigation and allocated for repayment by the water users."

Sec. 2. Section 9 of the Reclamation Project Act of 1939 is amended by adding thereto subsection (f) reading as follows:

"Sec. 9. (f) As an alternative to any other contractual arrangement with the Secretary for the delivery of water for irrigation to any part of a project area authorized by law, including the construction of any distribution system necessary to such delivery, any organization empowered to engage in the distribution of water for the irrigation of any area or any part of an area for the irrigation of which a project has been authorized, has received an appropriation is under construction, or has been constructed and with which a repayment contract has not been executed, may, at its option, obtain from the Secretary, who is hereby authorized and directed to negotiate the same, a repayment contract, which said contract shall provide that—

"(1) annual payments, which need not be equal, by the organization over a period of not to exceed 50 years after the first delivery of water to such organization so calculated as to return to the United States, without interest, an appropriate and proportionate share of the reimbursable cost of the project allocated to irrigation to be repaid by the water users, together with any construction cost incurred exclusively for any distribution system of the contracting organization: *Provided*, That such payments shall not be greater than those provided under any alternative form of contractual arrangement with the Secretary available to the contracting organizations;

"(2) the quantities and classes of water to be delivered under such contract and the

times and places agreed upon for such deliveries;

"(3) the vesting as appurtenant to the lands within the boundaries of the contracting organization of the perpetual right to use the water deliverable from such project to such organization: *Provided*, That all such rights shall vest in the manner and to the extent authorized by the laws of the State in which such irrigable lands are situated;

"(4) the time at which designated portions of the project facilities will be transferred to the contracting organization for the care, operation, and maintenance: *Provided*, That all organizations receiving water under the same project shall be accorded equality of treatment in the transfer to them of project facilities for care, operation, and maintenance: *And provided further*, That any such contracting organization upon the execution of a contract under this subsection, shall be entitled to take, for care, operation, and maintenance, all project facilities, including distribution systems, which serve it exclusively and shall be entitled, in conjunction with other organizations to take over all project facilities utilized jointly, for care, operation, and maintenance, as and when a suitable agency therefor has been created, all in accordance as nearly as may be, with the principles of subsection g of section 4 of the Second Deficiency Act, fiscal year 1924 (43 Stat. 702)."

No organization shall be required in any such contract to assume any obligation other than those specifically authorized by this act and consistent with this subsection.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That section 9 (e) of the Reclamation Project Act of 1939 (U. S. C., 1940 ed., title 43, sec. 485h (e)) is amended to read as follows:

"(e) In lieu of entering into a repayment contract pursuant to the provisions of subsection (d) of this section to cover that part of the cost of the construction of works connected with water supply and allocated to irrigation, the Secretary, upon agreement with the water users, may enter into either short- or long-term contracts to deliver water for irrigation purposes. Each such contract shall be for such period, not to exceed 40 years, and at such rates as in the Secretary's judgment will produce revenues at least sufficient to cover an appropriate share of the annual operation and maintenance cost and an appropriate share of such fixed charges as the Secretary deems proper, due consideration being given to that part of the cost of construction of works connected with water supply and allocated to irrigation; and shall require payment of said rates each year in advance of delivery of water for said year. In the event such contracts are made for delivering water for irrigation purposes, the costs of any irrigation water distribution works constructed by the United States in connection with the new project, new division of a project, or supplemental works on a project, shall be covered by a repayment contract entered into pursuant to said subsection (d).

"Contracts made under this subsection (e) shall—

"(1) be subject to section 8 of the Reclamation Act of June 17, 1902 (32 Stat. 388);

"(2) include provisions for the right of renewal thereof under terms and conditions mutually agreeable to the parties and consistent with the provisions of this subsection, and subject to increase or decrease in rates, if such increase is required in the light of increased costs of construction, or of operation and maintenance and is not beyond the ability of the water users to pay, or such decrease is justified in the light of the reduced costs of construction, or of operation and maintenance, as the case may be: *Pro-*

vided, That such right of renewal shall be exercised within such reasonable time prior to the expiration of the contract as the parties shall have agreed upon: *Provided further*, That the aggregate of the periods covered by any such contract and renewals thereof shall not exceed 50 years;

"(3) permit the execution of a contract under subsection 9 (d) upon terms mutually agreeable to the contracting parties: *Provided*, That such 9 (d) contract shall be subject to section 8 of the Reclamation Act of June 17, 1902 (32 Stat. 388); and

"(4) provide that all amounts payable to the United States in excess of appropriate charges for operation, maintenance, and reasonable and necessary replacements during the period of water deliveries thereunder shall be credited to the repayment of the project construction costs allocated to irrigation, assigned for repayment by the water users under the project, and subject to repayment by the organization executing such contracts.

"Contracts hereafter made under this subsection or under subsection (d) of this section shall, at the option of the organization concerned and subject to satisfactory and binding assurances that such works will be maintained in good operating condition, provide for the transfer to the contracting organization, for care, operation, and maintenance, of distribution works and project facilities designed to serve it exclusively: *Provided*, That the Secretary may enter into contracts for the transfer for care, operation, and maintenance of works which, in his judgment, may be utilized for serving more than one organization, only upon conditions which shall assure that such transfer will not be inconsistent with the utilization, present or prospective, of such works for authorized project purposes, with their efficient and integrated operation, and with due regard for the ultimate needs of the area affected.

"SEC. 2. Contracts entered into under the terms of section 9 (e) of the Reclamation Project Act of 1939 prior to the effective date of this act may be amended to the extent agreed upon by the Secretary of the Interior and the organization concerned and not inconsistent with the provisions of said section 9 (e) as amended by this act. Contracts heretofore entered into under the reclamation laws may, to the extent agreed upon by the parties, be amended in such a way as to afford to the organizations contracting thereunder the benefits of section 9 (e) as amended by this act."

Mr. McCORMACK (interrupting the reading of the amendment). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with, the amendment to be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AMEND SECTION 32 OF THE TRADING WITH THE ENEMY ACT

The Clerk called the bill (H. R. 5960) to amend section 32 (a) (2) of the Trading With the Enemy Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BECKWORTH, Mr. DEANE, and Mr. RAYBURN objected, and, under the rule, the bill was stricken from the calendar.

TRANSPORTATION SERVICES OF THE INLAND WATERWAYS CORPORATION

The Clerk called the bill (H. R. 5318) to provide for the continuation of the transportation services of the Inland Waterways Corp., for the disposition of its property and other interests, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PURCHASE OF CERTAIN LANDS AND MINERAL DEPOSITS FROM THE CHOCTAW AND CHICKASAW NATIONS

The Clerk called House Joint Resolution 363, providing for the ratification by Congress of a contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. CHENOWETH. Mr. Speaker, reserving the right to object, it seems that a rule has been granted on this bill. I ask the gentleman from Oklahoma.

The SPEAKER. The Chair can state that that is correct.

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

AUTHORIZING COAST GUARD TO OPERATE AND MAINTAIN OCEAN STATIONS

The Clerk called the bill (S. 2122) to authorize the Coast Guard to operate and maintain ocean stations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to assist in providing adequate meteorological communication facilities and to provide adequate search and rescue facilities for safe, regular, and economic air services over such regions of the oceans as are regularly traversed by commercial or military aircraft of the United States, the Coast Guard is authorized to operate and maintain such floating ocean stations as may be necessary or desirable to serve the needs of the armed forces and of the commerce of the United States, or to fulfill the international obligations of the United States.

Sec. 2. The Coast Guard is authorized, subject to approval by the Administrator of Civil Aeronautics, to operate, on floating ocean stations authorized by section 1 hereof, such air-navigation facilities as the Administrator may find necessary or desirable for the safe and efficient protection and control of air traffic. The Coast Guard, in establishing, maintaining, or operating any air navigation facilities herein provided, shall solicit the cooperation of the Administrator of Civil Aeronautics to the end that the personnel and facilities of the Civil Aeronautics Administration will be utilized to the fullest possible advantage.

With the following committee amendment:

Strike out all after the enacting clause and substitute therefor the following: "That the

Coast Guard is authorized to operate and maintain floating ocean stations for the purpose of providing search and rescue, communication, and air navigation facilities, and meteorological services in such ocean areas as are regularly traversed by aircraft of the United States: *Provided*, That prior to the establishment of any station the Secretary of National Defense shall certify as to the need for such station."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING MILEAGE ALLOWANCE OF 7 CENTS PER MILE FOR UNITED STATES MARSHALS

The Clerk called the bill (S. 692) to authorize a mileage allowance of 7 cents per mile for United States marshals and their deputies for travel on official business.

There being no obligation, the Clerk read the bill, as follows:

Be it enacted, etc., That United States marshals and their deputies shall, under regulations prescribed by the Attorney General and whenever such mode of transportation is authorized or approved as more advantageous to the Government, be paid in lieu of actual expenses of transportation not to exceed 7 cents per mile for use of privately owned automobiles or airplanes when used on official business or when used in necessary travel on official trips. In addition to the mileage allowance prescribed in this act, there shall be allowed to United States marshals and their deputies reimbursement for the actual cost of ferry fares and bridge, road, and tunnel tolls.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CREDITING OF SERVICE AS A CADET

The Clerk called the bill (S. 657) to amend the Pay Adjustment Act of 1942, as amended, so as to authorize crediting of service as cadet, midshipman, or aviation cadet for pay purposes, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CHANGE IN THE DUTY ON FIRE HOSE

The Clerk called the bill (H. R. 5608) to amend paragraph 1007 of the Tariff Act of 1930.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FREE IMPORTATION OF EVERGREEN CHRISTMAS TREES

The Clerk called the bill (H. R. 5612) to provide for the free importation of evergreen Christmas trees.

Messrs. SMITH of Wisconsin, MURRAY of Wisconsin, and H. CARL ANDERSEN objected.

AMENDING SECTION 624 OF THE PUBLIC HEALTH SERVICE ACT WITH RESPECT TO CONSTRUCTION OF HOSPITALS

The Clerk called the bill (H. R. 4816) to amend section 624 of the Public Health Service Act so as to provide a minimum allotment of \$250,000 to each State for the construction of hospitals.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 624 of the Public Health Service Act, as amended, is amended to read as follows: "Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment of a sum bearing the same ratio to the sums authorized to be appropriated pursuant to section 621 for such year as the product of (a) the population of such State and (b) the square of its allotment percentage (as defined in section 631 (a)) bears to the sum of the corresponding products for all of the States: *Provided*, That no such allotment to any State shall be less than \$250,000."

Sec. 2. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1948, and for each of the three succeeding fiscal years, such sums as may be necessary to provide increased allotments for the construction of hospitals pursuant to the first sentence of section 624 of the Public Health Service Act, as amended by the first section of this act.

Mr. KEAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEAN: On page 2, line 3, after "\$250,000" and before the period insert "But for the purpose of this proviso the term 'State' shall not include the Virgin Islands."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEFENSE HOMES CORPORATION

The Clerk called the bill (H. R. 5509) to authorize Defense Homes Corporation to convey to Howard University certain lands in the District of Columbia, and for other purposes.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENDING PROVISIONS OF TITLE VI OF THE PUBLIC HEALTH SERVICE ACT TO THE VIRGIN ISLANDS

The Clerk called the bill (H. R. 5889) to amend the provisions of title VI of the Public Health Service Act to the Virgin Islands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 631 of title VI of the Public Health Service Act is amended by adding after the term "Puerto Rico" appearing in subsection (a) thereof "and the Virgin Islands," and by changing subsection (d) thereof to read as follows: "the term 'State' includes Alaska, Hawaii, Puerto Rico, the Virgin Islands, and the District of Columbia."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That (a) paragraph

(a) of section 631 of the Public Health Service Act, as amended, is amended by inserting after 'Puerto Rico' the following: 'and the Virgin Islands.'

(b) Paragraph (d) of such section is amended to read as follows:

"(d) the term 'State' includes Alaska, Hawaii, Puerto Rico, the Virgin Islands, and the District of Columbia;."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHMENT OF THE NATIONAL ARCHIVES

The Clerk called the bill (H. R. 6293) to amend the act of June 19, 1934, providing for the establishment of the National Archives, so as to provide that certain fees collected by the Archivist shall be available for disbursement in the interest of the National Archives.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second paragraph of section 8 of the act entitled "An act to establish a National Archives of the United States Government, and for other purposes," approved June 19, 1934, as amended (49 Stat. 1821), is amended by inserting after the first sentence thereof the following new sentence: "All such fees shall be paid into, administered, and expended as a part of the National Archives Trust Fund created by section 5 of the National Archives Trust Fund Board Act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SYNTHETIC LIQUID FUEL PLANTS ACT OF 1948

The Clerk called the bill (H. R. 5475) to aid in preventing shortages of petroleum and petroleum products in the United States by promoting the production of synthetic liquid fuels.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PHILADELPHIA NATIONAL HISTORICAL PARK

The Clerk called the bill (H. R. 5053) to provide for the establishment of the Philadelphia National Historical Park, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMEND LANHAM ACT TO PERMIT SALE OF CERTAIN HOUSING

The Clerk called the bill (S. 2288) to amend the Lanham Act so as to permit the sale of certain permanent war housing thereunder to veterans at a purchase price not in excess of the cost of construction.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, is amended by inserting before the period at the end thereof a colon and the following: "Provided further, That whenever the Administrator disposes of any permanent house or structure containing not more than four family dwelling units under authority of this act by offering such house or structure for sale on an individual basis, he shall, when the purchaser is a veteran buying for his own occupancy, sell any such house or structure (1) at a purchase price not in excess of the apportioned cost of such house or structure and of the land and appurtenances allocated thereto, together with the apportioned share of the cost of all utilities and other facilities provided for and common to the project of which such house or structure is a part, or (2) at a purchase price not in excess of such considered full market value of such house or structure and the land, appurtenances, utilities and facilities allocated thereto, whichever purchase price is the less."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BUILDINGS FOR OLD-AGE AND SURVIVORS INSURANCE BUREAU

The Clerk called the bill (H. R. 3907) to authorize construction of buildings for the Bureau of Old-Age and Survivors Insurance.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ALLOCATION OF FUNDS TO GRANT COUNTY, IND.

The Clerk called the bill (H. R. 6127) to authorize the allocation of funds to Grant County, Ind., for payment of one-half the cost of a certain bridge across the Mississinewa River in Grant County, Ind., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), and all acts amendatory thereof and supplementary thereto, the Commissioner of Public Roads is hereby authorized and directed to allocate from any funds available, or that may become available for allocation to the State of Indiana the sum of \$48,276 to the county of Grant, State of Indiana, in payment of one-half the cost of a bridge across the Mississinewa River in East Thirty-eighth Street in the city of Marion, Ind., constructed by the county of Grant: *Provided*, That the specifications and construction of said bridge shall meet the established requirements of the Public Roads Administration for such structures.

With the following committee amendments:

Page 1, line 7, after the word "available", insert "under the Federal-Aid Road Act of 1944, as amended."

At the end of the bill insert a comma and "and that said bridge is located on an approved secondary highway."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER JURISDICTION OVER SCHOOL BUILDINGS

The Clerk called the bill (H. R. 5433) to transfer jurisdiction over certain school buildings in Vanport, Oreg., to the Federal Works Administrator and to authorize an appropriation to rebuild a school building in Vanport, Oreg., which was destroyed by fire.

Mr. CUNNINGHAM. Mr. Speaker, I am advised by the author of the bill that the purpose of it has now passed, and therefore ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

TIME CREDITABLE FOR PROMOTION IN THE POSTAL SERVICE

The Clerk called the bill (S. 1082) to credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any employee of the postal service who is in a position for which salary grades are provided in the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, and who transfers or is transferred from such position to any other position in the postal service for which salary grades are provided by such act, shall, for purposes of establishing eligibility for promotion in the position to which he transfers or is transferred, (1) in the case of an employee in a position for which automatic promotions are provided, be credited with all satisfactory service since his last automatic promotion and (2) in the case of an employee in a position for which automatic promotions are not provided, be credited with all satisfactory service, not exceeding 1 year of such service, performed in such position.

SEC. 2. Any such employee shall be eligible for promotion within the salary grades of his new position after completing an amount of service in such position, which when added to the prior service for which credit is provided by the first section of this act, gives such employee sufficient service for promotion in his new position.

SEC. 3. As used in this act, the term "employee" includes postmasters, officers, supervisors, special-delivery messengers in offices of the first class, and all other employees paid from field appropriations of the postal service for whom salary grades are provided in the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945.

SEC. 4. This act shall be applicable in determining eligibility for promotion of any employee who has been transferred from one position of the postal service to another prior to the date of enactment of this act and who has not received a promotion in his new position since such transfer, except that no employee shall be promoted because of

such application prior to the first day of the first quarter which begins after the date of enactment of this act.

SEC. 5. Any employee in the postal service whose services are utilized in a dual capacity shall be paid for service rendered in that capacity at the grade and rate of compensation authorized for the position to which he is temporarily assigned, and credit shall be allowed for all previous continuous service as a regular or substitute postal employee.

SEC. 6. The provisions of sections 1, 2, 3, and 4 of this act shall not apply to employees who transfer or are transferred to the position of post-office inspector or to the position of railway postal clerk.

With the following committee amendment:

Page 3, line 8, strike out lines 8 to 13, inclusive, and insert the following:

"SEC. 5. The rate of compensation of any employee in the postal service whose services are utilized in a dual capacity shall not be reduced as a result of employment in such capacity: *Provided*, That this section shall not apply to the rural delivery service."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CARE AND TREATMENT FOR VOLUNTARY ARMED SERVICE MEMBERS

The Clerk called the bill (S. 1470) 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 diseases while engaged in military training, and for other purposes," approved June 15, 1936, as amended, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to make provision for the care and treatment of members of the National Guard, Organized Reserve, 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 (49 Stat. 1507), as amended (act July 15, 1939, 53 Stat. 1042; sec. 5, act October 14, 1940, 54 Stat. 1137; 32 U. S. C. 164d; 10 U. S. C. 455e), is amended by adding at the end thereof the following new section:

"SEC. 2. As used in this act, the term 'in time of peace' shall include that period after September 2, 1945 (the date of formal surrender by Japan), which is prior to the first day on which the United States is, by action of the Congress, or the President, or both, no longer engaged in any war in which the United States is engaged on the date of enactment of this section.

"SEC. 3. The foregoing amendment shall be applicable to the Department of the Air Force to the same extent as if enacted prior to the passage of the National Security Act of 1947."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND ARMY-NAVY MEDICAL SERVICES CORPS ACT OF 1947

The Clerk called the bill (H. R. 5983) to amend section 202 of title II of the

Army-Navy Medical Services Corps Act of 1947, as amended, to remove the present restriction on appointments to the Navy Medical Service Corps.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 202 of title II of the Army-Navy Medical Services Corps Act of 1947, as amended, is hereby further amended to read as follows:

"SEC. 202. During the period that appointments to the Regular Navy may be made pursuant to section 5 of the act of April 18, 1946 (60 Stat. 92), appointments to the Medical Service Corps may be made in accordance with the provisions of the said act, in addition to appointments authorized by section 203 of this title."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STATUE OF COMMODORE JOHN BARRY

The Clerk called the resolution (H. J. Res. 297) to increase the sum authorized to be appropriated for the presentation to Eire of a statue of Commodore John Barry.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That section 2 of the joint resolution approved June 10, 1941, which authorized the President to present to Eire on behalf of the people of the United States a statue of Commodore John Barry, is hereby amended by striking out "\$20,000" and inserting in lieu thereof "\$30,000."

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT JUDGE FOR EASTERN DISTRICT OF PENNSYLVANIA

The Clerk called the bill (H. R. 5611) to provide for the appointment of one additional district judge for the eastern district of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to appoint, by and with the advice and consent of the Senate, one additional district judge for the eastern district of Pennsylvania.

SEC. 2. No successor shall hereafter be appointed to succeed the person who shall be appointed to be such additional judge unless such vacancy shall occur within 2 years after such appointment.

With the following committee amendments:

Page 1, line 5, after the period insert a colon and the words: "Provided, That the first vacancy occurring in said district shall not be filled."

Page 1, line 8, strike out line 8 and the remainder of the page.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRANTING EMPLOYEES TIME TO PARTICIPATE IN CERTAIN FUNERALS

The Clerk called the bill (H. R. 5964) to grant time to employees in the executive branch of the Government to par-

ticipate, without loss of pay or deduction from annual leave, in funerals for deceased members of the armed forces returned to the United States for burial.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That employees in the executive branch of the Government shall be excused from duty, without loss of pay or deduction from their annual leave, for such time as may be necessary, but not in excess of 6 hours in any one day, to enable them to participate in funeral ceremonies for members of the armed forces of the United States who lost their lives in World War II and whose remains are returned from abroad for final interment in the United States.

With the following committee amendments:

Page 1, line 3 after "Government", insert "who are veterans of the Spanish-American War, World War I, or World War II."

Line 5, strike out "shall" and insert "may."

Line 7, strike out "6" and insert "4."

Line 8, after "participate", insert "as active pallbearers or as members of firing squads or guards of honor."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF VETERANS' PREFERENCE ACT

The Clerk called the bill (S. 1493) to amend section 19 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 387), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the final period in section 19 of the Veterans' Preference Act of 1944 (58 Stat. 387), be changed to a semicolon and that the following be added thereto: "Provided, That any recommendation by the Civil Service Commission, submitted to any Federal agency, on the basis of the appeal of any preference eligible, employee or former employee, shall be complied with by such agency."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FURTHER BENEFITS FOR CERTAIN VETERAN EMPLOYEES

The Clerk called the bill (H. R. 4917) to provide further benefits for certain employees of the United States who are veterans of World War II and lost opportunity for probationary civil-service appointments by reason of their service in the armed forces of the United States, and who, due to service-connected disabilities, are unable to perform the duties of the positions for which examinations were taken.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of July 31, 1946 (60 Stat. 749; 5 U. S. C. sec. 645a), is hereby amended by adding thereto the following:

"(c) Any person within the terms of this section, who, due to a disability incurred because of military service in World War II, is unable to perform the duties of the position designated by him at the time of taking the examination for appointment thereto, may upon written request at any time have his

name entered upon any list of eligibles for any position for which a like examination is required and such entry shall be made without any loss of seniority or other rights of eligibility conferred by this section: *Provided*, however, That this act shall not be construed to extend the period of eligibility which such person would have otherwise had."

Mr. KEATING. Mr. Speaker, this bill is in every respect deserving of favorable consideration. Sponsored by the distinguished chairman of the Committee on Post Office and Civil Service, its terms are identical with those embraced in a measure which I introduced on June 23 last year, except that the applicability of my bill was limited to postal workers, whereas this covers any civil-service employee. I, of course, favor the broadening of its beneficial purposes.

My attention was drawn to a situation calling for remedial action by a case outlined to me by one of my constituents.

Back in 1941, he took the examination for a postal carrier and received a rating of 93 percent. Later, he enlisted in the Army and was badly wounded in Germany, with the result that he now has a 70-percent disability.

In March, 1946, he was given a probationary appointment as a substitute carrier, but found that he was not physically able to do this work, which involved, of course, carrying heavy sacks of mail and a great deal of leg work. Consequently, in March of last year, he was reassigned to the position of substitute clerk.

The difficulty is, however, that despite his high rating on the examination, he has lost all of the important seniority rights which he would have had on the carrier list, since, under present law, his name was removed from that list when he received the clerk appointment. This, in the face of the fact that the original examination which this young man took was one given for either the position of carrier or clerk and was identical in all respects for both positions.

Accordingly, here was a case of a veteran who was badly wounded in the service of his country, who lay in an overseas hospital for many weary months, and who, upon returning to his country to take up his job after convalescence, found he would have to take his place far behind those who had received much lower marks in the same examination.

The measure, originally advocated by me and now before us, would amend the civil-service law to provide that any civil-service employee who, due to a disability incurred in military service, is unable to perform the duties of a position designated by him at the time of taking the examination may have his name entered on any list of eligibles for any position for which the same examination is required. It further provides that such action shall be taken without any loss of seniority or other rights of eligibility conferred by the civil-service law.

Good faith and fairness to those Federal employees whose bodies were broken in the service of their country requires favorable action on this legislation.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE TO JOHNSON CITY, TENN.

The Clerk called the bill (H. R. 6448) to direct the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby directed to convey to the city of Johnson City, a municipal corporation of the State of Tennessee, without consideration and on behalf of the United States, a tract of land located in the ninth civil district of Washington County, Tennessee, on the north side of United States Highway 11E approximately 1 mile west of the corporate boundary of Johnson City, Tenn., and more particularly described, as follows:

Beginning at the northwest corner of the property of the United States of America now under the jurisdiction of the Veterans' Administration, known as Veterans' Administration center, Mountain Home, Tennessee. This beginning point is also the northeast corner of property transferred from the Veterans' Administration to the Tennessee Valley Authority by Executive Order Numbered 9771, dated August 24, 1946; thence north eighty-six degrees fifty-six minutes east nine hundred and eight-tenths feet; thence south one degree thirty minutes west three hundred and seventy-two feet; thence south eighty-six degrees five minutes east five hundred and ninety-one feet; thence south four degrees, fifteen minutes west one hundred and forty-three and five-tenths feet to the north side of United States Highway 11E; thence with said highway south sixty-nine degrees forty minutes west one thousand six hundred and two feet to corner of said property transferred by Veterans' Administration to Tennessee Valley Authority by Executive Order 9771 aforesaid; thence north one degree thirty minutes east for a distance of one thousand and sixty-three and three-tenths feet to the beginning.

Sec. 2. It shall be made a condition of the deed of conveyance that the tract of land so conveyed shall be maintained by such municipal corporation only for fairground or other recreational purposes. If such municipal corporation ceases to maintain such tract for such purposes or attempts to alienate all or any part of such tract, title thereto shall revert to the United States.

With the following committee amendments:

Page 1, line 4, strike out "directed" and insert "authorized."

Page 3, line 5, after "States.", insert "The deed shall reserve to the United States the interests in fissionable material as provided in Executive Order 9908, dated December 5, 1947."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Administrator of Veterans' Affairs to convey certain land in Tennessee to the city of Johnson City."

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN POSTAL EMPLOYEES

The Clerk called the bill (H. R. 6130) for the relief of certain postal employees.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all employees at first- and second-class post offices who were reduced from the position of regular clerk or regular carrier to the position of sub-

stitute clerk or substitute carrier prior to July 1, 1945, or who were formerly regular clerk or regular carrier and were reinstated as substitute clerk or substitute carrier prior to July 1, 1945, and whose compensation was converted to \$1.24 per hour effective July 1, 1945, instead of \$1.04 per hour as provided by sections 12 (a) and 24 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945 (59 Stat. 435, ch. 274), are hereby relieved of all liability to refund to the United States any amounts paid to them as a result of such overpayment of salaries from July 1, 1945, until the date their compensation was adjusted to conform to the provisions of the act of July 6, 1945 (59 Stat. 435, ch. 274), as amended, and in the audit and settlement of the accounts of any postmaster or other designated disbursing officer of the Post Office Department or postal service the amounts paid to such employees from July 1, 1945, as compensation shall be considered to have been authorized. Any amounts heretofore credited to such employees, or refunded to the United States by them on account of such overpayment of salaries shall be repaid to them out of any money available for the payment of salaries to city delivery carriers and clerks at first- and second-class offices: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIMITING OPERATION OF CERTAIN SECTIONS OF THE CRIMINAL CODE

The Clerk called the joint resolution (H. J. Res. 378) to limit the operations of section 109 and 113 of the Criminal Code, and sections 361, 365, 366 of the Revised Statutes, and certain other provisions of law.

There being no objection, the Clerk read the joint resolution, as follows:

Be it enacted, etc., That nothing in section 109 or 113 of the Criminal Code (U. S. C., 1940 edition, title 18, secs. 198 and 203), or in sections 361, 365, or 366 of the Revised Statutes (U. S. C., 1940 ed., title 5, secs. 306, 314, and 315), or in any other provision of law imposing restrictions requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States shall apply with respect to counsel serving under the provisions of House Resolution 196, Eightieth Congress, first session, agreed to April 28, 1947, and House Resolution 479, Eightieth Congress, second session, agreed to March 9, 1948.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FUR PRODUCTS LABELING BILL OF 1947

The Clerk called the bill (H. R. 3734) to protect consumers, retailers, distributors, manufacturers, dealers, and pro-

ducers from misnaming, misbranding, improper identification, and deceptive or misleading advertising of fur products and articles made in part or in whole from fur, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOMENGEAUX. I object, Mr. Speaker.

AMENDING PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (H. R. 3934) to amend the Public Health Service Act with respect to venereal disease rapid treatment centers, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Venereal Disease Rapid Treatment Center Act."

Sec. 2. Section 314 of the Public Health Service Act, as amended (42 U. S. C. 246), is hereby amended by adding at the end thereof the following new subsection:

(k) Funds appropriated under subsection (a) for a fiscal year, which are not determined by the Surgeon General to be available for allotment among the several States pursuant to subsection (d), may also be used by the Service to establish, operate, and maintain facilities for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases, including transportation and subsistence of persons afflicted with venereal diseases, and their attendants, to and from the places of treatment, or allowances in lieu thereof; diagnosis and treatment, including emergency treatment for other illnesses, of such persons through contracts with physicians and hospitals and other appropriate institutions; reasonable expenses of preparing remains, and of burial, of deceased patients; furnishing, repairing, and cleaning of wearing apparel prescribed by the Surgeon General for use of employees in the performance of their official duties; recreational supplies and equipment; and repair and alteration of leased facilities. Such funds may also be used for grants of money, services, supplies, equipment, and facilities to States and, with the consent of the respective State health authorities, to counties, health districts, and other political subdivisions of the States for the establishment, operation, and maintenance of facilities for the diagnosis, care, and treatment of persons afflicted with venereal diseases, including case finding and referral of voluntary patients to places of treatment. Such grants shall be in such amounts and upon such terms and conditions as the Surgeon General may determine; and such grants may include all appropriate supplies and equipment available to the Public Health Service, however the supplies or equipment may have been acquired and whatever the source of the funds with which they were purchased."

Sec. 3. (a) The head of any executive department is authorized, without the transfer of funds, to transfer to the Federal Security Agency any of the supplies, equipment, or facilities which such department has made available to the Public Health Service for use in connection with venereal-disease-control work and which, on the date of enactment of this act, is still available for use in connection with such work. Any real or personal property so transferred to the Federal Security Agency, and any other real or personal property of the United States which is under the jurisdiction of the Public Health Service (however it may have been acquired and whatever the source of the funds with which it was purchased) which the Surgeon General of the Public Health Service determines would be useful in connection with venereal-disease-control work, may be trans-

ferred, with or without reimbursement and upon such terms and conditions as the Surgeon General may prescribe, to any State and, with the consent of the State, to any county, health district, or other political subdivision of the State.

(b) As used in this section the term "executive department" means any executive department, agency, or independent establishment of the United States or any corporation wholly owned by the United States; and the term "State" means a State, or the District of Columbia, Alaska, Hawaii, Puerto Rico, or the Virgin Islands.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERADICATION OF CATTLE GRUBS

The Clerk called the bill (H. R. 1043) authorizing additional research and investigation into problems and methods relating to the eradication of cattle grubs, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Reserving the right to object, Mr. Speaker, may I inquire of the chairman of the Committee on Agriculture, the gentleman from Kansas [Mr. HOPE], or the author of the bill, the gentleman from Indiana [Mr. GILLIE], with regard to this bill? I notice the bill states:

There is hereby authorized to be appropriated such sums as may be necessary to carry out this act.

There is nothing in the report or the bill to indicate how much governmental expenditure that might require or how much of an appropriation, and your objectors are unable to determine from the contents of the bill whether or not it is one that should be passed on the Consent Calendar.

Mr. HOPE. The Department thought that an adequate program would cost about \$300,000 per year. That is the laboratory program plus the field work that would be necessary to deal with this matter adequately.

It is estimated at the present time that the cattle grub is costing the livestock producers of this country something like \$100,000,000 a year.

Mr. CUNNINGHAM. There is no objection to the purposes of the bill, and since the gentleman has stated the cost will be about \$300,000 a year, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent that the bill (S. 1249) authorizing additional research and investigation into problems and methods relating to the eradication of cattle grubs, and for other purposes, may be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That in order to protect, promote, and conserve livestock and livestock products and to minimize losses, the Secretary of Agriculture, either independently or in cooperation with States or subdivisions thereof, farmers' associations,

and other organizations and individuals, it is authorized to increase and intensify research and investigations into problems and methods relating to the eradication of cattle grubs and to undertake measures to eradicate these parasites.

Sec. 2. As used in this act, the term "State" includes the District of Columbia and the Territories and possessions of the United States. There is hereby authorized to be appropriated such sums as may be necessary to carry out this act. Funds appropriated pursuant to this act shall be expended in accordance with procedures prescribed by the Secretary.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 1043) was laid on the table.

A motion to reconsider was laid on the table.

USE OF WEED KILLER, 2,4-D

The Clerk called House Resolution 452 to request the Secretary of Agriculture to take action to prevent damage to valuable crops as a result of the use of the weed killer known as 2,4-D.

There being no objection, the Clerk read the resolution, as follows:

Whereas a preparation known as 2,4-D (2, 4 dichlorophenoxyacetic acid) is being marketed and its use is being recommended as an economical method of killing weeds; and

Whereas this preparation, on the basis of such recommendations, is being used by farmers and others; and

Whereas it has been demonstrated that valuable broad-leaved plants and crops as well as weeds may be injured or totally destroyed by 2,4-D unless the application of such preparation is carefully controlled; and

Whereas it has been reported that this powerful herbicide when applied in dust form by airplane has caused severe damage to cotton, vegetables, and other valuable crops located at considerable distances from the areas in which the herbicide was directly applied; and

Whereas the danger from the use of 2,4-D to cotton, vegetables, and other broad-leaved plants is so great, it is imperative that all appropriate measures be taken to provide adequate safeguards; Now, therefore, be it

Resolved, That the Secretary of Agriculture is hereby requested—

(1) to ascertain the extent to which 2,4-D is being marketed in dust form;

(2) to determine whether the labels on preparations containing 2,4-D carry warning or caution statements which are adequate to warn against the improper use of the preparation and to prevent loss and injury to valuable crops;

(3) to continue any studies or investigations now being made and to institute such new studies and investigations as may be necessary to ascertain whether 2,4-D in any form may be used safely in areas where cotton, vegetables, and other broad-leaved plants are grown;

(4) to investigate the methods which are being employed in applying 2,4-D, including application by airplane, and to determine whether proper precautions are being taken to protect against injury to valuable crops;

(5) to cooperate with Federal and State agencies, farm groups, manufacturers, and others in the development of new and safer methods for the control and application of 2,4-D; and

(6) to use the information facilities of the Department of Agriculture to make known to the Nation the methods by which 2,4-D should be handled and applied to prevent injury to valuable crops.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RELIEF OF SAN FRANCISCO

The Clerk called the bill (H. R. 4531) for the relief of the city and county of San Francisco.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city and county of San Francisco, a municipal corporation, of San Francisco, Calif., the sum of \$9,728.81, in full settlement of all claims against the United States for reimbursement of expenses incurred in rebuilding and restoring a power-transmission line and loss of power revenue in township 3 south, range 5 east, and township 3 south, range 6 east, San Joaquin County, Calif., south of Tracy and approximately 3 miles from the Navy Vernalis Airfield, which transmission line was demolished by the crashing of a United States Navy plane, type SB 2 C-2, bureau number 18772, on August 6, 1944, at 9:21 postmeridian, while the said plane was engaged in making a flight over the area indicated, and on August 30, 1944, at 1:14 antemeridian, by the crashing of a United States Navy plane, type TBM-1, bureau number 24994, while the said plane was likewise making a flight over the area indicated: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CATOCTIN RECREATIONAL DEMONSTRATION AREA

The Clerk called the bill (H. R. 3807) to provide for the operation of the recreational facilities within the Catoctin recreation demonstration area, near Thurmont, Md., by the Secretary of the Interior through the National Park Service, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all lands which have been acquired by the War Department within the Catoctin Recreational Demonstration Area, comprising approximately 280 acres, are hereby made a part of that area.

SEC. 2. The lands comprising the Catoctin Recreational Demonstration Area shall be administered hereafter by the Secretary of the Interior through the National Park Service as part of the park system of the National Capital and its environs, to be known as the Catoctin Park.

SEC. 3. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized—

(a) to prescribe and collect fees and charges for such recreational and other facilities, conveniences, and services as may be furnished by the National Park Service for the accommodation of the public within the said park;

(b) to enter into a contract or contracts with any reliable person, organization, or

corporation, without advertising and without securing competitive bids for the operation or performance of any such recreational or other facilities, conveniences, and services within the said park;

all revenue collected by the National Park Service, pursuant to the authority of this section, shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

SEC. 4. The powers and duties now exercised by the United States Park Police in National Capital Park areas and all rules and regulations applicable thereto, are hereby extended to the Catoctin Park, the Chopawamsic recreational demonstration project, which was made a part of the park system of the National Capital by act of Congress of August 13, 1940 (54 Stat. 785), and that portion of the Chesapeake & Ohio Canal located outside the boundaries of the District of Columbia.

SEC. 5. The Director of the National Park Service, under the direction of the Secretary of the Interior, is authorized to exercise and perform with respect to the said park all the powers and duties that are conferred and imposed upon him by law in relation to the construction, maintenance, care, custody, policing, upkeep, and repair of the public buildings and parks in the District of Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRESTON BENCH PROJECT, IDAHO

The Clerk called the bill (H. R. 5313) to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws.

THE SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

MR. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that the bill (S. 1987) to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws, be considered in lieu of the House bill.

THE SPEAKER. Is there objection to the request of the gentleman from Iowa?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior through the Bureau of Reclamation is hereby authorized to construct, maintain, and operate, pursuant to the Federal reclamation laws, the Preston Bench project, Idaho, substantially in accordance with the report of the regional director of the Bureau of Reclamation, region IV, dated September 15, 1947, as concurred in by the Commissioner of Reclamation and the Secretary of the Interior: *Provided*, That the total cost of the project shall be reimbursable under the Federal reclamation laws within repayment periods fixed by the Secretary of the Interior at not to exceed 78 years.

SEC. 2. There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required for the purposes of this act.

MR. CUNNINGHAM. Mr. Speaker, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

On page 2, line 3, strike out "78" and insert "74."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 5313) was laid on the table.

A motion to reconsider was laid on the table.

RESEARCH AND DEVELOPMENT PROGRAM FOR POST OFFICE DEPARTMENT

The Clerk called the bill (H. R. 5189) to provide for a research and development program in the Post Office Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Postmaster General is authorized and directed to establish in the Post Office Department a research and development program which shall be administered by the Postmaster General through such officers and employees as he may designate.

(b) The investigations and studies under this program shall be for the purpose of improving existing equipment, supplies, methods, and procedures used in the postal service and of introducing new types of equipment, supplies, methods, and procedures for use in such service in order that the business of the Post Office Department may be more efficiently and economically operated.

SEC. 2. In carrying out its functions under this act, the Department is authorized to utilize the research and testing facilities of the National Bureau of Standards and to procure advice and assistance from any department or independent establishment in the executive branch of the Government.

SEC. 3. There is authorized to be appropriated annually not to exceed the sum of \$100,000 to carry out the purposes of this act.

With the following committee amendment:

On page 2, line 6, after the word "authorized", insert a comma "pursuant to the act of March 4, 1915 (38 Stat. 1084), as amended (31 U. S. C., sec. 686), or other applicable law."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECRETARY OF THE INTERIOR

The Clerk called the bill (H. R. 6090) authorizing the Secretary of the Interior to issue patents for lands held under color of title.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That if within 5 years after passage of this act it shall be shown to the satisfaction of the Secretary of the Interior that a tract or tracts of public land in Monroe County in the State of Michigan, not exceeding in the aggregate 160 acres, has or have been held in good faith and in peaceable, adverse possession by a citizen of the United States, his ancestors or grantors, for more than 20 years prior to the approval of this act under claim or color of title, and that improvements have been placed on such land or some part thereof has been reduced to cultivation, the Secretary shall, upon the payment of \$1.25 per acre, cause a patent or patents to issue for such land to any such citizen: *Provided*, That the term "citizen," as used herein, shall be held to include a corporation organized under the laws of the United States or any State or Territory thereof: *Provided further*, That coal and all other minerals contained therein are hereby reserved to the United States; that said coal and other minerals shall be subject to sale or disposal by the

United States under applicable leasing and mineral land laws, and permittees, lessees, or grantees of the United States shall have the right to enter upon said lands for the purpose of prospecting for and mining such deposits.

With the following committee amendment:

Page 2, line 7, strike out the colon, and insert in lieu thereof a period, and strike out all thereafter through line 14.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE TO PINELLAS COUNTY, FLA.

The Clerk called the bill (H. R. 6233) to provide for the conveyance to Pinellas County, State of Florida, of certain public lands herein described.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PETERSON. Mr. Speaker, I ask unanimous consent that the bill S. 2496, a similar bill, be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That all the right, title, and interest of the United States in and to the following-described public lands in the State of Florida, to wit: Lots 1, 2, 3, and 4 of section 5; lots 1 and 2 of section 6; lots 1, 2, and 3 of section 7; lots 1, 2, 3, and 4 of section 8; lots 1 and 2 of section 9; lot 1 of section 17; and lots 1, 2, 3, 4, and 5 of section 18 in township 33 south, range 16 east, together with accretion thereto, shall be conveyed to Pinellas County, State of Florida, when it shall be determined that it is no longer necessary for the purpose for which it was reserved by Presidential orders of March 23, 1849, and November 17, 1882, or is not needed for the purposes as set forth in Executive Order No. 9151, April 28, 1942, and that the Secretary of the Interior is hereby authorized and directed to sell the said land, and to execute the proper conveyances to Pinellas County, State of Florida, with a reservation to the United States of all minerals in said lands and the right to prospect for, mine, and remove the same under regulations prescribed by the Secretary of the Interior. The consideration for such conveyance shall be—

(a) with respect to that portion of said lands which was originally purchased by said county from the Treasury Department in 1938 and thereafter was reconveyed by it to the War Department in 1941, the sum received by said county from the War Department in consideration for such reconveyance; and

(b) with respect to the remainder of said lands, 50 percent of the reasonable appraised value thereof, as determined by the Secretary of the Interior.

SEC. 2. The property acquired pursuant to section 1 shall be retained by the said Pinellas County and be used by it for such purposes as it shall deem to be in the public interest or be leased by it from time to time, in whole or in part or parts, to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased but never to

be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying said property back to the Federal Government or to the State of Florida or any agency thereof.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 6233) was laid on the table.

SUSPENSION OF ASSESSMENT WORK ON MINING CLAIMS IN ALASKA

The Clerk called the bill (H. R. 6239) to provide for the suspension of annual assessment work on mining claims held by location in the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the Territory of Alaska, until the hour of 12 o'clock meridian on the 1st day of July 1949: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of July 1, 1949, a notice of his desire to hold said mining claim under this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUSPENSION OF ASSESSMENT WORK ON MINING CLAIMS

The Clerk called the bill (H. R. 6335) providing for the suspension of annual assessment work on mining claims held by location in the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill (S. 2479).

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States, until the hour of 12 o'clock meridian on the 1st day of July, 1948: *Provided*, That every claimant of any such mining claim in order to obtain the benefits of this act shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock meridian of July 1, 1948, a notice of his desire to hold said mining claim under this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 6335) was laid on the table.

AMENDING CIVIL SERVICE RETIREMENT ACT

The Clerk called the bill (H. R. 6454) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for certain Federal employees who have rendered at least 20 years' service in the investigation and apprehension of persons suspected or convicted of offenses against the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"(d) Any officer or employee to whom this act applies the duties of whose position are primarily the investigation or apprehension of persons suspected or convicted of offenses against the criminal laws of the United States (including any officer or employee engaged in such activity who has been transferred to a supervisory or administrative position) who is at least 50 years of age, and who has rendered 20 years of service or more in the performance of such duties (including the duties of a supervisory or administrative officer or employee) may, on his own application and upon the recommendation of the head of the department or agency in which he is serving, and with the approval of the Civil Service Commission, retire from the service; and the annuity of such officer or employee shall be equal to 2 percent of his average basic salary for the 5 years next preceding the date of his retirement, multiplied by the number of years of service not exceeding 30 years. The Civil Service Commission shall, upon recommendation by the head of the department or agency involved, determine whether such officer or employee is entitled to retirement under this subsection. In making such determination, the Commission shall give full consideration to the degree of hazard to which such officer or employee is subjected in the performance of his duties, rather than the general duties of the class of the position held by such officer or employee."

With the following committee amendment:

On page 1, line 6, strike out "investigation or apprehension" and insert "investigation, apprehension or detention."

The committee amendment was agreed to.

The bill was ordered to be engrossed and a read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide annuities for certain Federal employees who have rendered at least 20 years' service in the investigation, apprehension, or detention of persons suspected or convicted of offenses against the United States."

A motion to reconsider was laid on the table.

AMENDING THE ORGANIC ACT OF PUERTO RICO

The Clerk called the bill (H. R. 6502) to amend the Organic Act of Puerto Rico.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CONVEYING CERTAIN LAND TO THE CITY OF PIERRE, S. DAK.

The Clerk called the bill (S. 1925) to convey certain land to the city of Pierre, S. Dak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey to the city of Pierre, S. Dak., all of the rights, title, and interest of the United States in and to the land described as all of blocks 1, 2, 3, and 4, Yapple's addition to the town, now city of Pierre, and lots 5 to 12 of block 23 and all of block 34, Ash's second addition to the town, now city of Pierre, S. Dak.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WYANDOTTE INDIAN PUBLIC BURIAL GROUND, KANSAS CITY, KANS.

The Clerk called the bill (H. R. 3685) authorizing the Wyandotte Tribe of Oklahoma, through its business committee, to sell and convey, subject to the approval of the Secretary of the Interior, the Wyandotte Indian public burial ground in Kansas City, Kans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCRIVNER. Mr. Speaker, reserving the right to object, this bill is far too important to pass through the House by unanimous consent, inasmuch as it involves the abrogation of a treaty with the Wyandotte Nation of Indians which has stood for over a hundred years.

Further than that, the report does not state the facts, in that it states that this land has not been used for burial purposes for the past 30 or 40 years, when, as a matter of fact, it has been continuously used.

I have no objection, at next session, to using the same testimony and having this bill brought out and thoroughly discussed on the floor, so that every Member will know the import of it.

I ask unanimous consent, Mr. Speaker, that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. SCRIVNER]?

There was no objection.

RESTORING CERTAIN LANDS TO WADSWORTH, NEV.

The Clerk called the bill (S. 1871) to restore certain lands to the town site of Wadsworth, Nev.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That those portions of the town site of Wadsworth, Washoe County, Nev., which were added to the Pyramid Lake Indian Reservation by order of the Acting

Secretary of the Interior, dated January 12, 1939, are hereby restored to and made a part of such town site. All proceeds from the disposition of lots within the lands restored to the town site of Wadsworth by this act, which shall be sold at a price of \$25 per lot, shall be deposited in the Treasury of the United States to the credit of the Pyramid Lake Paiute Tribe of Indians of the Pyramid Lake Indian Reservation, Nev.

With the following committee amendment:

On page 1, line 9, after the word "which", strike out "shall be sold at a price of \$25 per lot" and insert "may be sold at a price of not less than \$25 per lot, provided such sale be approved by the Pyramid Lake Paiute Tribal Council."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SCHOOL DISTRICT 55, ROOSEVELT COUNTY, MONT.

The Clerk called the bill (S. 1933) to authorize the Secretary of the Interior to convey certain lands in the State of Montana to school district 55, Roosevelt County, Mont.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey with the consent of the executive board of the Fort Peck Tribe by quitclaim deed to school district 55, Roosevelt County, Mont., the following-described lands located in Brockton, Roosevelt County, Mont.: Lots 3 through 14 of block 16; lots 1 through 4 of block 9; and lots 13 through 16 of block 9.

Sec. 2. The lands authorized to be conveyed by this act shall be used by the grantee for school purposes, including the use as a site for housing furnished to Indian families during the school term. The conveyance of such lands shall contain the express condition that if the grantee shall fail or cease to use such lands for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States, in trust for the Fort Peck Tribe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DISPOSITION OF LANDS OF THE CABAZON, AUGUSTINE, AND TORRES-MARTINEZ INDIAN RESERVATIONS

The Clerk called the bill (H. R. 6457) to provide for disposition of lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DEANE. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. PHILLIPS of California. Mr. Speaker, reserving the right to object, may I inquire of the gentleman from North Carolina why he asks that the bill be passed over? This bill has been worked out very carefully and has been agreed upon by all the people involved.

Mr. DEANE. Mr. Speaker, I observe that the Interior Department objects to the bill on several grounds.

Furthermore, I have been requested by attorneys representing the Indians involved that they have not had their day

in court and request an opportunity to be heard.

Based upon that, I must insist on its being passed over.

Mr. PHILLIPS of California. The gentleman is entirely mistaken, but under the circumstances I can do nothing.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that the bill be passed over without prejudice?

There was no objection.

CHANGING BASE PERIOD FOR THE DETERMINATION OF PARITY FOR MARYLAND TOBACCO

The Clerk called the bill (H. R. 5111) 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.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MURRAY of Wisconsin. Mr. Speaker, I wish to say that the wool farmers of this country for the last 5 or 6 years have been trying to change their parity base but have been unable to do it.

I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. SASSNER. Mr. Speaker, reserving the right to object, I wish to say to the gentleman from Wisconsin that this bill merely brings Maryland tobacco up with southern tobacco and to ask him to let the bill be considered. We are right in the midst of our market.

Mr. MURRAY of Wisconsin. I did not hear what the gentleman said, but whatever it was it would not cause me to change my request. I voted against the bill in the committee and have heard no evidence since that has caused me to change my mind. We are going to have a regular agricultural adjustment bill next year and there is no reason why this bill cannot go over for a few months to take its place with the rest of American agriculture. I am against this special privilege readjustment that takes place from time to time.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I yield to the gentleman from Maryland.

Mr. SASSNER. Mr. Speaker, I merely wish to say, directing my remarks to the gentleman from Wisconsin that this is not special legislation. There are three types of tobacco. Two of the types have moved up, the southern types. Maryland tobacco has not moved up. It is just a drop in the bucket. We are right in the midst of our sales. This will not change the general price picture. This is not much but it is vital to this small section in Maryland. The over-all parity will undoubtedly be extended, but not this year, and we are selling tobacco a year old. It will not do us any good next year because we will sell before next year's market.

Mr. MURRAY of Wisconsin. Mr. Speaker, I object.

The SPEAKER. Is there objection to the request that the bill be passed over without prejudice?

Mr. McCORMACK. Then I object.

THE SPEAKER. Is there objection to the present consideration of the bill?

MR. MURRAY of Wisconsin. Mr. Speaker, I object.

SAFETY AND SANITATION STANDARDS FOR BAGGAGE CARS

The Clerk called the bill (H. R. 6696) to amend part I of the Interstate Commerce Act with respect to standards of safety and sanitation in the case of certain cars and equipment used in the movement of express traffic or baggage.

THE SPEAKER. Is there objection to the present consideration of the bill?

MR. ARENDS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

MR. MCCORMACK. Mr. Speaker, reserving the right to object, it is my understanding—and I ask the chairman of the committee, who is on his feet, the gentleman from New Jersey [Mr. WOLVERTON], if this bill was not reported unanimously from the committee, and if the purpose of this bill is not to protect employees in the discharge of their duties?

MR. WOLVERTON. Mr. Speaker, this bill was reported unanimously by the Committee on Interstate and Foreign Commerce. Long and extensive hearings were held. The conditions that were revealed were such as to require, in our judgment, legislation. The original bill had objectionable administrative features in it, but the committee took time with its staff to study the entire situation that called for a remedy. The result is this bill now before the House, introduced by the gentleman from Missouri [Mr. BENNETT]. It has had the approval, as we understand, of all interested parties.

I am surprised that anyone would request that this worth-while bill be passed over. I think this worth-while and meritorious legislation should be passed by this House at the present time.

MR. ARENDS. Mr. Speaker, with such explanation of the bill by the able gentleman from New Jersey, chairman of the Interstate and Foreign Commerce Committee, I withdraw my request.

THE SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That part I of the Interstate Commerce Act, as amended, is amended by inserting after section 25 thereof a new section as follows, and by renumbering the present section 26 as section 27:

"SEC. 26. (1) As used in this section—

"(a) The term 'carrier by railroad' means any carrier by railroad subject to this part, and any receiver, or other individual or body, judicial or otherwise, in possession of the business of any such carrier: *Provided*, That such term shall not include any street, interurban, or suburban electric railroad unless such railroad is operated as a part of a general railroad system of transportation.

"(b) The term 'express company' means any common carrier by express, subject to the provision of this part.

"(c) The term 'messenger service' means the movement by a carrier by railroad of express traffic or baggage in an express or baggage car which is accompanied en route by an express messenger or train baggage-man.

"(2) The Commission is authorized to investigate, either upon complaint or upon its

own motion, all cars and equipment used by any carrier by railroad in messenger service or furnished by such carrier to any express company for use in messenger service, and all cars and equipment owned by or leased to any express company for use in messenger service, and to make an examination of the construction, adaptability, design, and condition of all such cars and equipment, for the purpose of determining whether such cars and equipment are proper and suitable to provide adequate standards of safety and sanitation necessary to conform to basic requirements of safety and health for use in the service for which they are put so that the same may be so used without menace or peril to the lives, health, and safety of those employees who are required to work and travel in such cars: *Provided*, That no person who has any financial interest in any carrier by railroad or express company, or in any concern dealing in railway supplies, shall be employed for such purpose.

"(3) The Commission may, after investigation and after affording reasonable opportunity for hearing to interested persons, if found necessary in the public interest, order any carrier or carriers by railroad or any express company or express companies, or both, within such reasonable time as may be specified in the order, to alter, repair, reequip, or maintain any or all such cars to meet adequate standards of safety and sanitation necessary to conform to basic requirements of safety and health for the protection of those employees engaged in messenger service who are required to work and travel in such cars. In the establishment of any requirements with respect to sanitary facilities to be installed in cars furnished or used by any carrier by railroad or express company in messenger service, the Commission shall give due consideration, among other things, to the necessities of the situation as affected by (a) the safe accessibility of facilities in other cars in the same train, and (b) the length of time an employee is required to work in messenger service with no sanitary facilities available.

"(4) It shall be unlawful for any carrier by railroad or express company, to which any order issued under paragraph (3) applies, to use or permit to be used in messenger service, or for any such carrier by railroad to furnish for use by any express company in messenger service, any car or equipment which is not constructed, equipped, adapted, and in proper and suitable condition for use, in compliance with the applicable requirements imposed by such order of the Commission.

"(5) It shall be the duty of the Commission to see that the orders issued under paragraph (3) are observed by such carriers and the express companies, and all powers heretofore granted to the Commission are hereby extended to it for such purpose.

"(6) Each carrier by railroad and each express company shall file with the Commission such reports as the Commission may require for the purpose of enabling the Commission to determine whether such carrier or express company is complying with the orders issued under paragraph (3).

"(7) Any carrier by railroad or express company which fails or refuses to comply with any order issued under paragraph (3) shall be liable to a penalty of \$100 for each such violation and \$100 for each and every day such failure or refusal continues, to be recovered in a suit or suits to be brought by the United States attorney in the district court of the United States having jurisdiction in the locality where such failure or refusal occurs. It shall be the duty of such attorneys to bring such suits up on duly verified information being lodged with them showing that such failures or refusals have occurred; and it shall be the duty of the Commission to lodge with the proper United

States attorneys information of any such failures or refusals coming to its knowledge."

Sec. 2. This act shall take effect 3 months after the date of its enactment.

Sec. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING MERCHANT MARINE ACT, 1936, AS AMENDED

The Clerk called House Joint Resolution 412, to amend the Merchant Marine Act, 1936, as amended, to strengthen the American merchant marine, to encourage investment in the American merchant marine to build more ships, and to remove inequities.

MR. WOLVERTON. Mr. Speaker, this bill and the one following it, House Joint Resolution 413, were reported favorably by unanimous vote of the Committee on Merchant Marine and Fisheries. These bills were introduced and reported in an effort to further promote the development and maintenance of the American merchant marine. We want a merchant marine that will not only protect our national security, but protect our leadership in maintaining the peace of the world.

These bills have the support of the shipping interests, shipbuilders, and Government agencies. The testimony before the committee leaves no doubt that they are vital and absolutely necessary if our merchant marine is to be built up to meet the demands not only of peace but of war. The testimony of Navy officials before the committee indicates in strong terms the need for an adequate merchant marine to maintain the national security. They favor these bills, as under them it will be possible to build and maintain an adequately balanced American merchant marine for our national security.

No special appropriation is required except as deemed advisable by the Committee on Appropriations. The legislation should have the unanimous approval of the House.

I am fearful that if this legislation is not passed it will dry up our shipyards and cause the loss of trained and skilled workers. I can further say that if this should happen and the New York Shipyard located at Camden, N. J., is denied the work for which it is now the low bidder because of failure to pass this legislation, it will prove disastrous in that community.

As an indication of the local interest in this important matter, I include, under the unanimous consent granted, a copy of an editorial appearing in the Courier-Post of Camden, N. J., June 7, 1948, as follows:

ALL-IMPORTANT DECISIONS ON SHIPBUILDING NEAR

Whether operations at the New York Shipbuilding Corp. are to come to a virtual halt this year or whether the yard is awarded contracts which will keep up to 6,000 men at work for a period of a year and a half or longer will be determined by events at Washington in the next few days.

Congressman WOLVERTON, President John Green, of the Industrial Marine and Shipbuilding Workers, Mayor Brunner, and others, have been engaged in a series of conferences aimed at bringing to the Camden yard contracts for several or all of the five proposed American President Lines cargo-passenger ships on which the yard is low bidder. The yard's bid was slightly in excess of \$53,000,000.

Funds for the construction are available but will revert to the Treasury unless contracts are signed by June 30. Their release is held up by a conflict between the Maritime Commission and the American President Lines over the size of the construction subsidy to be granted, the operators seeking a 50-percent subsidy and the Commission reluctant to pay more than 33 percent.

President Truman told Brunner and Green last week that he favored construction of the ships, but referred the decision on letting the contracts to the Maritime Commission. The Commission and President George Killian of the President Lines are scheduled to discuss the contracts today and may reach an agreement which will permit them to be let without further delay before the June 30 deadline.

Should these negotiations fail, however, the sole hope for construction of the ships being started this year appears to rest with Congress. The House Merchant Marine Committee has favorably reported the Weichel bill, House Resolution 412, which would provide for the 50-percent subsidy as sought by the ship-operating companies.

Its fate is tied in with the legislative logjam in Congress as it races to adjournment in 2 weeks.

Congressman WOLVERTON is doing his utmost to have the bill put on the House Consent Calendar, which would insure its speedy enactment and sending it to the Senate, where it is believed prompt approval could also be obtained, along with the President's signature.

The House leadership is slated to decide tomorrow whether to place this measure on the Consent Calendar. Unless the Maritime Commission-Killion conference produces an agreement which the two parties have been unable to reach heretofore, an early start on building the liners—which means continuation or suspension of work at New York Shipyard—depends on the decision the leadership makes tomorrow.

WOLVERTON hopes that decision will be favorable. So do the ship workers, the shipyard management, and all south Jersey.

I implore the House to pass this important legislation without requiring a rule for its discussion. It is too important to be lost in the closing days of this busy session.

Mr. KEAN. Mr. Speaker, while this is a very meritorious piece of legislation, adequate time cannot be had on the Consent Calendar to consider a bill of this magnitude. Therefore I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDING THE MERCHANT MARINE ACT, 1936, AS AMENDED

The Clerk called the joint resolution (H. J. Res. 413) to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes.

Mr. KEAN. Mr. Speaker, I feel the same way in reference to this bill as I did on the previous one and I ask unani-

mous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

ISSUANCE OF A SPECIAL SERIES OF STAMPS COMMEMORATING ORGANIZATION OF THE ROUGH RIDERS

The Clerk called the joint resolution (H. J. Res. 305) authorizing the issuance of a special series of stamps commemorative of the fiftieth anniversary of the organization of the Rough Riders (First Volunteer U. S. Cavalry) of the Spanish-American War.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Postmaster General is authorized and directed to prepare for issuance, on as early a date as practicable, a special series of 3-cent postage stamps in commemoration of the fiftieth anniversary of the organization of the Rough Riders (First Volunteer U. S. Cavalry) of the Spanish-American War. Such stamps shall be of an appropriate design, which shall include a picture of the equestrian statue standing in the city of Prescott, Ariz., of Capt. William Owen "Bucky" O'Neill, who commanded Troop A of the Rough Riders (First Volunteer U. S. Cavalry) who was killed in action while gallantly leading his men in the Battle of San Juan Hill, Cuba, on July 1, 1898.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SURPLUS ATHLETIC EQUIPMENT

The Clerk called the bill (S. 1302) to aid the associations, groups, organizations, and institutions encouraging participation of the youth of the country in athletic and sports programs by making surplus athletic equipment available to such associations, groups, organizations, and institutions, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a), notwithstanding the provisions of the Surplus Property Act of 1944, as amended, the War Assets Administrator is authorized to dispose of, without charge except for transportation and delivery, to States, their political subdivisions and instrumentalities; to public and governmental institutions; to nonprofit or tax-supported educational institutions and organizations; to charitable and eleemosynary institutions and organizations; to nonprofit associations, groups, institutions, and organizations designated to promote, support, sponsor, or encourage the participation of the youth of the country in athletics, sports, and games any surplus personal property which is suitable for use in athletics, sports, or games by the youth of the country.

(b) To aid in making surplus athletic equipment available to the youth of the country through associations, groups, organizations, and institutions sponsoring or promoting the participation of youth in athletics, sports, and games, any Government agency having a surplus of personal property which would be suitable for the purposes of this act shall declare such surplus to the War Assets Administrator who shall have authority to dispose of same in accordance with the provisions of this act.

(c) Any surplus property suitable for use by the youth of the country in athletics, sports, and games, or any property owned by

any agency of the Government hereafter declared surplus which may be so used, shall not be disposed of in any manner other than as provided in this act unless the Administrator has given sufficient notice of such property available for disposal as herein provided and no request for such property has been received.

SEC. 2. (a) Any property so transferred shall be without restriction and without charge to the transferee except for disassembling, transporting, and delivering such property. The United States shall incur no obligation or liability in connection with the disassembling, transporting, or delivery of any property disposed of pursuant to this act.

(b) The War Assets Administrator is hereby authorized to prescribe, amend, and rescind such rules and regulations as he may deem necessary to carry out the provisions of this act.

(c) The War Assets Administrator is hereby authorized to determine the qualifications of the transferees under the provisions of this act and his decision shall be final.

(d) The War Assets Administrator is hereby authorized to effect transfers under the provisions of this act without regard to priority as between the transferees under this act or any other law, any law to the contrary notwithstanding.

With the following committee amendments:

Page 1, line 5, after the word "for", insert the word "disassembling."

Page 2, line 12, strike out "shall" and insert "may."

The committee amendments were agreed to.

The bill was ordered to be read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING THE TIME LIMIT IN ADMIRALTY CASES

The Clerk called the bill (H. R. 4873) to extend the time limit within which certain suits in admiralty may be brought against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the Suits in Admiralty Act, approved March 9, 1920, as amended (U. S. C., 1940 ed., Supp. V, title 46, sec. 745), is amended by inserting before the period at the end thereof a colon and the following: "And provided further, That the limitations in this section contained for the commencement of suits hereunder shall not bar any suit against the United States or the United States Maritime Commission brought hereunder within 2 years after the date of enactment of this proviso, if such suit is on a cause of action arising out of the action or inaction of a general agent under a general agent service agreement with the War Shipping Administration and such cause of action arose after the date which preceded the date of enactment of this proviso by a period of time equal to the period within which suits on causes of action of the same type may be brought under applicable State law."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That section 5 of the Suits in Admiralty Act (41 Stat. 525, 46 U. S. C. 741-745), approved March 9, 1920, is amended to read as follows:

"Sec. 5. That suits as herein authorized may be brought only within 2 years after the cause of action arises: *Provided*, That where a remedy is provided by this act it shall hereafter be exclusive of any other action by reason of the same subject matter against

the agent or employee of the United States or of any incorporated or unincorporated agency thereof whose act or omission gave rise to the claim: *Provided further*, That the limitations contained in this section for the commencement of suits shall not bar any suit against the United States brought hereunder within 1 year after the enactment of this amendatory act if such suit is based upon a cause of action wherein a prior suit in admiralty or an action at law was timely commenced and was or may hereafter be dismissed solely because improperly brought against any person, partnership, association, or corporation engaged by the United States to manage and conduct the business of a vessel owned or bare boat chartered by the United States or against the master of any such vessel: *And provided further*, That after June 30, 1932, no interest shall be allowed on any claim prior to the time when suit on such claim is brought as authorized by section 2 of this act unless upon a contract expressly stipulating for the payment of interest."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTING THE INTERESTS OF THE FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

The Clerk called the bill (H. R. 5416) to promote the interests of the Fort Hall Indian irrigation project, Idaho, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That those provisions of the order of the Secretary of the Interior, dated February 6, 1948, which are based on certain recommendations contained in the Report on Conditions Found to Exist on the Fort Hall Irrigation Project and the Fort Hall Indian Reservation, Idaho, dated February 26, 1941, and which are described in the said order as made pursuant to the authority contained in the act of June 22, 1936 (49 Stat. 1803), are hereby approved pursuant to the provisions of such act.

SEC. 2. When water for the Fort Hall Indian irrigation project is available in excess of the present maximum duty of 3 acre-feet per acre per annum, the Secretary of the Interior is authorized, in his discretion and under regulations to be prescribed by him, to increase the water duty of those lands with respect to which such an increase is recommended in the report referred to in section 1 of this act in an amount not to exceed the actual needs of such lands as set out in said report.

SEC. 3. The Little Indian unit containing one thousand one hundred eighty-six and thirty-three one-hundredths acres of irrigable land in townships 2 and 3 south, ranges 36 and 37 east, Boise meridian, within the boundaries of the Fort Hall Indian Reservation, is hereby made a part of the Fort Hall Indian irrigation project and the lands therein shall have the benefit of, and be subject to, all existing legislation applicable to said project to the same extent as other lands of like ownership and character within the project. The Indian-owned irrigable land in the unit shall be charged with its proper proportionate share of the project rehabilitation and improvement costs of \$15.10 and not to exceed \$7.50 per acre, respectively, as these costs are defined in the report referred to in section 1 of this act. The non-Indian-owned irrigable land of the unit shall be entitled to receive only natural-flow water until a full project water right

is acquired for said land through the execution by the owner of a contract, or contracts, providing for the repayment of the United States of like per acre costs as are charged against the Indian-owned land in the unit. Said charges, as to Indian and non-Indian lands, shall be a first lien against the lands, under the act of March 7, 1928 (45 Stat. 200, 210).

SEC. 4. The net irrigable area of the Fort Hall Indian irrigation project is hereby established as forty-seven thousand and forty-four and sixty-three one-hundredths acres of land, more or less. This area includes forty-six thousand eight hundred and three and seventy-two one-hundredths acres of land, more or less, shown as the irrigable area of the project by the maps and plats in the report referred to in section 1 of this act, and the two hundred and forty and ninety-one one-hundredths acres, more or less, included in eight additional tracts of land described as follows: (a) An irregular-shaped area in the northeast corner of the east half southwest quarter southeast quarter of section 36, township 5 south, range 33 east, Boise meridian, containing one and seventy-one one-hundredths acres; (b) an irregular-shaped area lying along the east side of the Fort Hall main canal in the west half section 35, township 5 south, range 34 east, Boise meridian, containing twenty-eight and seventeen one-hundredths acres; (c) an irregular-shaped area lying along the east side of the Fort Hall main canal in the south half of section 14, township 6 south, range 34 east, Boise meridian, containing forty acres; (d) a portion of the northwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing thirty-three and forty-two one-hundredths acres; (e) Fairview Park in the east half southwest quarter southwest quarter northeast quarter and west half southeast quarter southwest quarter northeast quarter of section 23, township 6 south, range 34 east, Boise meridian, containing ten acres; (f) the east half northeast quarter northwest quarter of section 23, township 6 south, range 34 east, Boise meridian, containing twenty acres; (g) an irregular-shaped area lying along the east side of the Pocatello lateral in section 23, township 6 south, range 34 east, Boise meridian, containing ninety-seven and sixty-two one-hundredths acres; and (h) the southwest quarter southwest quarter southwest quarter of section 24, township 6 south, range 34 east, Boise meridian, containing ten acres. The above-described tracts of land, together with such lands in the portion of the village of Alameda lying between the Pocatello lateral and the Oregon Short Line Railroad right-of-way in section 23, township 6 south, range 34 east, Boise meridian, as (notwithstanding their inclusion in the irrigable acreage shown by the maps and plats hereinabove mentioned) have no water right at present, shall be entitled to receive, or to continue to receive, water through pumping operations or by gravity flow, provided the respective owners thereof, within 5 years from the date of the enactment of this act, enter into contracts whereby they agree (1) to pay their proper proportionate share of the project construction costs of \$18.12 per acre, as these costs are defined in the report referred to in section 1 of this act, for such of their lands as do not now have a project water right, (2) to pay their proper proportionate share of the project rehabilitation and improvement costs of \$15.10 and not to exceed \$7.50 per acre, respectively, for such of their lands as are not now covered by contracts for the repayment of such costs, and (3) to install, maintain, and operate, at their own expense, pumping machinery to lift the water from the project canals or laterals for the irrigation of such of their lands as cannot be supplied by gravity

flow. The noninclusion of the Fort Hall town site within the net irrigable area of the project as hereby established shall not prevent the obtaining of water rights therefor in accordance with the act of March 1, 1907 (34 Stat. 1015, 1025).

SEC. 5. There is excluded from the Fort Hall Indian irrigation project by the designation of the project area in section 4 of this act the nine thousand six hundred and seventy acres of tribal, allotted, and non-Indian-owned lands located between Fort Hall and Gibson, Idaho, heretofore authorized to be included in the project by the act of March 3, 1927 (ch. 371, 44 Stat. 1398). The construction costs apportioned to the tribal lands so excluded are hereby canceled and the water rights are made available for project use. The water rights for the lands of the several allottees and non-Indian owners within the area so excluded shall not be impaired or affected by reason of such exclusion, but water shall be delivered only at the head of the laterals serving these lands. The respective owners of such lands may make their water rights available for project use, whereupon the construction costs assessed or assessable against their lands with respect to the water rights thus made available shall be canceled by the Secretary of the Interior. Allottees of lands within the excluded area, or their heirs or devisees, may donate or sell their lands to the tribe or may exchange their lands for assignments of tribal lands within the project area. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, \$8,000, or so much thereof as may be necessary, for the purchase by the Secretary of the Interior, in the name of the United States of America in trust for the Shoshone-Bannock Tribes of the Fort Hall Reservation, of one hundred and eighty acres of non-Indian-owned land, with water rights and improvements appurtenant thereto, described as the north half southeast quarter southwest quarter section 13, township 4 south, range 34 east, Boise meridian, and south half northeast quarter and north half southeast quarter section 7, township 4 south, range 35 east, Boise meridian, located within the area excluded from the Fort Hall Indian irrigation project by section 4 of this act.

SEC. 6. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$3,995 to compensate the following-named landowners, or their heirs, for work accomplished or for future work necessary in filling, leveling, and otherwise preparing for irrigation the abandoned portion of the old Fort Hall main canal within their holdings, in not to exceed the following amounts: Frank E. DeKay, \$401; Henry Jensen, \$633; Theodore H. Gathe, \$654; A. E. Albert, \$106; Ezra D. Wilson, \$127; J. M. Bistline, \$378; Ambrose H. McGuire, \$424; Ellen Griffith, \$412; C. M. Allen, \$116; Olive A. Granden, \$184; William Webster, \$28; Hiram Faulkner, \$114; Willamette Blakeslee, \$298; Frank Parker, \$99; and Henrietta C. Blakeslee, \$21.

SEC. 7. Pending the construction of a siphon to provide gravity flow water to ninety-six and six-tenths acres of irrigable lands in the southwest quarter section 27, and east half section 28, township 5 south, range 34 east, Boise meridian, Idaho, which lands have been irrigated by pumping operations over a period of years, the Secretary of the Interior may accept the conveyance by the landowners of the pumping equipment for use of the Fort Hall Indian irrigation project and may operate such equipment as a part of said project in order to provide water for the irrigation of such lands; the acceptance of such conveyance being subject to the owners of the lands executing releases to the United States of any and all claims

whatsoever due to the pumping operations carried on by such landowners.

SEC. 8. The Secretary of the Interior is authorized, in his discretion, to revise and reform, upon such terms and conditions as he may determine to be fair and equitable in all the circumstances affecting the interests of the United States and the contractors, existing contracts between the United States and the Idaho Irrigation District, the Progressive Irrigation District, and the Snake River Valley Irrigation District in Idaho, which contracts provide for certain payments by the districts to the United States for the benefit of works of the Fort Hall Indian irrigation project.

SEC. 9. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for refunds to Indians, or their heirs, the sum of \$1,419.55, representing irrigation assessments of the Fort Hall Indian irrigation project erroneously made and collected, as follows: Andrew F. Cutler, \$153.80; Alice Sorrell Johns, \$168.95; Nettie Stinson LaVatta, \$146.62; Earl Edmund Cutler, \$159.20; Charles Faulkner, \$145.25; Josephine LaVatta Rumas, \$155.20; May Phyllis LaVatta Brower, \$29.90; Leonard I. Cutler, \$135.85; Effie Diggie Houtz, \$122.75; Lucy Yandell Spencer, \$25; Charles Gerard Cutler, \$121.53; and Hattie Sorrell Siler Tillotson, \$55.50.

SEC. 10. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary for the relocating, rehabilitating, cleaning, and extending of irrigation systems serving the lands irrigated from Ross Fork, Bannock, and Lincoln Creeks, which lands are outside of the Fort Hall Indian irrigation project, including the construction of a storage reservoir on Bannock Creek. The costs of any work benefiting Indian lands performed pursuant to this authorization shall be apportioned on a per acre basis and collected under laws applicable to Indian irrigable lands on the Fort Hall Indian irrigation project. Operation and maintenance charges against such lands shall likewise be subject to the same laws, rules, and regulations as apply to Indian lands on the Fort Hall project. Any unpaid charges against such lands shall be subject to a first lien as provided in the act of March 7, 1928 (45 Stat. 200, 210). No expenditure shall be made under this authorization which will benefit lands in non-Indian ownership unless the owners thereof execute contracts providing for the repayment of their proportionate per acre share of the costs of the work assessable against their lands.

SEC. 11. In order to prevent the accumulation of delinquent project assessments or other charges against the non-Indian-owned lands of the Fort Hall Indian irrigation project, the Secretary of the Interior is hereby authorized and directed to cause liquidation of all delinquent assessments or charges by taking such action as may be necessary, including the foreclosure of the Government's lien covering any such delinquent charges or by initiating such other procedure as may be legally available, which action may be taken by him at any time when in his judgment the best interests of the project would be served thereby.

SEC. 12. All acts or parts of acts inconsistent herewith are hereby repealed.

With the following committee amendment:

Page 2, strike out lines 1 to 9, inclusive, and insert the following:

"Sec. 2. During such periods as water for the Fort Hall Indian irrigation project may be available in excess of the present duty of 3 acre-feet per acre per annum, the Secretary of the Interior is authorized, in his discretion and under regulations to be pre-

scribed by him, to permit the delivery of such excess water equally to the project lands in an amount not to exceed five-tenths acre-feet per acre per annum, in addition to the present duty of 3 acre-feet per acre per annum: *Provided, however,* That any surplus water temporarily available in addition to the 3.5 acre-feet per acre per annum may be furnished for use on project lands on terms, conditions, and rates to be prescribed by the Secretary of the Interior."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL SERIES OF STAMPS IN HONOR OF MOINA MICHAEL

The Clerk called the bill (H. R. 6634) to authorize the issuance of a special series of stamps in honor and commemoration of Moina Michael, originator of Flanders Field memorial poppy idea.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to prepare, for issuance at as early a date as practicable, a special series of 3-cent postage stamps, of such design as he shall prescribe, in honor and commemoration of Moina Michael, originator of Flanders Field memorial poppy idea.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RATIFYING AMENDMENTS TO PETROLEUM CONTRACTS

The Clerk called the bill (H. R. 4659) to ratify and confirm amendments to certain contracts for the furnishing of petroleum products to the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That contract amendments relating to Government prices to be paid for petroleum products, entered into by the Treasury Department in the calendar year 1946 following the removal of price controls on petroleum products, are hereby ratified and confirmed; and such amendments shall be treated as valid in the determination and adjustment of claims by or against the United States under such contracts.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That contract amendments relating to prices to be paid for petroleum products entered into by any department, agency, or establishment of the executive branch of the Government, in the calendar year 1946 following the removal of price controls on petroleum products, are hereby ratified and confirmed; and such amendments shall be treated as valid in the determination and adjustment of claims by or against the United States under such contracts."

"Sec. 2. The Comptroller General of the United States is authorized and directed to allow credit in the settlement of accounts of accountable officers of the Government of the United States covering payments made under contract amendments which are, and to the extent that such payments are, ratified and confirmed by section 1 hereof.

"Sec. 3. Amounts which have been refunded or collected by set-off, or otherwise, from contractors on account of payments made under contract amendments herein ratified and confirmed, are authorized to be repaid to said contractors upon presentation of a claim therefor to the General Accounting Office."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

With the following committee amendment:

Page 1, line 8, after the word "instruction", insert "or transportation."

STAMP COMMEMORATIVE OF WILLIAM ALLEN WHITE

The Clerk called the joint resolution (H. J. Res. 411) to authorize the issuance of a stamp commemorative of William Allen White, whose literary genius made such a great contribution in the field of American literature.

There being no objection, the Clerk read the resolution, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue, during 1948, a special 3-cent postage stamp, of such design as he shall prescribe, in commemoration of William Allen White, whose literary genius made such a great contribution in the field of American literature.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STAMP FOR PALOMAR MOUNTAIN OBSERVATORY DEDICATION

The Clerk called the bill (H. R. 6368) to provide for the issuance of a special postage stamp in commemoration of the dedication of the Palomar Mountain Observatory.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That, in commemoration of the dedication of the Palomar Mountain Observatory, San Diego County, Calif., the Postmaster General is authorized and directed to issue a special postage stamp of such denomination and design and for such period beginning not later than July 1, 1948, as he may determine.

With the following committee amendment:

Page 1, line 7, strike out "July" and insert "September."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REVISION OF BOUNDARIES OF CARIBOU NATIONAL FOREST

The Clerk called the bill (S. 1037) to authorize the revision of the boundaries of the Caribou National Forest in the State of Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That the boundaries of the Caribou National Forest are hereby extended to include the following described lands and, subject to any valid existing claim or entry, all lands of the United States within the areas hereinafter described are hereby added to and made part of the Caribou National Forest, State of Idaho, to be hereafter administered under the laws and regulations relating to the national forests, and the provisions of the act approved March 20, 1922 (42 Stat. 465), as amended, are hereby extended and made applicable to all other lands within said described areas:

BOISE MERIDIAN

Township 10 south, range 35 east, section 34, south half south half; section 35, south half south half; section 36, south half south half;

Township 10 south, range 36 east, section 31, lot 2, southeast quarter southwest quarter, and south half southeast quarter; section 32, south half south half;

Township 11 south, range 35 east, section 1, lot 4; section 2, lots 1, 2, 3, 4; section 3, lots 1, 2, 3, 4, 5, 6, 7, southeast quarter northwest quarter, south half northeast quarter, west half southwest quarter, and southeast quarter; section 9, lot 1, southeast quarter northeast quarter, and east half southeast quarter; section 10; section 15; section 19, south half northeast quarter, and north half southeast quarter; section 20, lots 2, 3, southeast quarter northwest quarter, south half northeast quarter, northeast quarter southwest quarter, and southeast quarter; section 21; section 22; section 23, west half; section 27; section 28, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 29, east half; section 32, northeast quarter, and north half southeast quarter; section 33, north half, and north half south half; section 34, north half, southwest quarter, and north half southeast quarter;

Township 11 south, range 36 east, section 5, lots 1, 2, 3, 4, 5, 6, 7, southwest quarter northeast quarter, southeast quarter northwest quarter, east half southwest quarter, and west half southeast quarter; section 8, lots 1, 2, 3, 4, west half northeast quarter, east half northwest quarter, west half southeast quarter, and east half southwest quarter; section 17, east half, and east half northwest quarter; section 20, east half; section 21, west half; section 28, west half; section 29, east half; section 32, east half; and section 33;

Township 12 south, range 35 east, section 1, southwest quarter; section 2, south half; section 3, lots 1, 2, 3, 4, south half northeast quarter, south half northwest quarter, and south half; section 11, lots 1, 2, 3, 4, north half northeast quarter east half northwest quarter, and east half southwest quarter; section 12, north half northwest quarter; section 14, north half northwest quarter; section 15, northeast quarter, north half southeast quarter, and southwest quarter southeast quarter; section 21, east half northeast quarter, and east half southwest quarter; section 22, north half northwest quarter, southwest quarter northwest quarter, and west half southwest quarter; section 28, east half northwest quarter, east half southwest quarter, east half northeast quarter, and northwest quarter southeast quarter; section 33, east half northwest quarter, and east half southwest quarter;

Township 12 south, range 36, east, section 3, lots 1, 2, 3, 4, 5, 6, 7, southwest quarter northeast quarter, west half southeast quarter, south half northwest quarter, and southwest quarter; section 4, lots 1, 2, 3, 4, south half northeast quarter, and southeast quarter; section 9; section 10, lots 1, 2, 3, 4, west half northeast quarter, west half southeast quarter, and west half; section 15; section 16, east half; section 21, east half; section 22; section 25; section 26, northeast quarter; section 28, east half; section 33, northeast quarter; section 34, southwest quarter; and section 36;

Township 12 south, range 37 east, section 23; section 24; section 25, east half northeast quarter, and northwest quarter northwest quarter; section 26; section 30, lots 1, 2, 3, 4, 5, 6, 7, 8, east half northwest quarter, northeast quarter, and southeast quarter; section 32, lots 1, 2, 3, 4, 5, north half southeast quarter, and northeast quarter southwest quarter; section 33, lots 1, 2, 3, 4, north half southwest quarter, and north half southeast quarter; section 34, lots 1, 2, 3, 4, north half southwest quarter, and north half southeast quarter;

Township 12 south, range 38, east, section 30, lots 1, 2, 3, 4, east half northwest quarter, and east half southwest quarter; and

section 31, lots 1, 2, 3, 4, east half northwest quarter, and east half southwest quarter;

Township 13 south, range 35 east, section 4, lot 3, southeast quarter northwest quarter, east half southwest quarter, and west half southeast quarter; section 9, east half northwest quarter, west half northeast quarter, east half southwest quarter, and southeast quarter; section 13, southwest quarter northwest quarter; section 14, south half northeast quarter, southeast quarter northwest quarter, and south half; section 15, south half; section 16, east half northwest quarter, east half southwest quarter, and east half; and section 24, southeast quarter; and section 25, northeast quarter;

Township 13 south, range 36 east, section 1, lots 1, 2, south half northeast quarter, and southeast quarter; section 3, lots 3, 4, 7; south half northwest quarter, southwest quarter, and southwest quarter southeast quarter; section 10, lots 1, 2, 3, 4, and west half northeast quarter; section 12, east half; section 13, north half northeast quarter; section 15, lots 1, 2, 3, 4, east half northwest quarter, and west half northeast quarter; section 21, southeast quarter; section 22, lots 1, 2, and west half northeast quarter; section 28, northeast quarter, and west half southeast quarter; section 29, south half; section 30, lots 3, 4, east half southwest quarter, and southeast quarter; section 32, north half northeast quarter, and southeast quarter northeast quarter; and section 33, northwest quarter, and west half northeast quarter;

Township 13 south, range 37 east, section 7, lots 5, 6, 7, 8, east half southwest quarter, and southeast quarter; section 18, lots 1, 2, east half northwest quarter, and east half; section 19, east half northeast quarter; section 20, southwest quarter southwest quarter; section 29, west half northwest quarter, and west half southwest quarter; section 32, north half, north half southwest quarter, and north half southeast quarter; section 33, south half southwest quarter.

Township 13 south, range 38 east, section 6, lots 1, 2, 3, 4, 5, 6, 7, southeast quarter northwest quarter, south half northeast quarter, east half southwest quarter, and southeast quarter; section 7, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 20, southwest quarter southwest quarter; section 29, west half northwest quarter, and west half southwest quarter; section 32, north half, north half southwest quarter, and north half southeast quarter; section 33, south half southwest quarter.

Township 14 south, range 36 east, section 11, west half northeast quarter, and west half southeast quarter; section 12, north half; section 14, west half, west half northeast quarter, and west half southeast quarter; section 26, west half southwest quarter, and southwest quarter northwest quarter; section 35, east half;

Township 14 south, range 37 east, section 4, lots 3, 4; section 9, east half; section 10, west half; section 14, west half northwest quarter, and west half southwest quarter; section 15; section 16, northeast quarter, north half southeast quarter, and southeast quarter southeast quarter; section 20, west half, west half northeast quarter, southeast quarter northeast quarter, and southeast quarter; section 21, south half, and east half northeast quarter; section 22, northwest quarter, and west half southeast quarter; section 26, south half, south half northwest quarter, and south half northeast quarter; section 34; and section 35;

Township 14 south, range 38 east, section 5; lots 1, 2, 3, 4, 5, 6, 7, southeast quarter northwest quarter, south half northeast quarter, east half southwest quarter, and southeast quarter; section 8; section 17; section 20; section 28, south half; section 29; section 32; and section 33;

Township 15 south, range 36 east, section 2, lots 1, 2, south half northeast quarter, and southeast quarter; section 11, east half; section 14, east half; section 23, east half; section 24, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 25, lots 1, 2, 3, 4, east half northwest quarter, east half southwest quarter, and east half; section 26, east half; section 35, east half; section 36; lots 1, 2, 3, 4, 5, 6, 7, east half northwest quarter, northeast quarter southwest quarter, northeast quarter and north half southeast quarter;

Township 15 south, range 37 east, section 3, lots 1, 2, 3, 4, south half northeast quarter, south half northwest quarter, and south half; section 9; section 10; section 14; section 15; section 16; section 21; section 22; section 23; section 25, west half, west half northeast quarter, and west half southeast quarter; section 26; section 27; and section 35;

Township 15 south, range 38 east, section 4, lots 1, 2, 3, 4, south half northeast quarter, south half northwest quarter, and south half; section 5, lots 1, 2, 3, 4, south half northeast quarter, south half northwest quarter, and south half; section 8; section 9; section 16; section 17; section 18, east half southeast quarter; section 19, east half northeast quarter, east half southeast quarter, and southwest quarter southeast quarter; section 20, north half, north half southwest quarter, and north half southeast quarter; and section 21, north half;

Township 16 south, range 36 east, section 2, lots 1, 2, south half northeast quarter, and southeast quarter; section 12; section 13; section 24, east half; and section 25, east half;

Township 16 south, range 37 east, section 2; section 11; section 14; section 15, south half northeast quarter, southeast quarter northwest quarter, southeast quarter, and east half southwest quarter; section 22, east half, east half northwest quarter, and east half southwest quarter; section 23; section 26, lots 1, 2, 3, 4, north half, north half southwest quarter, and north half southeast quarter; and section 27, lots 1, 2, 3, northeast quarter, east half northwest quarter, northeast quarter southwest quarter, north half southeast quarter.

With the following committee amendments:

Page 2, line 11, after "section 2", strike out "lots 1, 2, 3, 4;" and insert in lieu thereof "lots 2, 4, 5, 6, 7, 8, 9."

Page 2, line 11, after "section 3", strike out "lots 1, 2, 3, 4, 5, 6, 7," and insert in lieu thereof "lots 2, 3, 4, 5, 6, 7, 8, 9, 10."

Page 2, line 13, strike out the words "west half" and insert in lieu thereof "east half."

Page 4, lines 6 and 7, after the words "section 21", strike out "east half," and insert in lieu thereof "lots 1 and 2, northeast quarter, north half southeast quarter."

Page 7, line 11, after the words "section 5" Insert a semicolon and strike out the remaining portion of line 11, all of lines 12 and 13, and the first word, i. e., "quarter," of line 14.

Page 7, beginning line 23, after the words "east half;" insert the word "and." Change the comma after "36" to a period and strike out the remainder of page 7.

Page 8, line 18, after "2", strike out the words "south half northeast quarter."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND BANKRUPTCY ACT OF JULY 1, 1898

The Clerk called the bill (H. R. 5693) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory there-

of and supplementary thereto; and to repeal subdivision b of section 64 and subdivision h of section 70 thereof and all acts and parts of acts inconsistent therewith.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEOGH. Mr. Speaker, reserving the right to object, I should like to make inquiry of the author as to the meaning of section 30 (a) of this bill, which reads: "All acts or parts of acts inconsistent with any provisions of this amendatory act are hereby repealed," the point of my inquiry being, How can anyone tell what acts are inconsistent with any provisions of this amendatory act? Are we not, in effect, imposing upon the judiciary and the bar the obligation of attempting to determine, whether rightly or wrongly, what acts are inconsistent with this pending measure?

Mr. REED of Illinois. I think that is just a repetition of the present law. This is an amendatory act. The entire act is noncontroversial. It merely simplifies the language of the present law.

Mr. KEOGH. Of course, it is noncontroversial until a controversy arises. I hesitate to say this, but it is my opinion that more confusion in attempting to interpret the acts of this body arises from the use of what might be described as a general indefinite repealer such as this than from anything else. However, if the committee is satisfied with it, I have no objection. Therefore, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) paragraph (24) of section 1 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended, is amended to read as follows:

"(24) 'Petition' shall mean a document filed in a court of bankruptcy or with a clerk thereof initiating a proceeding under this act;"

(b) Paragraph (30) of such section is amended to read as follows:

"(30) 'Transfer' shall include the sale and every other and different mode, direct or indirect, of disposing of or of parting with property or with an interest therein or with the possession thereof or of fixing a lien upon property or upon an interest therein, absolutely or conditionally, voluntarily or involuntarily, by or without judicial proceedings, as a conveyance, sale, assignment, payment, pledge, mortgage, lien, encumbrance, gift, security, or otherwise; the retention of a security title to property delivered to a debtor shall be deemed a transfer suffered by such debtor."

Sec. 2. Paragraph (21) of subdivision a of section 2 of such act, as amended, is amended to read as follows:

"(21) Require receivers or trustees appointed in proceedings not under this act, assignees for the benefit of creditors, and agents authorized to take possession of or to liquidate a person's property to deliver the property in their possession or under their control to the receiver or trustee appointed under this act or, where an arrangement or a plan under this act has been confirmed and such property has not prior thereto been delivered to a receiver or trustee appointed under this act, to deliver such property to the debtor or other person entitled to such property according to the provisions of the ar-

rangement or plan, and in all such cases to account to the court for the disposition by them of the property of such bankrupt or debtor: *Provided*, however, That such delivery and accounting shall not be required, except in proceedings under section 77 and chapters X and XII of this act, if the receiver or trustee was appointed, the assignment was made, or the agent was authorized more than 4 months prior to the date of bankruptcy. Upon such accounting, the court shall reexamine and determine the propriety and reasonableness of all disbursements made out of such property by such receiver, trustee, assignee, or agent, either to himself or to others, for services and expenses under such receivership, trusteeship, assignment, or agency, and shall, unless such disbursements have been approved, upon notice to creditors and other parties in interest, by a court of competent jurisdiction prior to the proceeding under this act, surcharge such receiver, trustee, assignee, or agent the amount of any disbursement determined by the court to have been improper or excessive."

Sec. 3. Clause (8) of subdivision a of section 7 of such act, as amended, is amended to read as follows:

"(8) prepare, make oath to, and file in court within 5 days after adjudication, if an involuntary bankrupt, and with his petition, if a voluntary bankrupt, a schedule of his property, showing the amount and kind of property, the location thereof and its money value, in detail; and a list of all his creditors, including all persons asserting contingent, unliquidated, or disputed claims, showing their residences or places of business, if known, or if unknown that fact to be stated, the amount due to or claimed by each of them, the consideration thereof, the security held by them, if any, and what claims, if any, are contingent, unliquidated, or disputed; and a claim for such exemptions as he may be entitled to; all in triplicate, one copy for the clerk, one for the referee, and one for the trustee: *Provided*, however, That the court may for cause shown grant further time for the filing of such schedules if, with his petition in a voluntary proceeding or with his application to have such time extended in an involuntary proceeding, the bankrupt files a list of all such creditors and their addresses;"

Sec. 4. Subdivision a of section 11 of such act, as amended, is amended to read as follows:

"a. A suit which is founded upon a claim from which a discharge would be a release, and which is pending against a person at the time of the filing of a petition by or against him, shall be stayed until an adjudication or the dismissal of the petition; if such person is adjudged a bankrupt, such action may be further stayed until the question of his discharge is determined by the court after a hearing, or by the bankrupt's filing a waiver of, or having lost, his right to a discharge, or, in the case of a corporation, by its failure to file an application for a discharge within the time prescribed under this act: *Provided*, however, That such stay shall be vacated by the court if, in a proceeding under the act commenced within 6 years prior to the date of the filing of the petition in bankruptcy, such person has been granted a discharge, or has had a composition confirmed, or has had an arrangement by way of composition confirmed, or has had a wage earner's plan by way of composition confirmed."

Sec. 5. (a) Clause (5) of subdivision c of section 14 of such act, as amended, is amended to read as follows: "or (5) in a proceeding under this act commenced within 6 years prior to bankruptcy been granted a discharge, or had a composition or an arrangement by way of composition or a wage earner's plan by way of composition confirmed under this act;"

(b) Subdivision e of such section is amended to read as follows:

"e. If the bankrupt fails to appear at the hearing upon the objections to his application for a discharge, or having appeared refuses to submit himself to examination, or if the court finds after hearing upon notice that the bankrupt has failed without sufficient excuse to appear and submit himself to examination at the first meeting of creditors or at any meeting specially called for his examination, he shall be deemed to have waived his right to a discharge, and the court shall enter an order to that effect."

SEC. 6. Subdivision a of section 18 of such act, as amended, is amended to read as follows:

"a. Upon the filing of a petition for involuntary bankruptcy, service thereof, with a writ of subp^{ea}na, shall be made upon the person therein named as defendant. Upon the filing of a voluntary petition in behalf of a partnership by less than all of the general partners, service thereof, with a writ of subp^{ea}na, shall be made upon the general partner or partners not parties to the filing of such petition. Such service shall be returnable within 10 days, unless the court shall, for cause shown, fix a longer time, and shall be made at least 5 days prior to the return day, and in other respects shall be made in the same manner that service of such process is had upon the commencement of a civil action in the courts of the United States; but in case personal service cannot be made within the time allowed, then notice shall be given by publication in the same manner as provided by law for notice by publication in suits to enforce a legal or equitable lien in courts of the United States, except that, unless the court shall otherwise direct, the order shall be published only once and the return day shall be 5 days after such publication."

SEC. 7. Subdivision k of section 21 of such act, as amended, is amended to read as follows:

"k. In all proceedings under this act, the parties in interest shall be entitled to all rights and remedies granted by the Rules of Civil Procedure for the District Courts of the United States established from time to time by the Supreme Court pertaining to discovery, interrogatories, inspection and production of documents, and to the admission of execution and genuineness of instruments: *Provided, however,* That the limitations of time therein prescribed may be shortened by the court to expedite hearings."

SEC. 8. Subdivision d of section 29 of such act, as amended, is amended to read as follows:

"d. A person shall not be prosecuted for any offense arising under this act unless the indictment is found or the information is filed in court within 3 years after the commission of the offense: *Provided, however,* That in the case of the offense of concealment of assets of a bankrupt the period of limitations herein shall not begin to run until the question of the bankrupt's discharge is determined by the court after a hearing, or by the bankrupt's filing a waiver of, or having lost, his right to a discharge."

SEC. 9. Clause (9) of subdivision a of section 39 of such act, as amended, is amended to read as follows:

"(9) transmit forthwith to the clerks all bonds filed with and approved by them, the originals of all orders made by them granting adjudications or dismissing the petitions as provided in this act, and certified copies of all orders made by them, granting, denying, or revoking discharges, confirming or refusing to confirm, or setting aside the confirmation of, arrangements or wage earner plans, and reinstating the proceedings or cases;"

SEC. 10. Subdivision a of section 42 of such act, as amended, is amended to read as follows:

"a. The records of all proceedings in each case before a referee shall be kept in the manner as prescribed by the Supreme Court of the United States."

SEC. 11. (a) Subdivision j of section 57 of such act, as amended, is amended to read as follows:

"j. (1) Debts owing to the United States or to any State or any subdivision thereof as a penalty or forfeiture shall not be allowed, except for the amount of the pecuniary loss sustained by the act, transaction, or proceeding out of which the penalty or forfeiture arose, with reasonable and actual costs occasioned thereby and such interest as may have accrued on the amount of such loss up to the date of bankruptcy.

"(2) Except where the estate of the bankrupt is solvent, interest accruing after the date of bankruptcy on taxes legally due and owing to the United States or to any State or any subdivision thereof shall not be allowed."

(b) Subdivision n of such section is amended to read as follows:

"n. Except as otherwise provided in this act, all claims provable under this act, including all claims of the United States and of any State or any subdivision thereof, shall be proved and filed in the manner provided in this section. Claims which are not filed within 6 months after the first date set for the first meeting of creditors shall not be allowed: *Provided, however,* That the court may, upon application before the expiration of such period and for cause shown, grant a reasonable fixed extension of time for the filing of claims by the United States or any State or any subdivision thereof: *Provided further,* That the right of infants and insane persons without guardians, without notice of the bankruptcy proceedings, may continue 6 months longer: *And provided further,* That a claim arising in favor of a person by reason of the recovery by the trustee from such person of money or property, or the avoidance by the trustee of a lien held by such person, may be filed within 30 days from the date of such recovery or avoidance, but if the recovery is by way of a proceeding in which a final judgment has been entered against such person, the claim shall not be allowed if the money is not paid or the property is not delivered to the trustee within 30 days from the date of the rendering of such final judgment, or within such further time as the court may allow. When in any case all claims which have been duly allowed have been paid in full, claims not filed within the time hereinabove prescribed may nevertheless be filed within such time as the court may fix or for cause shown extend and, if duly proved, shall be allowed against any surplus remaining in such case."

SEC. 12. Clause (8) of subdivision a of section 58 of such act, as amended, is amended to read as follows:

"(8) all applications by receivers, ancillary receivers, marshals, trustees, committees, and attorneys for compensation from the estate for services rendered, specifying the amount and by whom made: *Provided, however,* That where a creditor's committee has been appointed pursuant to this act, the notice required by clauses (1), (4), and (6) of this subdivision shall be sent only to such committee and to the creditors who have filed with the court a demand that all notices under this subdivision be mailed to them."

SEC. 13. Subdivision a of section 60 of such act, as amended, is amended to read as follows:

"a. A preference is a transfer, as defined in this act, of any of the property of a debtor to or for the benefit of creditor or for or on account of an antecedent debt, made or suffered by such debtor while insolvent and within 4 months before the filing by or against him of the petition initiating a proceeding under this act, the effect of which

transfer will be to enable such creditor to obtain a greater percentage of his debt than some other creditor of the same class. For the purposes of subdivisions a and b of this section, a transfer shall be deemed to have been made at the time when it became so far perfected that no bona fide purchaser from the debtor and no creditor could thereafter have acquired any rights in the property so transferred superior to the rights of the transferee therein, and, if such transfer is not so perfected prior to the filing of the petition initiating a proceeding under this act, it shall be deemed to have been made immediately before bankruptcy."

SEC. 14. Subdivision c of section 63 of such act, as amended, is amended to read as follows:

"c. Notwithstanding any State law to the contrary, the rejection of an executory contract or unexpired lease, as provided in this act, shall constitute a breach of such contract or lease as of the date of the filing of the petition initiating a proceeding under this act."

SEC. 15. (a) Clause (1) of subdivision a of section 64 of such act, as amended, is amended to read as follows:

"(1) the actual and necessary costs and expenses of preserving the estate subsequent to filing the petition; the fees for the referees' salary fund and for the referees' expense fund; the filing fees paid by creditors in involuntary cases or by persons other than the bankrupt in voluntary cases; where property of the bankrupt, transferred or concealed by him either before or after the filing of the petition, shall have been recovered for the benefit of the estate of the bankrupt by the efforts and at the cost and expense of one or more creditors, the reasonable costs and expenses of such recovery; the costs and expenses of administration, including the trustee's expenses in opposing the bankrupt's discharge or in connection with the criminal prosecution of an offense punishable under this act or an offense concerning the business or property of the bankrupt punishable under other laws, Federal or State; the fees and mileage payable to witnesses as now or hereafter provided by the laws of the United States, and one reasonable attorney's fee, for the professional services actually rendered, irrespective of the number of attorneys employed, to the petitioning creditors in involuntary cases and to the bankrupt in voluntary and involuntary cases, as the court may allow: *Provided, however,* That where an order is entered in a proceeding under any chapter of this act directing that bankruptcy be proceeded with the costs and expenses of administration incurred in the ensuing bankruptcy proceeding shall have priority in advance of payment of the unpaid costs and expenses of administration, including the allowances provided for in such chapter, incurred in the superseded proceeding and in the suspended bankruptcy proceeding, if any;"

(b) Subdivision b of such section is hereby repealed.

SEC. 16. (a) Paragraph (1) of subdivision a of section 67 of such act, as amended, is amended to read as follows:

"a. (1) Every lien against the property of a person obtained by attachment, judgment, levy, or other legal or equitable process or proceedings within 4 months before the filing of a petition initiating a proceeding under this act by or against such person shall be deemed null and void (a) if at the time when such lien was obtained such person was insolvent or (b) if such lien was sought and permitted in fraud of the provisions of this act: *Provided, however,* That if such person is not finally adjudged a bankrupt in any proceeding under this act and if no arrangement or plan is proposed and confirmed, such lien shall be deemed reinstated with the same effect as if it had not been nullified and voided."

(b) Paragraph (2) of subdivision a of such section is amended to read as follows:

"(2) If any lien deemed null and void under the provisions of paragraph (1) of this subdivision a, has been dissolved by the furnishing of a bond or other obligation, the surety on which has been indemnified directly or indirectly by the transfer of or the creation of a lien upon any of the nonexempt property of a person before the filing of a petition initiating a proceeding under this act by or against him, such indemnifying transfer or lien shall also be deemed null and void: *Provided, however,* That if such person is not finally adjudged a bankrupt in any proceeding under this act, and if no arrangement or plan is proposed and confirmed, such transfer or lien shall be deemed reinstated with the same effect as if it had not been nullified and voided."

(c) Subdivision b of such section is amended to read as follows:

"b. The provisions of section 60 of this act to the contrary notwithstanding, statutory liens in favor of employees, contractors, mechanics, landlords, or other classes of persons, and statutory liens for taxes and debts owing to the United States or to any State or any subdivision thereof, created or recognized by the laws of the United States or of any State, may be valid against the trustee, even though arising or perfected while the debtor is insolvent and within 4 months prior to the filing of the petition initiating a proceeding under this act, by or against him. Where by such laws such liens are required to be perfected and arise but are not perfected before bankruptcy, they may nevertheless be valid, if perfected within the time permitted by and in accordance with the requirements of such laws, except that if such laws require the liens to be perfected by the seizure of property, they shall instead be perfected by filing notice thereof with the court."

(d) Subdivision c of such section is amended to read as follows:

"c. Where not enforced by sale before the filing of a petition initiating a proceeding under this act, though valid under subdivision b of this section, statutory liens, including liens for taxes or debts owing to the United States or to any State or any subdivision thereof, on personal property not accompanied by possession of such property, and liens, whether statutory or not, of distress for rent shall be postponed in payment to the debts specified in clauses (1) and (2) of subdivision a of section 64 of this act and, except as against other liens, such liens for wages or for rent shall be restricted in the amount of their payment to the same extent as provided for wages and rent respectively in subdivision a of section 64 of this act."

(e) Paragraph (2) of subdivision d of such section is amended to read as follows:

"(2) Every transfer made and every obligation incurred by a debtor within 1 year prior to the filing of a petition initiating a proceeding under this act by or against him is fraudulent (a) as to creditors existing at the time of such transfer or obligation, if made or incurred without fair consideration by a debtor who is or will be thereby rendered insolvent, without regard to his actual intent; or (b) as to then existing creditors and as to other persons who become creditors during the continuance of a business or transaction, if made or incurred without fair consideration by a debtor who is engaged or is about to engage in such business or transaction, for which the property remaining in his hands is an unreasonably small capital, without regard to his actual intent; or (c) as to then existing and future creditors, if made or incurred without fair consideration by a debtor who intends to incur or believes that he will incur debts beyond his ability to pay as they mature; or (d) as to then existing and future creditors, if made or incurred with actual intent as distinguished from intent presumed in law, to hinder, de-

lay, or defraud either existing or future creditors."

(f) Paragraph (3) of subdivision d of such section is amended to read as follows:

"(3) Every transfer made and every obligation incurred by a debtor within 4 months prior to the filing of a petition initiating a proceeding under this act by or against him is fraudulent, as to then existing and future creditors, if made or incurred with intent to use the consideration, obtained for the transfer or obligation, to effect a preference to a third person voidable under section 60 of this act. The remedies of the trustee for the avoidance of such transfer or obligation and of such preference shall be cumulative: *Provided, however,* That the trustee shall be entitled to only one satisfaction with respect thereto."

(g) Paragraph (4) of subdivision d of such section is amended to read as follows:

"(4) Every transfer of partnership property and every partnership obligation incurred within 1 year prior to the filing of a petition initiating a petition under this act by or against the partnership, when the partnership is insolvent or will be thereby rendered insolvent, is fraudulent as to partnership creditors existing at the time of such transfer or obligation, without regard to actual intent if made or incurred (a) to a partner, whether with or without a promise by him to pay partnership debts, or (b) to a person not a partner without fair consideration to the partnership as distinguished from consideration to the individual partners."

(h) Paragraph (5) of subdivision d of such section is amended to read as follows:

"(5) For the purposes of this subdivision d, a transfer shall be deemed to have been made at the time when it became so far perfected that no bona fide purchaser from the debtor could thereafter have acquired any rights in the property so transferred superior to the rights of the transferee therein, but, if such transfer is not so perfected prior to the filing of the petition initiating a proceeding under this act, it shall be deemed to have been made immediately before the filing of such petition."

SEC. 17. Subdivision d of section 69 of such Act, as amended, is amended to read as follows:

"d. Upon the filing of a petition under this act, a receiver or trustee, appointed in proceedings not under this act, of any of the property of a bankrupt, an assignee for the benefit of creditors of a bankrupt, or an agent authorized to take possession of or to liquidate any of the property of a bankrupt shall be accountable to the bankruptcy court, in which the proceeding under this act is pending, for any action taken by him subsequent to the filing of such bankruptcy petition, and shall file in such bankruptcy court a sworn schedule setting forth a summary of the property in his charge and of the liabilities of the estate, both as of the time of and since becoming receiver, trustee, assignee, or agent, and a sworn statement of his administration of the estate. Such receiver, trustee, assignee, or agent, with knowledge of the filing of such bankruptcy proceeding, shall not make any disbursements or take any action in the administration of such property without first obtaining authorization therefor from the bankruptcy court."

SEC. 18. (a) The introductory sentence of subdivision a of section 70 of such act, as amended, is amended to read as follows:

"a. The trustee of the estate of a bankrupt and his successor or successors, if any, upon his or their appointment and qualification, shall in turn be vested by operation of law with the title of the bankrupt as of the date of the filing of the petition initiating a proceeding under this act, except insofar as it is to property which is held to be exempt, to all (1) * * *."

(b) Paragraph (2) of subdivision e of such section is amended to read as follows:

"(2) All property of the debtor affected by any such transfer shall be and remain a part of his assets and estate, discharged and released from such transfer and shall pass to, and every such transfer or obligation shall be avoided by, the trustee for the benefit of the estate: *Provided, however,* That the court may on due notice order such transfer or obligation to be preserved for the benefit of the estate and in such event the trustee may enforce the rights of such transferee or obligee. The trustee shall reclaim and recover such property or collect its value from and avoid such transfer or obligation against whomever may hold or have received it, except a person as to whom the transfer or obligation specified in paragraph (1) of this subdivision e is valid under applicable Federal or State laws."

(c) Subdivision h of such section is hereby repealed and subdivision "i" of such section is relettered to read subdivision "h."

SEC. 19. Section 221 of such Act, as amended, is amended by inserting "a" after "Sec. 221." and before "The judge * * *," and by inserting at the end of such section a new subdivision:

"b. The judge shall, in the order confirming the plan, fix the time when the trustee or debtor in possession shall cease to operate the business and manage the property of the debtor, after which time such business and property shall be operated and managed by the debtor or other corporation or corporations provided for by the plan. Notice of the time fixed shall be given, in such manner and to such persons as may be specified by order of the judge, at least 10 days before the expiration of such time. If such time is extended, like notice shall be given at least 10 days before the expiration of the period of extension."

SEC. 20. Section 222 of such act, as amended, is amended to read as follows:

"SEC. 222. A plan may be altered or modified, with the approval of the judge, after its submission for acceptance and before or after its confirmation, and before or after the final time fixed under section 221b of this act, if, in the opinion of the judge, the alteration or modification does not materially and adversely affect the interests of creditors or stockholders. If the judge finds that the proposed alteration or modification, filed with his approval, does materially and adversely affect the interests of creditors or stockholders, and if the proposed alteration or modification is filed before the final time fixed under section 221b of this act, he shall fix a hearing for the consideration, and a subsequent time for the acceptance or rejection, of such alteration or modification, and the requirements in regard to notice of hearing, to submission to the Securities and Exchange Commission, to acceptance, to filing and hearing of objections to confirmation and to the confirmation, as prescribed in article VII of this chapter in regard to the plan proposed to be altered or modified, shall be complied with."

SEC. 21. Paragraph (3) of section 238 of such act, as amended, is amended to read as follows:

"(3) only such claims as are provable under section 63 of this act shall be allowed, and claims not already filed may be filed prior to the expiration of 6 months after the first date set for the first meeting of creditors as provided in section 55 of this act, or, if such date has been previously set, then prior to the expiration of 3 months after the mailing of notices to creditors of the entry of the order directing that bankruptcy be proceeded with."

SEC. 22. Chapter X of such act, as amended, is amended by inserting at the end of article XI of such chapter the following new section:

"SEC. 239. Where, after the final time fixed under section 221 (b) of this act, the judge

shall enter an order directing that bankruptcy be proceeded with—

"(1) the unsecured debts incurred by the debtor in the operation of its business and the management of its property after the time fixed in such order shall, unless and except as otherwise provided in the plan or in the order confirming the plan, share on a parity with the prior unsecured debts of the same classes, provable in the ensuing bankruptcy proceeding, and for such purpose the prior unsecured debts shall be deemed to be reduced to the amounts respectively provided for them in the plan or in the order confirming the plan, less any payment made thereunder: *Provided, however,* That if the plan is grossly inequitable because of fraud, the extent to which such prior unsecured debts shall share in the ensuing bankruptcy proceeding shall be adjusted to cure such inequity; and

"(2) the provisions of chapters I to VII, inclusive, of this act shall, insofar as they are not inconsistent or in conflict with the provisions of this section, apply to the rights, duties, and liabilities of the creditors holding debts so incurred after the time fixed under section 221b of this act, and, for the purposes of such application, the date of bankruptcy shall be taken to be the date of the entry of the order directing that bankruptcy be proceeded with."

Sec. 23. Paragraph (11) of subdivision a of section 265 of such act, as amended, is amended to read as follows:

"(11) the orders directing that bankruptcy be proceeded with, or adjudging the debtors bankrupt and directing that bankruptcy be proceeded with or dismissing proceedings;"

Sec. 24. Section 355 of such act, as amended, is amended to read as follows:

"Sec. 355. Upon the entry of an order under the provisions of this chapter directing that bankruptcy be proceeded with, only such claims as are provable under section 63 of this act shall be allowed and, except as provided in section 354 of this act, claims not already filed may be filed within 6 months after the first date set for the first meeting of creditors, held pursuant to section 55 of this act, or, if such date has previously been set, then within 3 months after the mailing of notice to creditors of the entry of the order directing that bankruptcy be proceeded with."

Sec. 25. Chapter XI of such act, as amended, is amended by renumbering "Sec. 379." to read "Sec. 380." and "Sec. 380." to read "Sec. 381.", and by inserting in its numerical order the following new section:

"Sec. 379. Where, after the confirmation of an arrangement, the court shall enter an order directing that bankruptcy be proceeded with—

"(1) the trustee shall, upon his appointment and qualification, be vested with the title to all the property of the debtor as of the date of the entry of the order directing that bankruptcy be proceeded with;

"(2) the unsecured debts incurred by the debtor after the confirmation of the arrangement and before the date of the entry of the final order directing that bankruptcy be proceeded with shall, unless and except as otherwise provided in the arrangement or in the order confirming the arrangement, share on a parity with the prior unsecured debts of the same classes, provable in the ensuing bankruptcy proceeding, and for such purpose the prior unsecured debts shall be deemed to be reduced to the amounts respectively provided for them in the arrangement or in the order confirming the arrangement, less any payment made thereunder; and

"(3) the provisions of chapters I to VII, inclusive, of this act shall, insofar as they are not inconsistent or in conflict with the provisions of this section, apply to the rights, duties, and liabilities of the creditors hold-

ing debts incurred by the debtor after the confirmation of the arrangement and before the date of the final order directing that bankruptcy be proceeded with, and of all persons with respect to the property of the debtor, and, for the purposes of such application, the date of bankruptcy shall be taken to be the date of the entry of the order directing that bankruptcy be proceeded with."

Sec. 26. Section 459 of such act, as amended, is amended to read as follows:

"Sec. 459. Upon the entry of an order under the provisions of this chapter directing that bankruptcy be proceeded with, only such claims as are provable under section 63 of this act shall be allowed, and claims not already filed may be filed within 6 months after the first date set for the first meeting of creditors, held pursuant to section 55 of this act."

Sec. 27. Chapter XIII of such act, as amended, is amended by renumbering "Sec. 484." to read "Sec. 485." and "Sec. 485." to read "Sec. 486.", and by inserting in its numerical order the following new section:

"Sec. 484. Where, after the confirmation of an arrangement, the court shall enter an order directing that bankruptcy be proceeded with—

"(1) the trustee shall, upon his appointment and qualification, be vested with the title to all the property of the debtor as of the date of the entry of the order directing that bankruptcy be proceeded with;

"(2) the unsecured debts incurred by the debtor after the confirmation of the arrangement and before the date of the entry of the final order directing that bankruptcy be proceeded with shall, unless and except as otherwise provided in the arrangement or in the order confirming the arrangement, share on a parity with the prior unsecured debts of the same classes, provable in the ensuing bankruptcy proceeding, and for such purpose the prior unsecured debts shall be deemed to be reduced to the amounts respectively provided for them in the arrangement or in the order confirming the arrangement, less any payment made thereunder;

"(3) the provisions of chapters I to VII, inclusive, of this act shall, insofar as they are not inconsistent or in conflict with the provisions of this section, apply to the rights, duties, and liabilities of the creditors holding debts incurred by the debtor after the confirmation of the arrangement and before the date of the final order directing that bankruptcy be proceeded with, and of all persons with respect to the property of the debtor, and, for the purposes of such application, the date of bankruptcy shall be taken to be the date of the entry of the order directing that bankruptcy be proceeded with."

Sec. 28. Section 644 of such act, as amended, is amended to read as follows:

"Sec. 644. Upon the entry of an order under the provisions of this chapter directing that bankruptcy be proceeded with, only such claims as are provable under section 63 of this act shall be allowed and, except as provided in section 643 of this act, claims not already filed may be filed within 6 months after the first date set for the first meeting of creditors, held pursuant to section 55 of this act, or, if such date has previously been set, then within 3 months after the mailing of notice to creditors of the entry of the order directing that bankruptcy be proceeded with."

Sec. 29. Chapter XIII of such act, as amended, is amended by renumbering "Sec. 668." to read "Sec. 669." and by inserting in its numerical order the following new section:

"Sec. 668. Where after the confirmation of a plan, the court shall enter an order directing that bankruptcy be proceeded with—

"(1) the trustee shall, upon his appointment and qualification, be vested with the title to all the property of the debtor as of the date of the entry of the order directing that bankruptcy be proceeded with;

"(2) the unsecured debts incurred by the debtor after the confirmation of the plan and before the date of the entry of the final order directing that bankruptcy be proceeded with shall, unless and except as otherwise provided in the plan or in the order confirming the plan, share on a parity with the prior unsecured debts of the same classes, provable in the ensuing bankruptcy proceeding, and for such purpose the prior unsecured debts shall be deemed to be reduced to the amounts respectively provided for them in the plan or in the order confirming the plan, less any payment made thereunder; and

"(3) the provisions of chapters I to VII, inclusive, of this act shall, insofar as they are not inconsistent or in conflict with the provisions of this section, apply to the rights, duties, and liabilities of the creditors holding debts incurred by the debtor after the confirmation of the plan and before the date of the final order directing that bankruptcy be proceeded with, and of all persons with respect to the property of the debtor, and, for the purposes of such application, the date of bankruptcy shall be taken to be the date of the entry of the order directing that bankruptcy be proceeded with."

Sec. 30. (a) All acts or parts of acts inconsistent with any provisions of this amendatory act are hereby repealed.

(b) If any provision of this amendatory act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this amendatory act which can be given effect without the invalid provision or application, and to this end the provisions of this amendatory act are declared to be severable.

Sec. 31. Effect of this amendatory act:

(a) Nothing herein contained shall have the effect to release or extinguish any penalty, forfeiture, or liability incurred under any act or acts of which this act is amendatory.

(b) The provisions of this amendatory act shall govern proceedings so far as practicable and applicable in cases pending when it takes effect; but proceedings in cases then pending to which the provisions of this amendatory act are not applicable shall be disposed of conformably to the provisions of said act approved July 1, 1898, and the acts amendatory thereof and supplementary thereto.

Sec. 32. This amendatory act shall take effect and be in force on and after three months from the date of its approval.

Mr. REED of Illinois. Mr. Speaker, I offer a corrective amendment.

The Clerk read as follows:

Amendment offered by Mr. REED of Illinois: On page 22, line 15, strike out "XI" and insert "XII."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REDUCTION OF SALARIES OF POSTMASTERS

The Clerk called the bill (H. R. 6089) to amend the act of July 6, 1945 (Public Law 134).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of July 6, 1945 (Public Law 134), is amended by adding the following to section 8 (b): "Provided,

That incumbent postmasters in offices having receipts of \$600,000 but less than \$1,500,000 shall not have their salary reduced unless the receipts of their respective offices drop below \$600,000 for any one calendar year."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

POST-OFFICE FACILITIES AT LOS ANGELES, CALIF.

The Clerk called the bill (H. R. 5750) to provide for the extension and improvement of post-office facilities at Los Angeles, Calif., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Reserving the right to object, Mr. Speaker, in its present form the bill appropriates too much money to be on the Consent Calendar. However, the author has submitted to me an amendment which has cleared the Consent Calendar objectors, and at the proper time I shall offer that amendment.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Federal Works Administrator is authorized and directed to acquire, by purchase, condemnation, or otherwise, at a cost not to exceed \$854,000, land situated in Los Angeles, Calif., for a site for a Federal building and additional post-office facilities which would comprise a tract bounded on the south side by the existing Terminal Annex Station, on the north side by Vignes Street, on the east side by the westerly line of Date Street, and on the west side by the easterly line of Alameda Street, or North Main Street (whichever is closer to the eastern boundary).

(b) The Federal Works Administrator is authorized and directed to enter into contracts, under plans and specifications to be approved by him and by the Postmaster General, for the construction of an additional story to the existing Terminal Annex Station. The cost of such additional story with plans and specifications to the Terminal Annex Station shall not exceed \$850,000.

SEC. 2. (a) In carrying out the provisions of this act, the Federal Works Administrator, with the approval of the Postmaster General, is authorized to enter into agreements with the city of Los Angeles pursuant to which (1) such city shall vacate the use of streets and alleys situated within the land acquired under section 1 (a), and (2) the United States shall grant to the city of Los Angeles a portion of the land acquired under subsection 1 (a) for a street which will provide a suitable connection for Date Street with Vignes Street at grade level beyond the limits of any future underpass on Vignes Street.

(b) In carrying out the provisions of this act, the Administrator, with the approval of the Postmaster General, is further authorized to make due provision for the methods of handling mail matter in metropolitan areas by air transport.

SEC. 3. There is authorized to be appropriated the sum of \$1,704,000, or so much thereof as may be necessary, to carry out the provisions of this act.

With the following committee amendment:

Page 1, line 7, after the word "facilities", strike out the comma and insert a period.

Strike out the words "which would comprise a."

Page 1, strike out lines 8, 9, and 10.

Page 2, strike out lines 1 and 2.

Page 2, line 6, strike out "to" and insert in lieu thereof "and extension and remodeling of."

Page 2, line 8, after the word "story", insert "and extension and remodeling."

Page 2, line 9, strike out "\$850,000" and insert in lieu thereof "\$1,850,000."

Page 3, line 4, strike out "\$1,704,000" and insert in lieu thereof "\$2,704,000."

Mr. CUNNINGHAM. Mr. Speaker, I offer a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. CUNNINGHAM as a substitute for the committee amendment:

Page 1, line 3, after the enacting clause, strike out all of line 3 to and including line 10 on page 1 and all of lines 1 and 2 on page 2; strike out (b) on line 3, page 2, and insert section 1 and (a); on line 10, page 2, strike out "\$1,850,000" and insert "\$1,000,000"; on page 2, line 11, strike out all of line 11 to and including line 21; and on page 3, line 4, strike out "\$2,704,000" in line 4 and insert "\$1,000,000."

The SPEAKER. The question is on the substitute amendment offered by the gentleman from Iowa for the committee amendment.

The substitute amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

QUIT CLAIM DEEDS TO MINERALS IN OR UNDER CERTAIN REAL PROPERTY

The Clerk called the bill (H. R. 5263) to permit the Secretary of Agriculture to execute and deliver to present owners of certain real property quitclaim deeds to the minerals in or under such property.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of this act—

(1) The term "Secretary" means the Secretary of Agriculture.

(2) The term "real property" means any lands (improved and unimproved) which (A) on the date of the enactment of this act are located in farms and (B) at any time were comprising or incident to those resettlement projects and rural rehabilitation projects for resettlement purposes, and other like enterprises heretofore initiated for similar purposes, which were financed in whole or in part with funds made available to the Secretary, War Food Administrator, Farm Security Administration, Resettlement Administration, or Federal Emergency Relief Administration.

(3) The term "reserved minerals" means any interest claimed or held by the United States in any coal, oil, gas, or other minerals in or under any real property.

(4) The term "nominal value" means any value not exceeding \$5 per mineral acre.

(5) The term "present owner" means the owner or owners of any real property at the close of the day upon which this act is enacted.

SEC. 2. The Secretary is authorized to execute and deliver on behalf of the United States to a present owner a quitclaim deed to such reserved minerals in or under the real property of such present owner as have only

a nominal value at the close of the day upon which this act is enacted. The consideration for the execution and delivery of any such quitclaim deed shall be a sum determined by the Secretary to be equivalent to the fair value of such reserved minerals.

SEC. 3. (a) The Secretary may by regulation prescribe methods for the identification of present owners. The cost of establishing the identity of the present owners shall be borne by such owners.

(b) A quitclaim deed executed by or on behalf of the Secretary purporting to transfer reserved minerals under this act shall be conclusive evidence of compliance with the provisions of this act insofar as title or other interest of any bona fide purchasers for value is concerned.

With the following committee amendment:

Strike out all after the enacting clause and substitute in lieu thereof the following: "That notwithstanding the provisions of any other law, the Secretary of Agriculture be and he is hereby authorized and directed to execute and convey by quitclaim deed, without consideration, the mineral rights heretofore reserved and now owned by the United States of America in connection with the sale of lands in Brown, Daviess, Decatur, Knox, Martin, Shelby, and Sullivan Counties, Ind., formerly known as the Wabash Farms project and officially designated in the records of the Department of Agriculture as project RR-IN-10, and the mineral rights heretofore reserved and conveyed to the United States of America by the Indiana Defense Relocation Corporation, to the respective persons who at the time of the enactment of this act are the owners of the lands in and under which such mineral rights were reserved.

SEC. 2. The Secretary may require persons asserting a claim to such mineral rights pursuant to section 1 hereof to establish their claims to such mineral rights to the satisfaction of the Secretary, and at their own expense.

SEC. 3. The Secretary may make such rules and regulations and such delegations of authority as he deems necessary to carry out the purposes of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING CIVIL AERONAUTICS ACT OF 1938

The Clerk called the bill (S. 2455) to amend the Civil Aeronautics Act of 1938, as amended, by limiting the liability of certain persons not in possession of aircraft.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Civil Aeronautics Act of 1938, as amended (52 Stat. 973; U. S. C., title 49, sec. 401 and the following), is further amended by inserting immediately following section 503 thereof, the following new section:

"SEC. 504. No person having a security interest in, or security title to, any civil aircraft under a contract of conditional sale, equipment trust, chattel or corporate mortgage, or other instrument of similar nature, and no lessor of any such aircraft under a bona fide lease of 30 days or more, shall be liable by reason of such interest or title, or by reason of his interest as lessor or owner of the aircraft so leased, for any injury to or death of persons, or damage to or loss of property, on the surface of the earth

(whether on land or water) caused by such aircraft, or by the ascent, descent, or flight of such aircraft or by the dropping or falling of an object therefrom, unless such aircraft is in the actual possession or control of such person at the time of such injury, death, damage, or loss."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING ACT OF JULY 30, 1947

The Clerk called the bill (H. R. 4690) to amend the act of July 30, 1947, permitting vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to permit vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States," approved July 30, 1947, is amended to read as follows:

"That notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 ed., title 46, sec. 883), vessels of foreign registry shall be permitted to transport products of, and supplies and equipment for, the Riverside Mine at Hyder, Alaska, between Hyder, Alaska, and other points in the United States, either directly or via a foreign port, or for any part of the transportation."

With the following committee amendments:

Page 1, line 9, strike out the word "foreign" and insert in lieu thereof the word "Canadian."

Page 1, line 10, after the words "shall be permitted", insert the words "until June 30, 1949."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN ADMINISTRATIVE EXPENSES OF POST OFFICE DEPARTMENT

The Clerk called the bill (H. R. 6648) to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill (S. 2510) to provide for certain administrative expenses in the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the acts of April 21, 1902; May 27, 1908; and June 19, 1922 (33 U. S. C. 423), relating to contracts for transmission of mail by pneumatic tubes in New York, N. Y., including the borough of Brooklyn, are hereby amended to provide that the annual rental contract payment rate for the use of the twenty-six and nine hundred and sixty-nine thou-

sandths miles of double-line pneumatic-tube facilities shall not exceed \$12,000 per mile nor be less than \$10,500 per mile: *Provided, however,* That the rate shall be inclusive of maintenance expenses but shall be exclusive of all operating expenses.

Mr. VURSELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VURSELL: On page 1, line 10, after the word "exceed", strike out the words "\$12,000 per mile nor be less than \$10,500" and insert in lieu thereof "\$11,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 6618) was laid on the table.

A motion to reconsider was laid on the table.

AMENDING ACT OF DECEMBER 2, 1942, PROVIDING COMPENSATION FOR EMPLOYEES OF CERTAIN CONTRACTORS

The Clerk called the bill (H. R. 6045) amending the act approved December 2, 1942, which provides compensation for injury, death, or detention of employees of contractors with the United States and certain other persons or reimbursement therefor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Public Law 784, Seventy-seventh Congress, is hereby amended by striking out the proviso contained in section 102 (a).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Clerk called the bill (H. R. 6647) to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (b) of section 6 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(b) Compensation for disability shall not exceed \$35 per week and compensation for disability shall not be less than \$12 per week: *Provided, however,* That if the employee's average wages at the time of injury are less than \$12 per week, he shall receive his average weekly wages."

Sec. 2. So much of subdivision (c) of section 8 of such act, as amended, as precedes paragraph (13) thereof and paragraph (22) thereof are amended to read as follows:

"(c) Permanent partial disability: In case of disability partial in character but permanent in quality the compensation shall be 66 2/3 percent of the average weekly wages, and shall be paid to the employee, as follows:

- "(1) Arm lost, 312 weeks' compensation.
- "(2) Leg lost, 288 weeks' compensation.
- "(3) Hand lost, 244 weeks' compensation.
- "(4) Foot lost, 205 weeks' compensation.
- "(5) Eye lost, 160 weeks' compensation.
- "(6) Thumb lost, 75 weeks' compensation.
- "(7) First finger lost, 46 weeks' compensation.

"(8) Great toe lost, 38 weeks' compensation.

"(9) Second finger lost, 30 weeks' compensation.

"(10) Third finger lost, 25 weeks' compensation.

"(11) Toe other than great toe lost, 16 weeks' compensation.

"(12) Fourth finger lost, 15 weeks' compensation.

"(22) In case of temporary total disability and permanent partial disability, both resulting from the same injury, if the temporary total disability continues for a longer period than the number of weeks set forth in the following schedule, the period of temporary total disability in excess of such number of weeks shall be added to the compensation period, provided in subdivision (c) of this section: Arm, 32 weeks; leg, 40 weeks; hand, 32 weeks; foot, 32 weeks; eye, 20 weeks; thumb, 24 weeks; first finger, 18 weeks; great toe, 12 weeks; second finger, 12 weeks; third finger, 8 weeks; fourth finger, 8 weeks; toe other than great toe, 8 weeks.

"In any case resulting in loss or partial loss of use of arm, leg, hand, foot, eye, thumb, finger, or toe, where the temporary total disability does not extend beyond the periods above-mentioned for such injury, compensation shall be limited to the schedule contained in subdivision (c).

"In any case in which there shall be a loss of, or loss of use of, more than one member or parts of more than one member set forth in paragraphs (1) to (19) of this subdivision, not amounting to permanent total disability, the award of compensation shall be for the loss of, or loss of use of, each such member or part thereof, which awards shall run consecutively."

Sec. 3. Subsection (a), (b), (c), and (e) of section 9 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, are amended to read as follows:

"(a) Reasonable funeral expenses not exceeding \$400.

"(b) If there be a surviving wife or dependent husband and no child of the deceased, to such surviving wife or dependent husband 35 percent of the average wages of the deceased, during widowhood, or dependent widowerhood, with 2 years' compensation in one sum upon remarriage; and if there be a surviving child or children of the deceased, the additional amount of 15 percent of such wages for each such child; in case of the death or remarriage of such surviving wife or dependent husband, if there be one surviving child of the deceased employee, such child shall have his compensation increased to 35 percent of such wages, and if there be more than one surviving child of the deceased employee, to such children, in equal parts, 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided,* That the total amount payable shall in no case exceed 66 2/3 percent of such wages. The deputy commissioner having jurisdiction over the claim may, in his discretion, require the appointment of a guardian for the purpose of receiving the compensation of a minor child. In the absence of such a requirement the appointment of a guardian for such purposes shall not be necessary.

"(c) If there be one surviving child of the deceased, but no surviving wife or dependent husband, then for the support of such child 35 percent of the wages of the deceased; and if there be more than one surviving child of the deceased, but no widow or dependent husband, then for the support of such children, in equal parts 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided,* That the total amount payable shall in no case exceed 66 2/3 percent of such wages.

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than \$52.50 nor less than \$18, but the total weekly compensation shall not exceed the weekly wages of the deceased."

SEC. 4. Subdivisions (a), (b), and (c) of section 10 of the Longshoremen's and Harbor Workers' Act, as amended, are amended to read as follows:

"(a) If the injured employee shall have worked in the employment in which he was working at the time of the injury, whether for the same or another employer, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of 300 times the average daily wage or salary for a 6-day worker and 260 times the average daily wage or salary for a 5-day worker, which he shall have earned in such employment during the days when so employed.

"(b) If the injured employee shall not have worked in such employment during substantially the whole of such year, his average annual earnings, if a 6-day worker, shall consist of 300 times the average daily wage or salary, and, if a 5-day worker, 260 times the average daily wage or salary, which an employee of the same class working substantially the whole of such immediately preceding year in the same or in similar employment in the same or a neighboring place shall have earned in such employment during the days when so employed.

"(c) If either of the foregoing methods of arriving at the annual average earnings of an injured employee cannot reasonably and fairly be applied, such annual earnings shall be such sums as shall reasonably represent the total annual earnings of such employee derived by him from the industry in which the employee was engaged and from any other industry or industries in which said employee may have been engaged during the year preceding such injury."

SEC. 5. Subsection (m) of section 14 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, is hereby amended to read as follows:

"The total compensation payable under this act for injuries shall in no event exceed the sum of \$11,000: *Provided*, That this subsection shall not apply to cases of permanent total disability or death: *And provided further*, That with respect to cases arising under paragraph 21 of subsection (c) of section 8 hereof the total compensation payable shall in no event exceed the sum of \$9,000."

SEC. 6. The provisions of this act shall be applicable only to injuries or deaths occurring on or after the effective date hereof.

With the following committee amendments:

Page 1, strike out lines 6 to 10, both inclusive, and insert in lieu thereof the following:

"(b) Compensation for disability shall not exceed \$35 per week and compensation for total disability shall not be less than \$12 per week: *Provided, however*, That if the employee's average weekly wages, as computed under section 10, are less than \$12 per week, he shall receive as compensation for total disability his average weekly wages."

Page 2, line 2, strike out "and paragraph (22) thereof are" and insert in lieu thereof "is."

Page 2, line 6, after "wages", insert the following: "which shall be in addition to compensation for temporary total disability or temporary partial disability paid in accordance with subdivision (b) or subdivision (e) of this section, respectively."

Page 3, line 1, insert quotation marks after the period, and strike out lines 2 to 25, both inclusive.

Page 6, strike out lines 17 to 24, both inclusive, and insert in lieu thereof the following:

"(c) If either of the foregoing methods of arriving at the average annual earnings of the injured employee cannot reasonably and fairly be applied, such average annual earnings shall be such sum as, having regard to the previous earnings of the injured employee in the employment in which he was working

at the time of the injury, and of other employees of the same or most similar class working in the same or most similar employment in the same or neighboring locality, or other employment of such employee, including the reasonable value of the services of the employee if engaged in self-employment, shall reasonably represent the annual earning capacity of the injured employee."

Page 7, line 3, insert after the quotation marks "(m)."

Page 7, line 6, strike out beginning with the colon down to the period in line 9.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. KEAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2237) to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act.

THE SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That subsection (b) of section 6 of the Longshoremen's and Harbor Workers' Compensation Act is amended to read as follows:

"(b) Compensation for disability shall not exceed \$35 per week and compensation for disability shall not be less than \$12 per week: *Provided, however*, That if the employee's average wages at the time of injury are less than \$12 per week, he shall receive his average weekly wages."

SEC. 2. So much of subdivision (c) of section 8 of such act, as amended, as precedes paragraph (13) thereof and paragraph (22) thereof are amended to read as follows:

"(c) Permanent partial disability: In case of disability partial in character but permanent in quality the compensation shall be 66 2/3 percent of the average weekly wages, and shall be paid to the employee, as follows:

"(1) Arm lost, 312 weeks' compensation.
" (2) Leg lost, 288 weeks' compensation.
" (3) Hand lost, 244 weeks' compensation.
" (4) Foot lost, 205 weeks' compensation.
" (5) Eye lost, 160 weeks' compensation.
" (6) Thumb lost, 75 weeks' compensation.
" (7) First finger lost, 46 weeks' compensation.

"(8) Great toe lost, 38 weeks' compensation.

"(9) Second finger lost, 30 weeks' compensation.

"(10) Third finger lost, 25 weeks' compensation.

"(11) Toe other than great toe lost, 16 weeks' compensation.

"(12) Fourth finger lost, 15 weeks' compensation.

"(22) In case of temporary total disability and permanent partial disability, both resulting from the same injury, if the temporary total disability continues for a longer period than the number of weeks set forth in the following schedule, the period of temporary total disability in excess of such number of weeks shall be added to the compensation period provided in subdivision (c) of this section: Arm, 32 weeks; leg, 40 weeks; hand, 32 weeks; foot, 32 weeks; eye, 20 weeks; thumb, 24 weeks; first finger, 18 weeks; great toe, 12 weeks; second finger, 12 weeks; third finger, 8 weeks; fourth finger, 8 weeks; toe other than great toe, 8 weeks.

"In any case resulting in loss or partial loss of use of arm, leg, hand, foot, eye, thumb, finger, or toe, where the temporary total disability does not extend beyond the periods

above mentioned for such injury, compensation shall be limited to the schedule contained in subdivision (c).

"In any case in which there shall be a loss of, or loss of use of, more than one member or parts of more than one member set forth in paragraphs (1) to (19) of this subdivision, not amounting to permanent total disability, the award of compensation shall be for the loss of, or loss of use of, each such member or part thereof, which awards shall run consecutively."

SEC. 3. Subsections (a), (b), (c), and (e) of section 9 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, are amended to read as follows:

"(a) Reasonable funeral expenses not exceeding \$400.

"(b) If there be a surviving wife or dependent husband and no child of the deceased, to such surviving wife or dependent husband 35 percent of the average wages of the deceased, during widowhood, or dependent widowhood, with 2 years' compensation in one sum upon remarriage; and if there be a surviving child or children of the deceased, the additional amount of 15 percent of such wages for each such child; in case of the death or remarriage of such surviving wife or dependent husband, if there be one surviving child of the deceased employee, such child shall have his compensation increased to 35 percent of such wages, and if there be more than one surviving child of the deceased employee, to such children, in equal parts, 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided*, That the total amount payable shall in no case exceed 66 2/3 percent of such wages. The deputy commissioner having jurisdiction over the claim may, in his discretion, require the appointment of a guardian for the purpose of receiving the compensation of a minor child. In the absence of such a requirement the appointment of a guardian for such purposes shall not be necessary.

"(c) If there be one surviving child of the deceased, but no surviving wife or dependent husband, then for the support of such child 35 percent of the wages of the deceased; and if there be more than one surviving child of the deceased, but no widow or dependent husband, then for the support of such children, in equal parts 35 percent of such wages increased by 15 percent of such wages for each child in excess of one: *Provided*, That the total amount payable shall in no case exceed 66 2/3 percent of such wages.

"(e) In computing death benefits the average weekly wages of the deceased shall be considered to have been not more than \$52.50 nor less than \$18, but the total weekly compensation shall not exceed the weekly wages of the deceased."

SEC. 4. Subdivisions (a), (b), and (c) of section 10 of the Longshoremen's and Harbor Workers' Act, as amended, are amended to read as follows:

"(a) If the injured employee shall have worked in the employment in which he was working at the time of the injury, whether for the same or another employer, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of 300 times the average daily wage or salary for a 6-day worker and 260 times the average daily wage or salary for a 5-day worker, which he shall have earned in such employment during the days when so employed.

"(b) If the injured employee shall not have worked in such employment during substantially the whole of such year, his average annual earnings, if a 6-day worker, shall consist of 300 times the average daily wage or salary, and, if a 5-day worker, 260 times the average daily wage or salary, which an employee of the same class working substantially the whole of such immediately

preceding year in the same or in similar employment in the same or a neighboring place shall have earned in such employment during the days when so employed.

"(c) If either of the foregoing methods of arriving at the annual average earnings of an injured employee cannot reasonably and fairly be applied, such annual earnings shall be such sums as shall reasonably represent the total annual earnings of such employee derived by him from the industry in which the employee was engaged and from any other industry or industries in which said employee may have been engaged during the year preceding such injury."

SEC. 5. Subsection (m) of section 14 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, is hereby amended to read as follows:

"The total compensation payable under this act for injuries shall in no event exceed the sum of \$11,000: *Provided*, That this subsection shall not apply to cases of permanent total disability or death: *And provided further*, That with respect to cases arising under paragraph 21 of subsection (c) of section 8 hereof the total compensation payable shall in no event exceed the sum of \$9,000."

SEC. 6. The provisions of this act shall be applicable only to injuries or deaths occurring on or after the effective date hereof.

Mr. KEAN. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert the provisions of the bill H. R. 6647 as amended.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 6647) was laid on the table.

A motion to reconsider was laid on the table.

ACQUISITION OF ADDITIONAL LAND ALONG MOUNT VERNON MEMORIAL HIGHWAY

The Clerk called the bill (H. R. 5842) to provide for the acquisition of additional land along the Mount Vernon Memorial Highway in exchange for certain dredging privileges, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McGREGOR. Mr. Speaker, reserving the right to object, owing to the fact that this establishes an entirely new procedure for the transferring of property, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. CUNNINGHAM. Mr. Speaker, I object. It was passed over 2 weeks ago, at the request of the gentleman from Ohio and further hearings were held and it was reported by the Committee on Public Works unanimously, with the exception of one vote. There is no reason why it should be passed over again at this time.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McGREGOR. Mr. Speaker, I object.

AUTHORIZING THE STATE OF MARYLAND TO CONSTRUCT AND MAINTAIN AND OPERATE CERTAIN BRIDGES

The Clerk called the bill (S. 2201) supplementing the act entitled "An act au-

thorizing the State of Maryland, by and through its State Roads Commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State," approved April 7, 1948.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the State of Maryland, by and through its State roads commission or the successors of said commission, is hereby authorized to construct, maintain, and operate, subject to the provisions of subsection (b) of section 502 of the General Bridge Act of 1946, (1) a bridge across or a tunnel under the Chesapeake Bay, in the State of Maryland, from a point in Anne Arundel County at or near Sandy Point to a point approximately opposite on Kent Island, or a combined bridge and tunnel at such location, and approaches thereto, and (2) a bridge across or a tunnel under the Patapsco River, in the city of Baltimore, from a point at or near the mouth of North West Branch to a point approximately opposite at or near Fairfield, and approaches thereto.

Sec. 2. The State of Maryland, by and through its State roads commission or the successors of said commission, is hereby authorized to fix and charge tolls in accordance with the laws of the State of Maryland for the use of each of the structures and facilities the construction of which is hereby authorized and to use such tolls in accordance with the laws of the State of Maryland for the purposes hereinafter provided.

Sec. 3. The State of Maryland, by and through its State roads commission or the successors of said commission, may unite or group either or both of the bridges heretofore constructed in accordance with the provisions of the act approved April 7, 1938 (52 Stat. 205), across the Susquehanna River and the Potomac River with either or both of the structures and facilities the construction of which is hereby authorized into one or more projects for financing purposes. The rates of tolls charged for the use of each of the structures or facilities so included in any such project shall be so adjusted in accordance with the provisions of said act of April 7, 1938, as to provide in the aggregate a fund not to exceed an amount sufficient to pay the reasonable costs of maintaining, repairing, and operating all of the structures or facilities included in the project, and their approaches, under economical management, and to provide a sinking fund sufficient to amortize the aggregate cost of the structures or facilities hereby authorized included in the project, and their approaches, including the principal and interest on revenue bonds issued for financing such costs, and such portion of the aggregate cost not yet amortized of the said bridges across the Susquehanna River and the Potomac River included in the project, and their approaches, including reasonable interest and financing costs, as soon as possible under reasonable charges but within a period not exceeding 40 years from the date of completion of the last completed structure or facility included in the project.

Within the aforementioned period of 40 years, tolls may be charged and continued to be charged for the use of any of the structures or facilities included in any such project and adjusted at such rates as may be necessary to provide a fund sufficient to pay any revenue bonds, with interest thereon and any lawful premium for the retirement thereof before maturity, heretofore or hereafter issued for the financing of such project or any of the structures or facilities included therein, or for the refunding from time to time of said bonds, or any of them, or of any

such refunding bonds. Nothing in this act shall be construed as authorizing tolls to be charged for the use of any one or more of the hereinabove-named structures or facilities for the purpose of financing any structure or facility not authorized by this act and by said act of April 7, 1938.

Sec. 4. After a sinking fund sufficient to amortize the cost of the structures or facilities in any such project and sufficient to pay the principal and interest and any lawful retirement premium on revenue bonds issued as aforesaid with respect to such project shall have been so provided the structures or facilities included in such project shall be maintained and operated free of tolls.

Sec. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act supplementing the act entitled 'An act authorizing the State of Maryland, by and through its State Roads Commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State,' approved April 7, 1938."

A motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF AGRICULTURE TO CONVEY CERTAIN MINERAL RIGHTS

The Clerk called the bill (H. R. 5048) to direct the Secretary of Agriculture to convey certain mineral rights.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby directed to convey, without consideration and on behalf of the United States, all mineral rights heretofore conveyed to the United States by the Missouri Defense Relocation Association, Incorporated, a nonprofit association duly incorporated under the laws of the State of Missouri, to the respective persons who at the time of conveyance by the Secretary own the lands in which such mineral rights exist.

With the following committee amendment:

Strike out all after the enacting clause and insert "That, notwithstanding the provisions of any other law, the Secretary of Agriculture be, and he is hereby, authorized and directed, on behalf of the United States, to execute and convey by quitclaim deed without consideration all the mineral rights heretofore reserved and conveyed to the United States by the Missouri Defense Relocation Association, Inc., a nonprofit association duly incorporated under the laws of the State of Missouri, to the respective persons who at the time of the enactment of this act are the owners of the lands in and under which such mineral rights exist."

Sec. 2. The Secretary may require persons asserting a claim to such mineral rights pursuant to section 1 hereof to establish their claims to such mineral rights to the satisfaction of the Secretary, and at their own expense.

Sec. 3. The Secretary may make such rules and regulations and such delegations of authority as he deems necessary to carry out the purposes of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MYSTIC RIVER BRIDGE AUTHORITY

The Clerk called the bill (H. R. 6300) to authorize the Secretary of the Navy to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, an easement for the construction and operation of bridge approaches over and across lands comprising a part of the United States Naval Hospital, Chelsea, Mass.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to substitute S. 2553, a similar Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to convey to the Mystic River Bridge Authority, an instrumentality of the Commonwealth of Massachusetts, without cost to said authority, and subject to such terms and conditions as the Secretary of the Navy may deem proper, a perpetual easement for the construction, maintenance, repairs, and operation of approaches to a high level toll bridge crossing Mystic River over and across certain lands comprising a part of the United States Naval Hospital, Chelsea, Mass., metes and bounds description of which is on file in the Navy Department.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 6300) was laid on the table.

RIGHT-OF-WAY CONVEYANCE TO COMMONWEALTH OF VIRGINIA AT PUNGO, VA.

The Clerk called the bill (S. 2593) to authorize the Secretary of the Navy to convey to the Commonwealth of Virginia a right-of-way for public-highway purposes in certain lands at Pungo, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he hereby is, authorized to convey to the Commonwealth of Virginia, without cost to the said Commonwealth, and upon such terms and conditions as he may deem proper, a perpetual easement for public-highway purposes in, over, and across a strip of land contiguous to the former naval auxiliary air station, Pungo, Va., being approximately 1,595 feet long and containing 1.58 acres, more or less, metes and bounds description of which is on file in the Navy Department.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECONVEYANCE OF PROPERTY IN PUERTO RICO TO THE ORIGINAL OWNERS

The Clerk called the bill (S. 2592) to authorize the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force to return certain lands situated in Puerto Rico in accordance

with the terms of the conveyances to the United States Government, and final judgments in certain condemnation proceedings.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force are individually authorized, in accordance with the express provisions of the conveyances to the United States Government or the final judgments in condemnation proceedings filed at the request of the Secretary of the Army in the Federal District Court for Puerto Rico, to convey all or any part of the land in Puerto Rico, which was acquired for national defense purposes, when such land or part thereof is no longer required for such purposes. The improvements constructed by the Departments of the Army, Navy, or Air Force, upon such property will be disposed of by the Secretaries of the Army, Navy, or Air Force prior to the time such property is conveyed, in accordance with the best interests of the United States Government: *Provided*, That no such property shall be conveyed or otherwise disposed of without the prior joint approval thereof of the Secretaries of the Army, Navy, Air Force, and Treasury.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF CERTAIN PROPERTIES WITH CITY OF SAN DIEGO, CALIF.

The Clerk called the bill (H. R. 6633) to authorize an exchange of lands and interests therein between the city of San Diego, Calif., and the United States, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and is hereby, authorized to convey to the city of San Diego without cost to said city, and upon such terms and conditions as may be approved by said Secretary the following lands and improvements and interests in land, metes and bounds description of said lands being on file in the Navy Department, to wit:

(1) Fee-simple title to an area containing approximately 244 $\frac{1}{2}$ acres known as the Lindbergh Field extension of the United States Marine Corps Recruit Depot, San Diego;

(2) Fee-simple title to an area comprising approximately 160 acres known as Rosedale Airport and being Pueblo lot 1231 of the Pueblo lands of San Diego;

(3) Fee-simple title to those structures and improvements constructed on land of the city of San Diego under naval contracts NOA-130 and NOA-1049, popularly known as the Ryan Aircraft Expansion, including, but not limited to, a frame stucco office building in two sections containing 37,000 square feet, a steel frame and corrugated-iron subassembly building of 122,000 square feet, and four miscellaneous smaller buildings, together with appurtenant utilities and parking-lot improvements;

(4) A perpetual easement for street purposes over and across a strip of land 200 feet in width traversing the United States Naval Training Station, San Diego, containing approximately 1 $\frac{1}{2}$ acres;

(5) A perpetual easement for street purposes over and across four parcels of land comprising a strip along the east side of the Marine Corps Recruit Depot from Bean Street to Witherby Street, containing eight and eighty-five one-hundredths acres of land; a small strip along Pacific Highway and Barnett Avenue containing ten one-hun-

dredths acre of land and an area south of Pacific Highway giving access to Lindbergh Field, containing three and seventy-six one-hundredths acres of land; and

(6) A perpetual easement for a right-of-way through the United States naval station for the extension of the Wabash Canyon Freeway between Main Street and the San Diego and Arizona Eastern Railroad right-of-way, containing approximately three and eighty-two one-hundredths acres: *Provided*, That if the establishment of such right-of-way should require the relocation of any existing naval structures, their removal and relocation shall be accomplished at the expense of the city and in a manner to be approved by the Commandant of the Eleventh Naval District; in consideration of the conveyance by the city of San Diego to the United States free from all incumbrances, the following lands, improvements, and interest in land situated in the city of San Diego, metes and bounds descriptions of which are on file in the Navy Department, to wit:

(1) A leasehold interest for 50 years with the right of renewal for 50 additional years in the area now used by the Navy for Fleet Sonar School near the westerly end of Harbor Drive containing thirty-two and thirty-eight one-hundredths acres, more or less;

(2) A leasehold interest for 50 years with the right of renewal for 50 additional years in the Navy fleet landing area at the foot of G Street having a frontage of four hundred and sixty-four and five-tenths feet on Harbor Drive;

(3) A leasehold interest for 50 years with the right of renewal for 50 additional years in a triangular shaped tract of land bounded by Harbor Drive, the United States bulkhead line of San Diego *say*, and the projection southerly of the easterly line of Kettner Boulevard, comprising approximately three and three-tenths acres: *Provided*, That any lease covering this area may contain a clause to the effect that unless the United States shall construct on said area within a period of 5 years an officers' club, the lease shall be forthwith canceled and be of no further force and effect, and that the possession of the leased area shall be surrendered to the city: *And provided further*, That such lease may also provide that the city may continue in actual occupation and use of the leased area until such officers' club is actually constructed thereon;

(4) A leasehold interest for 50 years with the right of renewal for 50 additional years in the area now occupied by the Navy Public Works Building fronting four hundred and seventy-one and seventy-six one-hundredths feet on the westerly side of Pacific Highway at the foot of B Street, containing approximately three and two-tenths acres;

(5) A leasehold interest for 50 years with the right of renewal for 50 additional years in the area now used by the Navy for recreational purposes, known as Navy Field, fronting on the northerly side of Harbor Drive at the foot of First Avenue comprising approximately 28.13 acres;

(6) A leasehold interest for 50 years with the right of renewal for 50 additional years in the small-boat landing between Broadway Pier and Navy Pier having a frontage of 60 feet;

(7) A leasehold interest for 50 years with the right of renewal for 50 additional years in two loading-platform areas containing, respectively, 1,958 and 2,400 square feet of tideland, together with right-of-way for an overhead-bridge crossing to provide passage, exit, and entrance to Government buildings;

(8) A leasehold interest for 5 years or for such lesser period as the Secretary of the Navy may elect in one-half of the upper deck of that water-front facility commonly known as the Broadway Pier, situated at the foot

of Broadway, which space is now occupied by Navy offices: *Provided*, That any lease or leases to be executed by the city of San Diego to accomplish the exchange herein authorized may include a reservation clause in favor of said city reading as follows: "The term of said lease shall not actually begin until the said lands described in said lease shall be actually occupied and utilized for immediate Navy purposes such as are necessary in the maintenance of the United States Navy base within the Eleventh Naval District, and further in the event that if at any time the said premises so leased shall be abandoned by said Navy and not used and occupied, or if in the event that said Navy shall fail to occupy and actually use said lands for such Navy purposes as are necessary in the maintenance of said United States Navy base within said Eleventh Naval District, then and in that event said lease shall terminate, be canceled and be of no further effect, and the city shall have the right to immediately reoccupy the lands so abandoned or the use of which by said Navy has ceased: *Provided*, That if and when any water-front parcel covered by this lease shall no longer be required for naval purposes, its use by another branch of the armed services for purposes requiring water frontage shall be permissible hereunder.": and

(9) Fee-simple title to the old city jail site fronting 100 feet on the westerly side of Second Avenue between F and G Streets (including the building thereon) which is used by the Navy for shore-patrol headquarters, containing approximately 10,000 square feet.

Sec. 2. The Secretary of the Navy is also authorized to accept from the city of San Diego, without cost to the United States, the conveyance of 90.2 acres of tidelands located between the United States bulkhead line and adjacent to and north of the southerly limits of the city of San Diego, now occupied by the United States under lease NOY (R)-1400 dated October 1, 1942, and being more fully described therein.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT TO POST OFFICE DEPARTMENT FOR CERTAIN SHORTAGES

The Clerk called the bill (S. 1520) to amend section 3 of the act of August 24, 1912 (37 Stat. 554), as amended, so as to provide reimbursement to the Post Office Department by the Navy Department for shortages in postal accounts occurring while commissioned officers of the Navy and Marine Corps are designated custodians of postal effects.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act of August 24, 1912 (37 Stat. 554), as amended (39 U. S. C., Supp. V, 135), is hereby further amended to read as follows:

"Every Navy mail clerk and assistant Navy mail clerk and every Coast Guard mail clerk and assistant Coast Guard mail clerk shall give bond to the United States in such penal sum as the Postmaster General may deem sufficient for the faithful performance of his duties as such clerk: *Provided*, That the Secretary of the Navy may waive the giving of bond in the cases of Navy mail clerks and assistant Navy mail clerks. Navy mail clerks and assistant Navy mail clerks whose bonds are so waived shall not be entitled to the extra compensation otherwise authorized to be paid them by law. The Post Office Department shall be reimbursed annually by the Navy Department in an amount equal to funds embezzled by unbonded Navy mail

clerks, assistant Navy mail clerks, and commissioned officers of the Navy and Marine Corps, and funds expended in payment of claims arising from errors, losses, or defalcations by unbonded Navy mail clerks, assistant Navy mail clerks, and commissioned officers of the Navy and Marine Corps: *Provided further*, That 'commissioned officers of the Navy and Marine Corps' as used in the foregoing provision shall be construed to mean only those commissioned officers of the Navy and Marine Corps who have been designated custodians of postal effects by the commanding officer."

SEC. 2. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INSPECTION REQUIREMENTS OF INSPECTOR GENERAL'S DEPARTMENT OF THE ARMY

The Clerk called the bill (S. 1795) to repeal section 1 of the act of April 20, 1874, prescribing regulations governing inquiries to be made in connection with disbursements made by disbursing officers of the Army (18 Stat. 33; 10 U. S. C. 174).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of April 20, 1874 (18 Stat. 33; 10 U. S. C. 174), is hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CREDIT FOR LONGEVITY PAY PURPOSES OF CERTAIN SERVICE IN PUBLIC HEALTH SERVICE

The Clerk called the bill (S. 1790) to amend the act of Congress entitled "An act to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching 18 years of age for the purpose of computing longevity pay, or for other pay purposes," approved March 6, 1946.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the first section of the act entitled "An act to credit certain service performed by members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service prior to reaching 18 years of age for the purpose of computing longevity pay, or for other pay purposes," approved March 6, 1946 (Public Law 309, 79th Cong.), is amended by inserting immediately following "Army," the words "Air Force."

(b) Section 2 of such act is amended to read as follows: "The provisions of this act shall be effective from June 1, 1942."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECLASSIFICATION OF SALARIES OF CERTAIN EMPLOYEES OF POSTAL SERVICE

The Clerk called the bill (H. R. 4786) to amend the act entitled "An act to re-

classify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (1) of section 14 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, as amended, is amended to read as follows:

"(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of 1 year's satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of 2,024 hours' satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position: *Provided*, That no temporary employee shall be paid at a rate higher than that provided herein for the highest automatic grade of the position in which he is employed: *And provided further*, That when a temporary employee is appointed to a regular position, such employee shall be assigned to a salary grade corresponding to the salary as a temporary. Any fractional part of a year's temporary service accumulated since the last compensation increase as a temporary shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position."

Sec. 2. Any period of satisfactory service as a temporary employee in the custodial service performed by any such temporary employee prior to the effective date of this act shall be creditable for a promotion to the rates of pay of grade 2 of the position in which such temporary employee is employed.

Sec. 3. This act shall become effective at the beginning of the quarter following the date of enactment.

With the following committee amendments:

On page 2, line 13, strike out "two thousand and twenty-four hours" and insert "twelve months."

On page 2, line 20, after the word "position", insert "in the custodial service."

On page 2, line 21, strike out "the" and insert "his."

On page 2, line 21, after the word "temporary", insert "employee at the time of such appointment."

On page 3, line 3, after the word "of", insert "continuous."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING PREPARATION OF REPLICA OF THE DADE MONUMENT FOR PRESENTATION TO STATE OF FLORIDA

The Clerk called the bill (S. 153) authorizing the Secretary of the Army to have prepared a replica of the Dade

Monument for presentation to the State of Florida.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, upon payment by the State of Florida to the Department of the Army of such sum as may be necessary to defray all expenses necessarily incident thereto, the Secretary of the Army is authorized and directed to cause to be prepared an exact replica of the Dade Monument, located on the grounds of the United States military reservation at West Point, N. Y., and to present such replica to the State of Florida for erection in the Dade State Memorial Park.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF CERTAIN PROPERTY TO TEMPLE METHODIST CHURCH, SAN FRANCISCO, CALIF.

The Clerk called the bill (H. R. 6332) to authorize the Commissioner of Public Buildings to lease to the Temple Methodist Church, a nonprofit corporation, of San Francisco, Calif., that portion of the federally owned building known as 100 McAllister Street, San Francisco, Calif., which was previously occupied by the Temple Methodist Church.

There being no objection, the Clerk read the bill, as follows:

Whereas in 1929 the Temple Methodist Church completed the construction of the building now known as 100 McAllister Street, San Francisco, Calif.; and

Whereas certain space in said building was originally designed for, and previously occupied by, said Temple Methodist Church; and

Whereas in 1937, for reasons beyond its control, said Temple Methodist Church lost title to said building; and

Whereas the building known as 100 McAllister Street, San Francisco, Calif., is now owned in its entirety by the United States; and

Whereas in the event of a possible future sale of the building known as 100 McAllister Street, San Francisco, Calif., the value of said building would be materially increased by having certain space tenanted as originally intended; and

Whereas the return of certain space in the building known as 100 McAllister Street, San Francisco, Calif., to church uses would contribute to the civic, cultural, and spiritual well-being of the city of San Francisco and a major portion of the Pacific coast: Therefore

Be it enacted, etc., That the Commissioner of Public Buildings is hereby authorized and directed to lease to the Temple Methodist Church, of San Francisco, Calif., for a period not in excess of 99 years and upon such terms as he may deem to be in the public interest, substantially that portion of the federally owned building now known as 100 McAllister Street, San Francisco, Calif., which was previously occupied by the Temple Methodist Church.

SEC. 2. In the event that the Commissioner of Public Buildings and the Temple Methodist Church are unable to agree on the terms of the lease or on the portion of said building previously occupied by the Temple Methodist Church, final decision thereon shall be made by the Federal Works Administrator.

Mr. CUNNINGHAM. Mr. Speaker, I offer a committee amendment as a complete substitute for the bill. It has the unanimous consent and approval of the Subcommittee on Public Buildings and

Grounds of the Public Works Committee as well as unanimous report from the Committee on Public Works.

The Clerk read as follows:

Amendment offered by Mr. CUNNINGHAM: "Strike out all after the enacting clause and insert in lieu thereof the following: 'That the Commissioner of Public Buildings is hereby authorized and directed to convey to the Temple Methodist Church of San Francisco, Calif., for a consideration of \$100,000, such portions of the federally owned building at 100 McAllister Street, San Francisco, Calif., located generally in the west wing thereof, as he determines were formerly used for church purposes and can be conveyed without adversely affecting the use or disposal of the remainder of said building by the Government. The conveyance shall be upon such terms as the Commissioner of Public Buildings may deem to be in the public interest.'

"SEC. 2. In the event that the Commissioner of Public Buildings and the Temple Methodist Church are unable to agree on the terms of the conveyance, or on the portion of said building to be conveyed, final decision thereon shall be made by the Federal Works Administrator.

"SEC. 3. The Commissioner of Public Buildings is authorized to lease to the Temple Methodist Church the two rooms on the second floor in the east wing of the building fronting on McAllister Street, for such period as the Government holds title to the property and for a consideration of \$1 per year.

"SEC. 4. The Commissioner of Public Buildings is authorized to lease to the Temple Methodist Church additional space on the third and fourth floors of the east wing of the building for such period as the Government holds title to the property and at rates charged for comparable commercial space.

"SEC. 5. The Commissioner of Public Buildings is authorized to furnish utility services to the conveyed property at the cost thereof and upon such further terms as he may deem in the public interest."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill to authorize the Commissioner of Public Buildings to convey to the Temple Methodist Church, a nonprofit corporation, of San Francisco, Calif., a portion of the federally owned building known as 100 McAllister Street, San Francisco, Calif., and for other purposes."

A motion to reconsider was laid on the table.

ALLOWANCE OF CERTAIN EXPENSES TO VETERANS' ADMINISTRATION BENEFICIARIES AND THEIR ATTENDANTS

The Clerk called the bill (H. R. 5134) 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.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Public Law No. 432, Seventy-sixth Congress, approved March 14, 1940 (54 Stat. 49), is hereby amended to read as follows:

"That the Administrator of Veterans' Affairs is hereby authorized, under regulations to be prescribed by the President, to pay the actual necessary expenses of travel, includ-

ing lodging and subsistence, or in lieu thereof of an allowance based upon the mileage traveled, of any person to or from a Veterans' Administration facility or other place in connection with vocational rehabilitation or for the purpose of examination, treatment, or care: *Provided*, That payment of mileage in connection with vocational rehabilitation or upon termination of examination, treatment, or care may be made prior to completion of such travel: *And provided further*, That when any such person requires an attendant other than an employee of the Veterans' Administration for the performance of such travel, such attendant may be allowed expenses of travel upon a similar basis."

With the following committee amendments:

Page 1, line 3, before the words "Public Law", insert the following "section 1 of."

Page 1, line 4, before the words "is hereby amended", insert the following: "as amended."

Page 1, line 9, strike the word "subsistence" and insert in lieu thereof the word "subsistence."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER OF CERTAIN LANDS TO THE CITY OF CHEYENNE, WYO.

The Clerk called the bill (H. R. 5734) to authorize the Administrator of Veterans' Affairs to convey to the city of Cheyenne, Wyo., for public-park and golf-course purposes, certain land situated within the boundaries of the Veterans' Administration center at Cheyenne, Wyo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized to convey by quitclaim deed to the city of Cheyenne, Wyo., a parcel of land situated within the boundaries of the Veterans' Administration center at Cheyenne, Wyo., which is described as follows:

The north half of the northwest quarter, the southeast quarter of the northwest quarter, the northeast quarter, and the southwest quarter less a strip of land 150 feet wide along the entire west side of the said quarter section, all in section 28, township 14 north, range 66 west, of the sixth principal meridian, in Laramie County, Wyo.

The deed shall reserve to the United States the interests in fissionable material as provided in Executive Order 9908, dated December 5, 1947, and shall provide for reversion of title to the United States should the city of Cheyenne fail to maintain a public park and golf course on the land: *Provided*, That a lease of any portion or portions of such land to a Federal agency shall not be deemed a failure to maintain a public park and golf course.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHMENT OF INTERNSHIPS IN THE DEPARTMENT OF MEDICINE AND SURGERY OF THE VETERANS' ADMINISTRATION

The Clerk called the bill (H. R. 6234) to authorize the establishment of internships in the Department of Medicine and Surgery of the Veterans' Administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (b), section 14, of the act of January 3, 1946 (59 Stat. 679; 38 U. S. C. 15m (b)), is hereby amended to read as follows:

"(b) The Administrator shall have authority to establish residences and internships; to appoint qualified persons to such positions without regard to civil-service or classification laws, rules, or regulations; and to prescribe the conditions of such employment including necessary training, and the customary amount and terms of pay during the period of such employment and training."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SUBSECTION 602 (F) OF THE NATIONAL SERVICE LIFE INSURANCE ACT OF 1940

The Clerk called the bill (H. R. 6507) to amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewal of level premium term insurance for a second 5-year period, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McMAHON. Mr. Speaker, reserving the right to object, this bill would extend the GI national life term insurance for 5 years. An insured would have to pay an increased premium at his present age. The extension if carried out as provided in this act would further eliminate people who are now covered by national life insurance. The Veterans' Administration policy is to have no term insurance whatever. At one time we had 19,000,000 policies under national service life insurance. We now have 6,000,000. If this bill passes and the Veterans Committee of this House helps the Veterans' Administration in this policy, we will wind up with possibly 3,000,000.

Mr. Speaker, this House has the opportunity to get from six to ten million additional people, young men under this insurance provision. It is an opportunity that we have never had in the history of our country. It would seem to me that to pass this bill, which is on the Consent Calendar, squeezing these veterans out of the possibility of insurance is against the best interests of this country.

For the reasons set forth above I object to the bill and ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, may I say to the gentleman that the Congress is going to adjourn probably on the 18th of June and if this bill is not passed now these men will not be able to take out the 5-year level term insurance after it expires. They will lose their insurance if it lapses. If no other bill passes the House the veterans cannot reinstate after expiration. Therefore you will be placing a great hardship on the veterans.

Mr. McMAHON. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. McMAHON. As chairwoman of the Veterans' Committee and one who is very much interested and has proven her interest in veterans' affairs, this procedure just outlined has been adopted by her committee. That committee has elected to bring this bill out for consideration at a late date and having it put on the Consent Calendar. In effect it does the very opposite of what she seeks to do. We now have the 5-year level term with an extension of 3 years at the premium computed at the time the boys took out the insurance. This would force them to make the decision now to take it out at higher rates of premiums, or to convert, or to have no insurance.

Mrs. ROGERS of Massachusetts. May I say to the gentleman that if this bill does not pass, the veterans will have to convert or their insurance will lapse. You do not want to force them to convert. It works a great injustice on the veterans if we do not pass this bill. If we had another bill that might be another thing.

Mr. HUBER. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Ohio.

Mr. HUBER. May I point out to the gentleman who asked to have this bill passed over, that the committee has unanimously approved the bill. The Veterans of Foreign Wars assisted in the drafting of the bill and advises us that it cannot hurt anyone but, on the other hand, will give benefits and rights to veterans that they would not otherwise have.

Mr. CROW. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. CROW. I would like to point out that unless this bill is passed this type of insurance will be retarded very greatly and these insurance policies will be canceled to the injury of the veterans. It is a case of passing this bill and taking care of the veterans. If the bill is not passed today their insurance will be canceled.

Mr. VAN ZANDT. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The gentlewoman knows that today the veterans of World War II who hold 5-year-term National Life Insurance are receiving notices from the Veterans' Administration telling them that unless they convert their insurance by August 31 they will have no insurance after that date. This bill will simply renew the 5-year level term insurance and will permit its continuation for another 5 years.

Mrs. ROGERS of Massachusetts. Without physical examination. It is a good bill for the veterans.

Mr. COLE of Missouri. And it will not cost the United States of America one dime?

Mrs. ROGERS of Massachusetts. The gentleman is correct. This is for the protection of the veterans.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. McCORMACK. I object, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McMAHON. I object, Mr. Speaker.

VETERANS' ADMINISTRATION CENTER AT LOS ANGELES, CALIF.

The Clerk called the bill (H. R. 6716) to authorize the Administrator of Veterans' Affairs to transfer a portion of the Veterans' Administration center at Los Angeles, Calif., to the State of California for the use of the University of California.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized, subject to such terms and conditions as he may prescribe, to transfer to the State of California for the use of the University of California as a research and medical center and allied purposes a portion of the Veterans' Administration center at Los Angeles, Calif., said parcel being described by metes and bounds as follows:

Beginning at the southeasterly corner of said lot 1, said corner being at the intersection of the northeasterly line of said lot 1 and the northwesterly line of Wilshire Boulevard (formerly Sunset Boulevard); thence south seventy-two degrees nineteen minutes thirty seconds west a distance of six hundred and sixty-two and eighty-nine one-hundredths feet along said northwesterly line of Wilshire Boulevard to an intersection with the northeasterly line of Veteran Avenue (formerly Lookout Avenue); thence north thirty-three degrees eight minutes twenty-five seconds west a distance of seven hundred and thirty-three and eighty-five one-hundredths feet along said northeasterly line of Veteran Avenue to the southwesterly corner of that portion of said lot 2 deeded to the city of Los Angeles for fire-station purposes November 15, 1945, in accordance with Public Law 37, Seventy-ninth Congress, approved April 23, 1945; thence north fifty-six degrees fifty-one minutes thirty-five seconds east a distance of one hundred and fifty feet to the southeasterly corner of said portion of said lot 2; thence north thirty-three degrees eight minutes twenty-five seconds west a distance of one hundred feet to the northeasterly corner of said portion of said lot 2; thence south fifty-six degrees fifty-one minutes thirty-five seconds west a distance of one hundred and fifty feet to the northeasterly line of said Veteran Avenue; thence north thirty-three degrees eight minutes twenty-five seconds west a distance of four hundred and fifty-four and thirty-three one-hundredths feet along said northeasterly line to an intersection with the northwesterly line of said lot 2; thence north thirty-seven degrees fifty-seven minutes fifty-four seconds west a distance of one thousand two hundred and sixty-one and forty-eight one-hundredths feet along the northeasterly line of Veteran Avenue to a point; thence north seventy-two degrees fourteen minutes twenty-one seconds east a distance of one and sixty-nine one-hundredths feet to a point, said point being the southwesterly corner of lot 3, block 10, tract 9617, on file in map book 134, pages 78 to 82, inclusive, of the records of the city of Los Angeles; thence north seventy-two degrees nineteen minutes forty-one seconds east a

distance of six hundred and fifty-seven and thirty-six one-hundredths feet to the south-easterly corner of lot 11 of said block 10; thence south thirty-five degrees thirty-six minutes twenty-seven seconds east a distance of two thousand five hundred and forty-eight and fifty-four one-hundredths feet along the northeasterly line of lots 4, 3, 2, and 1 of said block 23 to the point of beginning; containing thirty-four and eight hundred and eighty one-thousandths acres, more or less.

The deed shall reserve to the United States all interest in and to any fissionable material in said land, and shall provide for reversion to the United States if the land ceases to be used as a medical and research center.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF PROVISIONS OF SERVICE-MEN'S READJUSTMENT ACT

The Clerk called the bill (H. R. 6730) to extend for 1 year certain provisions of section 100 of the Servicemen's Readjustment Act of 1944, as amended, relating to the authority of the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the second paragraph of section 100 of the Servicemen's Readjustment Act of 1944, as amended (38 U. S. C. 693), is hereby amended by deleting "June 30, 1948" and inserting in lieu thereof the following: "June 30, 1949."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NATIONAL RESERVE OF INDUSTRIAL PRODUCTIVE CAPACITY

The Clerk called the bill (H. R. 6098) to promote the common defense by providing for the retention and maintenance of a national reserve of industrial productive capacity, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

TRANSFER OF CERTAIN LANDS AT CAMP PHILLIPS, KANS., TO ARMY

The Clerk called the bill (S. 1791) to transfer certain lands at Camp Phillips, Kans., to the Department of the Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all land owned by the United States in section 7, township 15 south, range 3 west of the sixth principal base and meridian, containing approximately 640 acres, together with the buildings, improvements, and facilities located thereon, which comprised the hospital area at Camp Phillips, Kans., and now under the control and jurisdiction of the Veterans' Administration, is hereby transferred, without reimbursement of funds, to the jurisdiction of the Department of the Army.

The bill was ordered to be engrossed, and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PUBLIC HEALTH SERVICE ACT

The Clerk called the bill (S. 2215) to amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes.

The SPEAKER. Is there objection to present consideration of the bill?

Mr. SCRIVNER. Mr. Speaker, reserving the right to object, a hasty study of this bill discloses that the cost may run somewhere in the neighborhood of \$30,000,000. Further than that, it is proposed that there shall be about 30 persons whose pay will be raised up to the sum of \$15,000 a year, and the impact upon the health program, which is objected to by the Army, and the expense involved, causes me to feel that this bill is far too important to be considered on the Consent Calendar, and therefore I ask unanimous consent that it be passed over without prejudice.

Mr. WOLVERTON. Mr. Speaker, further reserving the right to object, it surprises me greatly to hear the statements that are made by the gentleman from Kansas to justify his unanimous-consent request. The fact is that we have been appropriating money for this purpose, as may be attested to by the gentleman from Wisconsin [Mr. KEEFE] and the gentleman from New York [Mr. JAVITS], both of whom have taken a very great interest in this legislation. It is the purpose of this legislation to provide a program for the money that we are expending. There is no more worth-while expenditure of funds in this country than that which is being expended for the purpose of research with reference to heart disease. I am surprised, considering the type of legislation that this is, and that has had the consideration of the Committee on Interstate and Foreign Commerce over a long period of time, with the most outstanding people in America having appeared before the committee in behalf of this legislation, and no opposition having been presented to the committee, that on the floor of this House at this late date in the session, when this legislation comes before the House, meritorious as it is, that objection should be made to its consideration.

Mr. Speaker, I do not wish to burden the already overtaxed House with a lengthy discussion on the pressing need for S. 2215 amended by insertion of H. R. 6729, after the enacting clause, a bill on diseases of the heart, similar to the National Cancer Institute Act passed by this body in 1938.

We in Congress seldom need to look beyond the members of our immediate family to appreciate that diseases of the heart and circulatory system cause more deaths than any other disease; over 600,000 a year.

The mass attack on cancer, due to the foresight of Congress in enacting the Cancer Act in 1938, and the efforts of the American Cancer Society, is today almost 10 years ahead of the attack on heart disease.

GENERAL STATEMENT

The bill proposes to amend the Public Health Service Act for the purpose of improving the health of the people of the United States through the conduct of researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of diseases of the heart and circulation; assisting and fostering such researches and other activities by public and private agencies, and promoting the coordination of all such research and activities and the useful application of their results; providing training in matters relating to heart diseases, including refresher courses for physicians; and developing and assisting the States and other agencies in the use of the most effective methods of prevention, diagnosis, and treatment of heart diseases.

In carrying out this objective the amendment provides for the establishment in the Public Health Service of a National Heart Institute, and makes appropriate amendments to various provisions of existing law.

The committee amendment is the same as the text of H. R. 6729 introduced on May 27, 1948. It is a consolidation and recasting, in the form of amendments to the Public Health Service Act of the substantive provisions, but with certain changes contained in various bills which were before the committee.

The committee held hearings in May of this year on the following bills related to diseases of the heart:

H. R. 3059, sponsored by our colleague Mr. KLEIN, of the State of New York;

H. R. 3464, sponsored by our colleague Mr. HAND, of the State of New Jersey;

H. R. 6492, which I sponsored; and

H. R. 6547, sponsored by our colleague Mr. McMAHON, of the State of New York.

The Committee on Interstate and Foreign Commerce, having before it a multiplicity of bills seeking to focus attention to the recognized need for a mass attack on heart diseases by means of applied and developmental research, and for scientifically trained manpower, has in the interests of legislative efficiency, combined these bills and recast them, in consultation with the USPH, as amendments to the Public Health Service Act.

In recasting and amending the heart bills in the House, and S. 2215 as passed by the Senate, the House has recognized the experience gained in the cancer field and embodied these changes in the legislation it recommends.

S. 2215 as passed by the Senate was drawn as an amendment to the Public Health Service Act to duplicate the language of the National Cancer Institute Act of 1938. Recent testimony in both Houses of Congress on heart disease and conferences with the United States Public Health officials including the Surgeon General, Dr. Leonard Scheele, former Director of the National Cancer Institute, and the Federal Security Administrator, Mr. Oscar Ewing, have indicated that 10 years' experience in conducting the Cancer Institute have brought to light the necessity of additional amendments

to S. 2215 and the National Cancer Institute Act. These amendments have been embodied in H. R. 6729.

SPECIFIC PROVISIONS IN H. R. 6729

The provisions of this bill, as reported by the committee are patterned for the most part after the current cancer program of the Public Health Service, with some modifications which experience under that program has indicated to be desirable. In broad outline this bill authorizes a well-balanced program of research, training, and control activities. While the Public Health Service will be the focal point in administering this program, it is by no means limited to intramural activities of the Service. On the contrary, the bill provides for the stimulation and assistance, in the form of grants-in-aid, of research, training, and control programs conducted by non-Federal agencies, including States and their political subdivisions, medical schools, hospitals, laboratories, and other institutions.

The bill, as reported by the committee, while substantially the same as S. 2215, differs from the Senate bill in several respects.

As passed by the Senate the bill provides for a National Advisory Heart Council composed of the Surgeon General, ex officio, and six appointed members, all of whom must be specialists in the field of cardiovascular diseases. The committee proposes to extend this membership to include three additional ex officio members (representing the Army, Navy, and Veterans' Administration) and six additional appointed members, who need not have any technical or professional training in cardiovascular diseases or other fields of medical science. After a careful appraisal of testimony on this point, the committee is strongly of the opinion that the inclusion of some lay members on the Council would have a salutary effect on the entire program. Not only would it guard against any tendency toward overemphasis of technical considerations, but it would also bring to the program the fresh viewpoints and complementary talents of men and women who have achieved distinction in other fields of endeavor. The provision of additional ex officio members is designed to promote and facilitate closer coordination among the principal medical research agencies of the Federal Government. The committee also proposes to raise the compensation of members of this and other advisory councils in the Public Health Service from \$25 to \$50 per diem.

Another provision of the committee amendment makes a clear-cut authorization for grants-in-aid in support of programs of heart-disease detection, prevention, and related control activities. These control activities, in the committee's opinion, are as vital as are the provisions relating to research. For it is upon these so-called control activities that we must depend to bridge the gap between basic research discoveries and the application of these discoveries to the benefit of victims of heart disease.

In the control provisions of this bill the committee has followed the pattern of

the current cancer program of the Public Health Service, under which grants are made to States to stimulate and support cancer-detection clinics, prevention and educational programs, and other control activities. As in the case of the present cancer program, heart-disease-control grants may also be made, under certain circumstances, to political subdivisions of States and to hospitals and other non-profit institutions. In heart disease, as well as the degenerative diseases generally, particular emphasis must be given to the clinical or hospital care of the patient if we are to minimize their toll on death and disability. Therefore the committee believes that the facilities of private institutions now equipped to conduct such activities must not be overlooked in planning a comprehensive attack on heart disease. S. 2215 provides for traineeships for physicians and research fellowships in the National Heart Institute. The committee has expanded this provision to authorize traineeships and research fellowships in the institute "and elsewhere." So that these opportunities can be made available to other centers of learning throughout the Nation, the committee has further amended the bill to authorize the making of grants to institutions which in turn offer fellowships for study in the field of cardiovascular diseases.

Finally, the committee recommends a new provision authorizing the Federal Security Administrator to establish within the Public Health Service not more than 30 professional and scientific research positions at rates up to \$15,000 per annum with the approval of the Civil Service Commission. The language is similar to that enacted for the Army and Navy last year. It is increasingly clear that the successful conduct of any medical research program, and particularly so with programs which must be clearly expanded such as cardiovascular research, depends upon attracting and holding in key positions those scientists who have the genius for planning, executing, and directing creative research of top national significance. The success of any clinical research program such as is needed to make any real advance in heart disease requires the appointment of a few outstanding clinicians to collaborate closely with medical scientists. Specialists of the caliber necessary to assure success of the program invested by this committee now command incomes well above even a \$15,000 ceiling. The leadership of a relatively small number of outstanding men of science will insure more than any other factor the scientific competence of the rest of the professional staff in a research organization.

NEED FOR A HEART PROGRAM

Diseases of the heart and circulatory system are the principal cause of death and a major cause of disability in the United States today. Unless effective measures can be taken immediately, these diseases, which now account for more than one in every three deaths, will take an even greater toll as the average age of our national population rises. This is true because cardiovascular dis-

eases, while ranking high as killers of all age groups above the infant category, count most of their victims among those who have reached or passed middle age.

An essential step toward reducing the ravages of these diseases is the stimulation of large-scale research into the causes, treatment, and methods of prevention of cardiovascular conditions. The current level of funds from all sources for cardiovascular research is far short of that available for other diseases of less significance as killers and disablers of man. Current research in cancer, which causes only one-third as many deaths as cardiovascular diseases, is now at an estimated annual level of \$26,000,000, or more than 10 times that spent for heart research.

Research facilities, as well as funds, for cardiovascular diseases are pitifully inadequate. Less than 200 hospital beds in the United States are set aside for clinical research in diseases of the heart and circulation. There are only about 900 special hospital beds for convalescent cardiac patients in the entire United States. These beds are located in only 8 States, and 344 of them are in New York State alone.

The present picture with respect to personnel trained to carry out research in heart diseases and to apply advanced methods of prevention and control, is also dark. Out of a total of 135,000 effective physicians, only 199 limit their practice to diseases of the heart, another 439 give special attention to this field, making a total of only 638 doctors who specialize in cardiology. Aid must be given for the training of more physicians and technical personnel to carry out the research projects and to apply the special knowledge and methods acquired through research.

Heart disease community control programs under public auspices are practically nonexistent. In order to make the benefits of our newly acquired knowledge as widely available as possible, we must greatly strengthen and expand the clinical facilities and increase the trained personnel available in the various communities of our Nation to bring the benefits of this knowledge to the people. These community programs should be primarily the responsibility of State and local government bodies working with the Federal Government in a relationship similar to that which was proved so successful in the tuberculosis, venereal diseases, cancer, mental health, and other programs of the Public Health Service. These programs as they develop like the analogous cancer control programs, tuberculosis programs, and so forth, will support, and in turn enlist the support of, the voluntary health agencies mutually interested in the control of cardiovascular diseases.

Mr. Speaker, in my years of legislative experience I know of no legislation more widely supported and more seriously needed.

The cost in dollars will be small compared to the 600,000 who die from diseases of the heart each year in the Nation, and

the 9,000,000 others who suffer from the crippling attacks by the heart diseases. While there is no appropriation in the bill, the amount required is clearly dependent on the magnitude of the attack Congress is willing to make. The House approved estimate allows the Public Health Service \$2,644,088 for its program in cardiovascular diseases. This is less than the \$2,900,000 which the American Heart Association urged be appropriated a year ago.

Recent estimates of the need based on a mass attack using the available manpower trained in this field and the present facilities would be at least \$5,000,000 in the first year. It is well known that no scientific or medical program can proceed any faster than the manpower and facilities available to undertake the task. To meet the forward program for a coordinated mass attack in diseases of the heart and circulatory system similar to the present cancer program the sum of \$15,000,000 would be required.

Requirements for a National Heart Institute

1. Control grants to State ¹	\$3,000,000
2. Special trainees in cardiovascular diseases ²	1,000,000
3. Research fellowships ³	1,000,000
4. Assistance to medical schools for teaching ⁴	1,750,000
5. Construction of research facilities ⁵	3,500,000
6. Research grants ⁶	3,750,000
7. Information center and administration ⁷	250,000
8. National Heart Institute (intramural research) ^{8b}	550,000
9. Preparation and distribution of antistreptococcus typing serum ^{6a}	100,800
10. Epidemiological studies ^{6a}	100,000
11. Demonstrations ^{6a}	119,110
12. Technical development	57,859
13. Survey of research and clinical facilities ^{6b}	125,000
 Total	15,302,769

¹ Similar to grants under National Cancer Institute.

² 200 traineeships at \$5,000 per annum; or 100 research fellowships at \$5,000 per annum for a minimum period of 2 years.

³ This sum to be kept available until spent.

⁴ \$1,875,000 to cover needs for 1 year, but amount is doubled so as to provide for some stability for research grants.

⁵ Note that this is less than 2 percent of entire requested appropriation.

⁶ Present 1949 allowance in U. S. Public Health Service budget, or the amount needed for 1949. (a) Present allowance. (b) Where additional amounts are requested.

Mr. Speaker, it will be observed from the study of this bill and the program proposed that it is essentially an operating agency designed to actively attack the diseases of the heart and circulatory system.

There is no conflict in this bill with the special commission on heart and cardiovascular disease in the proposed National Science Foundation bill, whose function is to make a comprehensive survey of research, both public and private in the heart field and to recommend an over-all research program in that field. The proposed commission is by its nature an ad hoc study group where public and private interests in the heart field can meet and plan an intelligent forward program for the mass attack on

heart diseases. Mr. Speaker, H. R. 6729 would create an operating agency to start at once an active program to combat the ravages of heart disease.

I thank my colleagues for the widespread interest they have indicated in this bill.

Mr. KEEFE. Reserving the right to object, Mr. Speaker, may I say that this piece of legislation is designed to provide a program in connection with the study of the diseases of the circulation and the heart, that will utilize in a constructive manner the very funds we are now appropriating to the Public Health Service, and will bring together at one place under this law the expenditure of the money we are now spending. Bear in mind that the Congress has approved the construction of a great research center at Bethesda that will cost in the aggregate perhaps \$40,000,000 to conduct research in the field of heart, cancer, and mental illness. You have taken care of the mental illness by passing the mental health bill. You have taken care of the cancer situation by passing the cancer bill. If we fail to pass this heart bill, and it has the unanimous approval of everyone familiar with the situation in this country, we shall be taking a great step backward and will not be following the people of America who are demanding that this program be put into effect in order to try to cope with this terrible, devastating heart disease that affects so many people in this country.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Kansas.

Mr. SCRIVNER. Can the gentleman give the House any estimate as to how much this bill will cost us?

Mr. KEEFE. Yes, I can tell you how much this bill will cost.

Mr. SCRIVNER. How much?

Mr. KEEFE. It is going to cost this next year exactly the sum of money you have already appropriated for that purpose.

Mr. SCRIVNER. How much is that?

Mr. KEEFE. The amount we have already appropriated in all of the aspects of the situation is in the neighborhood of \$3,500,000.

Mr. SCRIVNER. Does this legislation eradicate all of the objections which were raised by the Army to the previous bill relating to this subject? In the report on page 15 Secretary Royall sets out the objections; namely, that the War Department has been undertaking part of this program and helping, and they say that the initial appropriation is \$5,000,000; and they object to the bill.

Mr. KEEFE. There can be no additional appropriation under this bill unless the Committee on Appropriations brings an appropriation to the Congress and the Congress approves the appropriation.

Mr. SCRIVNER. Let me make another inquiry of the gentleman, since he is conversant with the bill. What is the purpose of this amendment set out here hiking the salaries of these 30 persons, whoever they may be, from \$10,000 to \$15,000 a year? That has nothing to do with the heart situation.

Mr. KEEFE. Does the gentleman from New York desire to answer that?

Mr. JAVITS. May I just answer both points as to the objections of the Secretary of War?

My previous bill, H. R. 3762, which was the original bill introduced in June 1947 and supported by the American Heart Association, on which the bill before us was drafted, did provide that there should be appropriations, but the gentleman from New Jersey [Mr. WOLVERTON], when he introduced this bill before us now as the committee amendment, eliminated all reference to appropriations. Hence there is no provision for appropriations in this bill, only a provision for establishing an organization and a plan to coordinate and go forward with the job of national heart-disease research.

As to the provisions with respect to additional assistance in the Public Health Service, the reason that was put in, I understand from the chairman of the committee, was that added responsibilities were given to the Surgeon General by this bill. The chairman of the committee informs me that he is ready to eliminate that from this bill so as not to complicate the immediate issue, which is to establish an institute for going after this heart-disease problem so critical to the country. If the gentleman from Kansas will withdraw his reservation of objection, I shall offer an amendment to that effect.

In the hearings held in May 1948, which are referred to in the remarks of the chairman of the committee, the gentleman from New Jersey [Mr. WOLVERTON], there were also considered, pursuant to the notice of hearing, my bill H. R. 3762, introduced June 9, 1947, specifically providing for a program of research relating to diseases of the heart and circulation, and the bill of the distinguished gentleman from Wisconsin [Mr. KEEFE], H. R. 5087, for the same specific purpose.

No action had been taken on that bill which was referred to the House Committee on Interstate and Foreign Commerce because last year the chairman of that committee, Hon. CHARLES A. WOLVERTON, provided for a Special Commission for Heart Diseases in the National Science Foundation bill, H. R. 4102, which was passed by both the House and Senate but vetoed by the President. The urgent necessity for taking prompt and constructive action to deal with the problem of heart disease is well known to everyone, and that is why there has been such great interest both in and out of Congress as to the best way to attack the Nation's No. 1 killer—heart disease.

In 1947, when testifying before the House Committee on Interstate and Foreign Commerce in behalf of H. R. 3762, I said:

My bill, H. R. 3762, provides for such a broad-scale attack on the problem of heart diseases in the same way as we are attacking the problems of cancer and of mental health. It initiates a program immediately, though vesting its administration in the Surgeon General's office by setting up a Heart Disease Institute in the National Institute of Health; it also provides for a National Heart Disease Council, composed of leading medical and

scientific authorities and other citizens which is given full control over research and research projects. In this way, administrative efficiency is obtained, but initiative and scientific resources are not sacrificed. The bill is endorsed by the American Heart Association, the leading professional association in this field.

Action to provide for research relating to diseases of the heart and circulation, etc., is called for without delay.

I deferred to the judgment of the members of the House Interstate and Foreign Commerce Committee last year and to my other colleagues that the job could be started at least within the framework of the National Science Foundation, after introducing an amendment to the National Science Foundation bill which set an outside time limit of 1 year within which the Special Commission for Heart Disease must formulate and recommend to the National Science Foundation an over-all research program in the field of heart and cardiovascular diseases. That amendment was adopted by the Congress and I said last July 16 on the floor that I hoped in this way to call attention to the problem dealt with by my bill, but that I was convinced that a broad-scale attack on the problem of heart disease was essential in order to cut down on the ghastly death toll caused by heart diseases. I believe that what I said at that time is even more pertinent today. The President vetoed the National Science Foundation bill and another year has gone by with its sorry story in terms of deaths caused by heart disease without anything constructive having been done.

There is no longer any reason to put off facing the issue squarely and courageously. Although an appropriation for over \$14,000,000 has been provided for cancer research during the fiscal year 1948 aside from the \$25,000,000 for cancer research in the appropriation for the Atomic Energy Commission, and although research in infantile paralysis has had enormous support, there is only \$3,500,000 per annum being currently spent for research in diseases of the heart and arteries by the Federal Government and something over \$1,000,000 by private agencies.

It seems hardly possible that a disease which caused the death of more than 587,000 men, women, and children in 1945, a number twice as large as that of the Americans who lost their lives in battle in World War II can be overlooked by the Congress. Deaths from heart disease ran three times as high as cancer, six times as high as from accidents, and 11 times as high as from TB. Only a broad-scale attack on heart diseases can accomplish anything. To economize on the health of our people is to undermine and jeopardize the welfare and security of our Nation. The true picture of the disastrous effect of heart disease on the health, economic productivity and social well being of the Nation cannot be measured alone by the number of deaths it produces. Diseases of the heart and blood vessels cause a greater number of permanent disabilities than any other single disease. They are responsible for a loss of more than 150,000,000 work days annually. Heart disease strikes at the

very heart of our citizenry. It takes its toll among youngsters as well as among those who are growing old and who are expected to show the wear and tear of the years. One out of every 10 rejected for military duty by selective service was turned down because of cardiovascular diseases and more than 40,000 men developed rheumatic fever during their military service. Heart disease causes more deaths among children of 10-15 years of age than any other disease. It causes nearly one out of every two deaths after the age of 45. These are statistics which should cause us to take heed and to take action. In the light of these facts it is difficult to understand why something was not done about the situation long before this. Constructive action must be delayed no longer than it takes to consider and pass the legislation before us.

DEAR REPRESENTATIVE JAVITS: Please accept our heartfelt thanks for the effort you are expending toward creation of a heart-disease institute.

We have a little 5-year-old girl who has a type of heart disease for which so far there is no correction perfected.

The creation of a central office within our health service will, we are sure, hasten many discoveries in the field of heart diseases, and be of inestimable aid to many thousands of sufferers.

Is there anything we might be able to do to be of assistance?

Again, with many sincere thanks,

Respectfully,

RUTH D. GOLDBERG
(Mrs. Edwin L. Goldberg).

It is interesting to note that small countries such as France, Czechoslovakia, and several Latin-American countries lead the world in official steps toward the study and aid to victims of heart diseases. The United States, mainly through an oversight, lags behind in taking action on this very challenging front. It is very gratifying, however, to see that the Congress is taking action on this question.

It is very gratifying to me also to see that the principle for which the American Heart Association and I have fought, that the National Heart Disease Council should have the responsibility for certifying to the Surgeon General its approval for grants-in-aid rather than just recommending, which provision to certify was contained in my bill, H. R. 3762, is contained in the bill to be acted on by the House today. I specifically provided for certification by the Council after thorough consideration of the matter with the American Heart Association which is convinced that such provision is necessary in order to attract the services of the most outstanding men in the field of heart disease research and treatment to the institute. In this way distinguished scientists and doctors will play a vital role in the work of the institute and will not think themselves figure-heads, without in any way giving them the power to supersede the authority and functions of the Surgeon General. This idea of certification and how it will work as against the recommendation practice will deserve the careful study of all who are interested in the field of medical research.

One other point should be made and that is that the creation of a National Heart Institute should encourage greatly contributions from private sources for the same purposes. It will enormously stimulate interest in this field and will mobilize support of the same character which has joined so generously in the campaigns to remove the blights of cancer and infantile paralysis. Especially has it been shown that leadership by the Federal Government increases rather than decreases the support of private individuals and private agencies for such projects.

Mr. WOLVERTON. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. Mr. Speaker, the bill now before the House is the result of long and careful consideration in hearings by the Committee on Interstate and Foreign Commerce. The objections which have been raised with reference to the matter spoken of by the gentleman from Kansas were objections to previous bills. After the hearings, the committee gave this matter further consideration, and a new bill was drawn which sought to eliminate the objections to which the gentleman has referred. The bill as finally passed had the approval of the Departments and Agencies of Government and of the American Heart Association and of all who are interested in this type of legislation. The bill which is now before the House is not the same bill to which the objections that the gentleman has voiced were based.

Mr. KEEFE. The gentleman asked me a moment ago what the cost was going to be. I stated that it would be about \$3,500,000. I was talking from memory. I now have before me the actual figures submitted by the clerk of the Subcommittee on Appropriations handling these appropriations. I was only off \$7,000. The actual appropriation this year for the purposes outlined in the bill is \$3,507,000. But in addition to that, you have provided, as I have indicated, the expenditure necessary to construct this great research center at Bethesda for which there must be funds in addition. The whole idea of this program is to coordinate research in diseases of the heart and circulatory system, so as to have the proper utilization of the funds that we are now appropriating and which we have already appropriated.

Mr. SCRIVNER. I am glad to have the satisfaction of knowing that the objections raised by the Department of War have been eliminated in this legislation. What is the status of legislation with reference to the building of the new building that you have just mentioned? Has that been passed yet?

Mr. KEEFE. That has been passed.

Mr. SCRIVNER. What is the status of the appropriation for it?

Mr. KEEFE. The status of the appropriation is that it has been passed by both the House and the other Body.

Mr. SCRIVNER. Having those replies and the assurance that the provision providing for the increase from ten to fifteen thousand dollars for these

persons will be stricken by an amendment, I withdraw my objection.

Mr. KEEFE. I thank the gentleman very much.

Mr. HAND. Mr. Speaker, reserving the right to object, can the gentleman tell me whether or not there is another bill on the Consent Calendar introduced by the gentleman from Wisconsin [Mr. STEVENSON], that goes into this a little bit further than merely covering the subject of heart diseases? That bill, for example, goes into poliomyelitis. I have a bill which goes a little further than merely into heart research. While I am strongly in favor of this bill, I hope we will eventually reach the point where we will go a little further.

Mr. KEEFE. Mr. Speaker, there is another bill on the Consent Calendar.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc. That this act may be cited as the "National Heart Act."

PURPOSE

SEC. 2. The purpose of this act is to improve the health of the people of the United States through the conduct of researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of diseases of the heart and circulation; assist and foster such researches and other activities by public and private agencies, and promote the coordination of all such researches and activities and the useful application of their results; provide training in matters relating to heart diseases, including refresher courses for physicians; and develop, and assist States and other agencies in the use of, the most effective methods of prevention, diagnosis, and treatment of heart diseases.

RESEARCH AND TRAINING

SEC. 3. (a) The title of title IV of the Public Health Service Act (42 U. S. C., ch. 6a) is amended to read "Title IV—National Cancer and Heart Institutes."

(b) Title IV of such acts is further amended by inserting "Part A—National Cancer Institute" between the title of such title IV and the heading of section 401, and by adding at the end of section 406 the following new part:

PART B—NATIONAL HEART INSTITUTE

ESTABLISHMENT OF INSTITUTE

SEC. 411. There is hereby established in the Public Health Service a National Heart Institute (hereafter in this part referred to as the 'Institute').

HEART DISEASE RESEARCH AND TRAINING

SEC. 412. In carrying out the purposes of section 301 with respect to heart diseases the Surgeon General, through the Institute and in cooperation with the National Advisory Heart Council, shall—

(a) conduct, assist, and foster researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of heart diseases;

(b) promote the coordination of researches conducted by the Institute and similar researches conducted by other agencies, organizations, and individuals;

(c) provide training and instruction in technical matters relating to the diagnosis, prevention, and treatment of heart diseases, and provide for such training and instruction through grants to public and other non-profit agencies and institutions;

(d) provide fellowships in the Institute from funds appropriated or donated for such purpose;

(e) secure for the Institute consultation services and advice of heart disease experts from the United States or abroad;

(f) cooperate with State health agencies in the prevention, control, and eradication of heart diseases;

(g) make grants-in-aid to universities, hospitals, laboratories, and other public or private agencies and institutions, and to individuals for such research projects relating to heart diseases as are recommended by the National Advisory Heart Council, including grants to such agencies and institutions for the construction, acquisition, leasing, equipment, and maintenance of such hospital, clinic, laboratory, and related facilities, and for the care of such patients therein, as are necessary for such research.

ADMINISTRATION

"SEC. 413. (a) In carrying out the provisions of section 412 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and he is authorized to provide the necessary facilities where training and instruction may be given in all technical matters relating to diagnosis, prevention, and treatment of heart diseases to persons found by the Surgeon General to have proper technical qualifications and designated by him for such training or instruction, and to fix and pay them a per diem allowance during such training or instruction of not to exceed \$10.

(b) The Surgeon General shall recommend to the Administrator acceptance of conditional gifts, pursuant to section 501 of the Public Health Service Act, for study, investigation, or research into the cause, prevention, or methods of diagnosis or treatment of heart diseases, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute. Donations of \$50,000 or over for carrying out the purposes of this part may be acknowledged by the establishment within the Institute of suitable memorials to the donors.

(c) In carrying out the purposes of section 412 grants-in-aid for heart disease research or training projects shall be made only after review and recommendation of the National Advisory Heart Council made pursuant to section 414.

FUNCTIONS OF COUNCIL

"SEC. 414. The Council is authorized—

(a) to review research and training projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of heart diseases, and certify approval to the Surgeon General, for prosecution under section 412, of any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of heart diseases;

(b) to collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, and methods of diagnosis and treatment of heart diseases, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through the appropriate publications for the benefit of health agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;

(c) to review applications from any university, hospital, laboratory, or other institution whether public or private, or from individuals, for grants-in-aid for research or training projects relating to heart diseases, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or

methods of diagnosis or treatment of heart diseases;

(d) to recommend to the Surgeon General for acceptance conditional gifts pursuant to section 501 of this act; and

(e) to make recommendations to the Surgeon General with respect to carrying out the provisions of this part.

OTHER AUTHORITY WITH RESPECT TO HEART DISEASES

"SEC. 415. This part shall not be construed as superseding or limiting (a) the functions or authority of the Surgeon General or the Service, or of any other officer or agency of the United States, relating to the study of the causes, prevention, or methods of diagnosis or treatment of heart diseases; or (b) the expenditure of money therefor."

NATIONAL ADVISORY HEART COUNCIL

SEC. 4. (a) Section 217 of such act is amended by adding at the end thereof the following new subsection:

(f) The National Advisory Heart Council shall consist of the Surgeon General ex officio, who shall be chairman, and of six members to be appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The six appointed members shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of heart diseases. Each appointed member shall hold office for a term of 3 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. An appointed member shall not be eligible to serve continuously for more than 3 years but shall be eligible for reappointment if he has not served immediately preceding his reappointment."

(b) Subsection (b) of section 217 of such act is amended to read as follows:

(b) The National Advisory Health Council shall advise, consult with, and make recommendations to, the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council and, where appropriate, any member or members of the National Advisory Cancer Council, the National Advisory Mental Health Council, or the National Advisory Heart Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine."

(c) The title of section 217 of such act is amended to read "National Advisory Health, Cancer, Heart, and Mental Health Council."

(d) Subsection (c) of section 209 of such act is amended to read as follows:

(c) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, members of the National Advisory Cancer Council, and members of the National Advisory Heart Council, other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding \$25 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence."

(e) Paragraph (d) of section 301 of such act is amended to read:

(d) Make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council, or, with respect to heart diseases,

recommended by the National Advisory Heart Council;".

(f) Paragraph (g) of such section is amended to read:

"(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, or, with respect to mental health, upon recommendation of the National Advisory Mental Health Council, or, with respect to heart diseases, upon recommendation of the National Advisory Heart Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section."

GENERAL PROVISIONS

SEC. 5. (a) Section 2 of the Public Health Service Act is amended by striking out the word "and" at the end of paragraph (l), by striking out the period at the end of paragraph (m) and inserting in lieu thereof ";" and ", and by inserting after paragraph (m) the following new paragraph:

"(n) The term 'heart diseases' means diseases of the heart and circulation."

(b) The term "National Institute of Health", wherever appearing in the Public Health Service Act, shall be changed to "National Institutes of Health".

(c) The word "title", wherever appearing in sections 403, 404, and 406 of the Public Health Service Act, shall be changed to "part."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That this act may be cited as the 'National Heart Act.'

"PURPOSE

"SEC. 2. The purpose of this act is to improve the health of the people of the United States through the conduct of researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of diseases of the heart and circulation; assist and foster such researches and other activities by public and private agencies, and promote the coordination of all such researches and activities and the useful application of their results; provide training in matters relating to heart diseases, including refresher courses for physicians; and develop, and assist States and other agencies in the use of, the most effective methods of prevention, diagnosis, and treatment of heart diseases.

"RESEARCH AND TRAINING

"SEC. 3. (a) The heading of title IV of the Public Health Service Act (42 U. S. C., ch. 6A) is amended to read 'Title IV—National Cancer and Heart Institutes.'

(b) Title IV of such act is further amended by inserting 'Part A—National Cancer Institute' between the heading of such title IV and the heading of section 401, and by adding immediately after section 406 the following new part:

"PART B—NATIONAL HEART INSTITUTE

"ESTABLISHMENT OF INSTITUTE

"SEC. 411. There is hereby established in the Public Health Service a National Heart Institute (hereafter in this part referred to as the "Institute").

"HEART DISEASE RESEARCH AND TRAINING

"SEC. 412. In carrying out the purposes of section 301 with respect to heart diseases the Surgeon General, through the Institute and in cooperation with the National Advisory Heart Council (hereinafter in this part referred to as the "Council"), shall—

"(a) conduct, assist, and foster researches, investigations, experiments, and demonstrations relating to the cause, prevention, and methods of diagnosis and treatment of heart diseases;

"(b) promote the coordination of research and control programs conducted by

the Institute, and similar programs conducted by other agencies, organizations, and individuals;

"(c) make available research facilities of the Service to appropriate public authorities, and to health officials and scientists engaged in special studies related to the purposes of this part;

"(d) make grants-in-aid to universities, hospitals, laboratories, and other public or private agencies and institutions, and to individuals for such research projects relating to heart diseases as are recommended by the Council, including grants to such agencies and institutions for the construction, acquisition, leasing, equipment, and maintenance of such hospital, clinic, laboratory, and related facilities, and for the care of such patients therein, as are necessary for such research;

"(e) establish an information center on research, prevention, diagnosis, and treatment of heart diseases, and collect and make available, through publications and other appropriate means, information as to, and the practical application of, research and other activities carried on pursuant to this part;

"(f) secure from time to time, and for such periods as he deems advisable, the assistance and advice of persons from the United States or abroad who are experts in the field of heart diseases;

"(g) in accordance with regulations and from funds appropriated or donated for the purpose (1) establish and maintain research fellowships in the Institute and elsewhere with such stipends and allowances (including travel and subsistence expenses) as he may deem necessary to train research workers and procure the assistance of the most brilliant and promising research fellows from the United States and abroad, and, in addition, provide for such fellowships through grants, upon recommendation of the Council, to public and other nonprofit institutions; and (2) provide training and instruction and establish and maintain traineeships, in the Institute and elsewhere in matters relating to the diagnosis, prevention, and treatment of heart diseases with such stipends and allowances (including travel and subsistence expenses) for trainees as he may deem necessary, the number of persons receiving such training and instruction, and the number of persons holding such traineeships, to be fixed by the Council, and, in addition, provide for such training, instruction, and traineeships through grants, upon recommendation of the Council, to public and other nonprofit institutions.

"ADMINISTRATION

"SEC. 413. (a) In carrying out the provisions of section 412 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and grants-in-aid for heart disease research and training projects shall be made only after review and recommendation of the Council made pursuant to section 414.

"(b) The Surgeon General shall recommend to the Administrator acceptance of conditional gifts, pursuant to section 501, for study, investigation, or research into the cause, prevention, or methods of diagnosis or treatment of heart diseases, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute. Donations of \$50,000 or over for carrying out the purposes of this part may be acknowledged by the establishment within the Institute of suitable memorials to the donors.

"FUNCTIONS OF THE COUNCIL

"SEC. 414. The Council is authorized to—

"(a) review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis or treatment of heart diseases, and certify approval to the Surgeon General, for prosecution under section 412, any such projects which it believes show promise of

making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of heart diseases;

"(b) review applications from any university, hospital, laboratory, or other institution or agency, whether public or private, or from individuals, for grants-in-aid for research projects relating to heart diseases, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis or treatment of heart diseases;

"(c) review applications from any public or other nonprofit institution for grants-in-aid for training, instruction, and traineeships in matters relating to the diagnosis, prevention, and treatment of heart diseases, and certify to the Surgeon General its approval of such applications for grants-in-aid as it determines will best carry out the purposes of this act;

"(d) collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, or methods of diagnosis or treatment of heart diseases, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through appropriate publications for the benefit of health and welfare agencies and organizations (public or private), physicians, or any other scientists, and for the information of the general public;

"(e) recommend to the Surgeon General for acceptance conditional gifts pursuant to section 501 for carrying out the purposes of this part; and

"(f) advise, consult with, and make recommendations to the Surgeon General with respect to carrying out the provisions of this part.

"OTHER AUTHORITY WITH RESPECT TO HEART DISEASES

"SEC. 415. This part shall not be construed as superseding or limiting (a) the functions or authority of the Surgeon General or the Service, or of any other officer or agency of the United States, relating to the study of the causes, prevention, or methods of diagnosis or treatment of heart diseases; or (b) the expenditure of money therefor."

"NATIONAL ADVISORY HEART COUNCIL

"SEC. 4. (a) Section 217 of such act is amended by adding at the end thereof the following new subsection:

"(f) The National Advisory Heart Council shall consist of the Surgeon General or his representative, the chief medical officer of the Veterans' Administration or his representative, the Surgeon General of the Army or his representative, the Surgeon General of the Navy or his representative, who shall be ex officio members, and 12 members appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The 12 appointed members shall be leaders in the fields of fundamental sciences, medical sciences, education, or public affairs, and 6 of such 12 shall be selected from leading medical or scientific authorities who are outstanding in the study, diagnosis, or treatment of heart diseases. Each appointed member of the Council shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the members first appointed, shall hold office for a term of 3 years, 3 shall hold office for a term of 2 years, and 3 shall hold office for a term of 1 year, as designated by the Surgeon General at the time of appointment. None of such 12 members shall be eligible for reappointment until

a year has elapsed since the end of his preceding term. Every 2 years the Council shall elect 1 member to act as chairman for the succeeding 2-year period."

"(b) Subsection (b) of section 217 of such act is amended to read as follows:

"(b) The National Advisory Health Council shall advise, consult with, and make recommendations to the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council and, where appropriate, any member or members of the National Advisory Cancer Council, the National Advisory Mental Health Council, or the National Advisory Heart Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine."

"(c) The heading of section 217 of such act is amended to read as follows: 'National Advisory Health, Cancer, Heart, and Mental Health Councils.'

"(d) Subsection (e) of section 208 of such act is amended to read as follows:

"(e) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, members of the National Advisory Cancer Council, and members of the National Advisory Heart Council other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding \$50 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence."

"(e) Paragraph (d) of section 301 of such act is amended to read as follows:

"(d) Make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council, or, with respect to heart diseases, recommended by the National Advisory Heart Council;"

"(f) Paragraph (g) of such section 301 is amended to read as follows:

"(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, or, with respect to mental health, upon recommendation of the National Advisory Mental Health Council, or, with respect to heart diseases, upon recommendation of the National Advisory Heart Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section."

CONTROL GRANTS

"SEC. 5. (a) Section 314 of such act is amended by redesignating subsection (e) to (j), inclusive, as subsections (f), (g), (h), (i), (j), and (k), respectively, and by inserting after subsection (d) the following new subsection:

"(e) To enable the Surgeon General to carry out the purposes of part B of title IV and to assist, through grants, States, counties, health districts, and other political subdivisions of the State, and public and nonprofit agencies, institutions, and other organizations, in establishing and maintaining organized community programs of heart disease control, including grants for demonstrations and the training of personnel, there is hereby authorized to be appropriated for each fiscal year such sums as may be necessary for such purposes. For each fiscal year the Surgeon General, with the approval of the Administrator, shall determine the total

sum from the appropriation under this subsection which shall be available for allotment among the several States, and shall, in accordance with regulations, from time to time make allotments from such sum to the several States on the basis of (1) the population and (2) the financial need of the respective States. Upon making such allotments the Surgeon General shall notify the Secretary of the Treasury of the amounts thereof."

"(b) The subsection of such section 314 herein redesignated as subsection (f) is amended by striking out the period at the end of the first sentence of such subsection and inserting in lieu thereof the following: 'Provided, That in the case of amounts to be paid from allotments to any State under subsection (e), the Surgeon General may determine and certify to the Secretary of the Treasury amounts to be paid to a county, health district, other political subdivision of the State or to any public or nonprofit agency, institution, or other organization in the State, if he finds that payment to such subdivision or other organization has been recommended by the State health authority of the State, and (1) that the State health authority has not, prior to August 1 of the fiscal year for which the allotment is made, presented and had approved a plan in accordance with subsection (g), or (2) that the State health authority is not authorized by law to make payments to such other organization.'

"(c) The subsection of such section 314 herein redesignated as subsection (g) is amended to read as follows:

"(g) The moneys so paid to any State, or to any political subdivision or other organization, shall be expended solely in carrying out the purposes specified in subsection (a), or subsection (b), or subsection (c), or subsection (e), as the case may be, and in accordance with plans, approved by the Surgeon General, which have been presented by the health authority of such State, or, under the circumstances specified in subsection (f) (1), by the political subdivision, or the agency, institution, or other organization to whom the payment is made, and, to the extent that any such plan contains provisions relating to mental health, by the mental health authority of such State."

"(d) The subsection of such section 314 herein redesignated as subsection (h) is amended to read as follows:

"(h) Money so paid from allotments under subsections (a), (b), (c), (d), and (e), shall be paid upon the condition that there shall be spent in such State for the same general purpose from funds of such State and its political subdivisions (or in the case of payments to a political subdivision or to an agency, institution, or other organization) under circumstances specified in subsection (f) (1), from funds of such political subdivision or organization), an amount determined in accordance with regulations."

"(e) The subsection of such section 314 herein redesignated as subsection (i) is amended to read as follows:

"(i) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of the State (or, in the case of payments to any political subdivision or any agency, institution, or other organization under the circumstances specified in subsection (f) (1), such subdivision or organization) finds that, with respect to money paid to the State, subdivision, or organization out of appropriations under subsection (a), or subsection (b), or subsection (c), or subsection (e), as the case may be, there is a failure to comply substantially with either—

"(1) the provisions of this section;

"(2) the plan submitted under subsection (g); or

"(3) the regulations;

"the Surgeon General shall notify such State

health authority or mental health authority, political subdivision, or organization that further payments will not be made to the State subdivision, or organization, from appropriations under such subsection (or in his discretion that further payments will not be made to the State, subdivision, or organization from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payment to such State, subdivision, or organization from appropriations under such subsection, or shall limit payment to activities in which there is no such failure."

GENERAL PROVISIONS

"SEC. 6. (a) Section 2 of the Public Health Service Act, as amended, is amended by striking out the word 'and' at the end of paragraph (1), by striking out the period at the end of paragraph (m) and inserting in lieu thereof 'and', and by inserting after paragraph (m) the following new paragraph:

"(n) The term 'heart diseases' means diseases of the heart and circulation."

"(b) The term 'National Institute of Health', wherever appearing in the Public Health Service Act, is hereby changed to 'National Institutes of Health'.

"(c) The word 'title', wherever appearing in sections 403, 404, and 406 of the Public Health Service Act, is hereby changed to 'part'.

"(d) Section 209 of such act is amended by adding at the end thereof the following new subsection:

"(g) The Administrator is authorized to establish and fix the compensation for, within the Public Health Service, not more than 30 positions, in the professional and scientific service, each such position being established to effectuate those research and development activities of the Public Health Service which require the services of specially qualified scientific or professional personnel: 'Provided, That the rates of compensation for positions established pursuant to the provisions of this subsection shall not be less than \$10,000 per annum nor more than \$15,000 per annum, and shall be subject to the approval of the Civil Service Commission. Positions created pursuant to this subsection shall be included in the classified civil service of the United States, but appointments to such positions shall be made without competitive examination upon approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose.'

"(e) Section 633 (b) of the Public Health Service Act is amended by striking out '\$25' and by inserting in lieu thereof '\$50'."

Mr. JAVITS. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: On page 10, strike out all of lines 1 to 22, inclusive.

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

Mr. SMATHERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SMATHERS. Mr. Speaker, I rise in support of this bill, S. 2215. I do not know of any legislation which will do more to improve the general welfare

than this measure. At the beginning of this session I introduced a bill very similar to this one. The gentleman from Wisconsin [Mr. KEEFE] and the gentleman from New York [Mr. JAVITS] also had bills similar to this one pending before the Interstate and Foreign Commerce Committee, and I join with them in urging the Members of the Congress to pass the bill now before the House, as it represents the best features of each of our bills.

As the gentleman from Wisconsin [Mr. KEEFE] has so ably stated, this legislation will require no new appropriation at this session of Congress. The money has already been appropriated, and this legislation makes it possible for that money to be used in a sensible and practical fashion to combat the most prevalent and deadly of all diseases—heart disease.

Only yesterday the House of Representatives recessed for the purpose of paying tribute to one of our distinguished Members who was suddenly and without warning taken from us by this insidious disease. We all have friends and relatives who are today suffering from some form of cardiovascular disease. We know that it incapacitates more people than all other diseases combined. During World War II eight times as many people died of heart disease as were killed in action in the armed forces. It has been estimated that between nine and ten million people are today suffering from diseases of the heart and circulation, and yet, despite all this destruction and waste of human life that is being wrought by diseases of the heart, very little is being done to learn new methods of preventing the diseases or bringing about its cure once a person is stricken.

This bill will fill the void. It channels brains, energy and money into a direct assault on heart disease, its cause, prevention, and cure. It provides a defense against humanity's most implacable enemy.

The bill was passed unanimously by the members of the Interstate and Foreign Commerce Committee. It comes before the House on the recommendation of the distinguished chairman of that committee, the gentleman from New Jersey [Mr. WOLVERTON]. It has had the full and complete consideration and approval of officials of the Public Health Service, as well as of the outstanding doctors of the United States. Certainly it merits the wholehearted and unanimous approval of Congress, and I am confident that every member will be everlastingly proud of his vote for this bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL SECURITY AGENCY APPROPRIATION BILL—CONFERENCE REPORT

Mr. KEEFE, from the Committee on Appropriations, submitted a conference report and statement on the bill (H. R. 6355) making supplemental appropriations for the Federal Security Agency for the fiscal year ending June 30, 1948, and for other purposes, for printing in the RECORD.

DEPARTMENT OF LABOR AND FEDERAL SECURITY AGENCY APPROPRIATION BILL—CONFERENCE REPORT

Mr. KEEFE, from the Committee on Appropriations, submitted a conference report and statement on the bill (H. R. 5728) making appropriations for the Department of Labor, the Federal Security Agency and related independent agencies, for printing in the RECORD.

CONSENT CALENDAR

OFFICER PERSONNEL ACT

The Clerk called the bill (H. R. 6707) to amend the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.) and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I do so to make a very short statement on the bill and to offer an amendment which I think will be acceptable.

Mr. Speaker, this bill, reported by the Armed Services Committee, has a good purpose. It does clarify as to when five-star officers in the military, shall retire, if and when they retire, and also clarifies certain privileges that they may have if they do retire.

I think the Armed Services Committee has done a fine job in helping to clear up a rather difficult situation. You will recall that several weeks ago I made some remarks relative to General Eisenhower, when placed on inactive service. He took three enlisted personnel of the services with him. They were assigned for an indefinite time. I understand that was an Executive order, and went far beyond the intent of Congress. The bill that is before us clarifies that situation, but I feel will go a little too far, in that they give these five-star generals and admirals, two military personnel for 3 years. I propose to offer an amendment to make it 1 year.

I do not want to be stingy or ungrateful in granting privileges to these men who have rendered outstanding services to their country. Neither do I think that Congress has been ungrateful or stingy, because you will recall that when these generals and admirals retire they get a pension of some \$15,500 for the rest of their lives, and I understand it is tax-free. A great many people in this country would be glad to hire their own secretary to carry on their correspondence.

I do realize there is considerable correspondence that they must answer for perhaps a year after they retire. This mail and service after 1 year could well be paid out of the generous pension received for the rest of their lives.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any officer appointed under the provisions of the act of March 23, 1946 (60 Stat. 59), who is on the active list of his respective service, and who is not serving as Chief of Staff to the Commander in Chief, Chief of Staff of the Army or Air Force, Chief of Naval Operations, Theater Commander, or Task Force Commander, shall be transferred to the retired list not later than July 1, 1948. Any officer appointed under the provisions of the act of

March 23, 1946 (60 Stat. 59), who is now or hereafter retired may at any time be called to active duty by the President, the Secretary of Defense, or the Secretary of the Army, Navy, or Air Force, as appropriate, for such period of service and for such purposes as may be specified. Whenever any such officer heretofore or hereafter called to active duty is serving as Chief of Staff of the Army or Air Force, Chief of Naval Operations, Theater Commander, or Task Force Commander, he shall be counted within the number of officers authorized in grades of general and admiral in their respective services, but whenever serving in any other capacity he shall not be charged against the number of officers authorized in any grade or grades.

(b) Not to exceed two persons in the military or naval service may be assigned to assist such officers, when not serving on active duty, in the discharge of their continuing military responsibilities.

Sec. 2. The numerical ceilings on the number of officers in the grade of General of the Army and Admiral in the United States Navy specified in the Officer Personnel Act of 1947 (Public Law 381, 80th Cong.), shall not become applicable until January 1, 1950.

Sec. 3. Section 504 (b) of Public Law 381, Eightieth Congress, is hereby amended (1) by striking out the number "forty-four" wherever it appears and inserting in lieu thereof the number "forty-five", (2) by striking out the number "nine" wherever it appears and inserting in lieu thereof the number "ten", (3) by striking out the number "seven" and inserting in lieu thereof the number "eight", (4) by striking out the number "three" and inserting in lieu thereof the number "four", and (5) by striking out the number "seventeen" and inserting in lieu thereof the number "eighteen."

With the following committee amendment:

On page 2, line 14, strike out all of lines 14, 15, 16, and 17, and insert:

"(b) Until July 1, 1951, not to exceed two persons on active duty in the Army, Navy, or Air Force may be assigned to assist such officers, when not serving on active duty, in the discharge of their continuing military responsibilities."

The committee amendment was agreed to.

Mr. MILLER of Nebraska. Mr. Speaker, I offer an amendment which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. MILLER of Nebraska: On page 2, line 18, after "July 1" strike out "1951" and insert "1949."

Mr. ANDREWS of New York. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, as chairman of the Armed Services Committee, I want to thank the gentleman from Nebraska [Mr. MILLER] for his cooperative spirit, which has assisted us in the preparation of this bill, which is relatively important in fixing the exact status of certain high officers, and it is thus of importance to this committee. For a period of a year or two we have struggled with the proposition of reducing high rank. I have, I suppose, been the leader in that movement. With the end of the war came the discontinuance of the five-star rank. It has been our effort to put a premium on the four-star rank for the future by reducing the number of officers who can become four-star officers. But connected with the entire proposition in the consideration of this bill is the fact that the committee is not desirous of disrupting the careers in rank of men like Gen.

Mark Clark in the Army or Admiral Spruance in the Navy, who might very easily have been five-star men. We allow them through this bill to continue their four-star rank until the date of their retirement.

The gentleman from Nebraska is a very conscientious Member of the House and has assisted in the working out of this important question on what assistants should be allowed these officers when they have retired. I might say that the Committee and the Subcommittee gave great consideration to his views.

But there are notably heavy loads at the present time in the case of some of the retired officers.

The first is the case of Admiral Nimitz who, we understand reliably, is receiving an average of 3,000 letters a month. Then there is the case of General Arnold of the Air Force, who is receiving about that number of letters himself. In the case of General Eisenhower, his mail load will average seven, eight, or ten thousand letters a month.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of New York. I yield.

Mr. MILLER of Nebraska. Does not the gentleman from New York agree that in the case of the present retired generals and admirals the situation is the same as that with retiring Congressmen, that when they get out of the limelight their mail is not going to be so heavy, and perhaps these officers can get along with two assistants for the period of a year to help them take care of this correspondence? Then with their pension of \$15,600, they could carry on without using military personnel paid for by the taxpayer?

Mr. ANDREWS of New York. The committee carefully considered this question and even went to the extent of having conferences with members of the Senate committee, and they sought more enlightenment from members of the military service. There is a certain environment and atmosphere which surrounds men such as General Eisenhower, General Arnold, General Marshall, or Admirals Nimitz and King, men who have performed such outstanding service in the war and who are now in what might be considered a continuing military position under which heavy mail load is imposed upon them, plus other demands on their time and responsibilities of a public nature. For this reason the committee felt that this should be put on a 3-year basis. Then at the end of 3 years the question could be reconsidered and if the situation then showed that these assistants should be continued for a greater length of time Congress could then act to extend it. The main difference between the gentleman from Nebraska and the committee is the difference of the period of time, he wanting it to be for 1 year, and the committee for three.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of New York. I yield.

Mr. MILLER of Nebraska. Would it not be just as easy to reconsider the matter at the end of 1 year instead of 3 years? If we find at the end of 1 year that this assistance should be continued for these officers, the Congress could then

extend the act. I understood that the gentleman from New York was not seriously objecting, that 1 year would be all right.

Mr. ANDREWS of New York. I agree that 1 year would be all right, but as chairman of the committee I am obliged to take the position the committee took unanimously that 3 years was the proper time for now.

Mr. MILLER of Nebraska. The gentleman from New York is agreeable to 1 year. I think the time should be made 1 year. That will be sufficient time to see how it is working out and whether further extension needs to be made. The 1 year seems generous to me, and I trust my colleagues agree.

Mr. ANDREWS of New York. But it just means further consideration of the same factors.

The SPEAKER. The time of the gentleman from New York has expired.

The question is on the amendment of the gentleman from Nebraska [Mr. MILLER].

The question was taken; and on a division (demanded by Mr. COLE of New York) there were—ayes 66, noes 44.

So the amendment was agreed to.

Mr. BRADLEY. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BRADLEY: On page 3, line 2, strike out "January" and substitute "July."

Mr. ANDREWS of New York. Mr. Speaker, I may say that the committee unanimously reported this bill and that was the intent of the committee when so reported. I therefore accept the amendment.

The amendment was agreed to.

Mr. BRADLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADLEY. Mr. Speaker, through some inadvertence, not on the part of the Committee on Armed Services, I believe an error has crept into this bill which would prevent the accomplishment of the full purpose for which it is intended. Admiral Thomas Kinkaid, one of our most distinguished four-star officers, retires for age on May 1, 1950, 4 months after the limiting date now set forth in the bill. Changing the date from January 1, 1950, to July 1, 1950, as suggested by this amendment, will permit Admiral Kinkaid to retain his rank for the rest of his time on the active list. The gentleman from New York [Mr. ANDREWS], chairman of the Committee on Armed Services, does not object to this amendment, and so I hope it will be adopted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PUBLIC SERVICE ACT

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to return to the bill (S. 2215) to amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the

development of community programs for the control of these diseases, and for other purposes, and ask unanimous consent that the page and line reference of the amendment submitted, which was adopted, be corrected.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. SCRIVNER. Mr. Speaker, reserving the right to object, this is simply to correct an erroneous designation in the amendment offered relative to the \$15,000 salary.

Mr. JAVITS. It is exactly the same amendment. We had two drafts of the bill which caused the confusion.

Mr. SCRIVNER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The Clerk will report the corrected amendment.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: On page 24, line 20, strike out all of lines 20 down to and including line 14 on page 25.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

REORGANIZATION OF BOARDS OF VISITORS TO MILITARY AND NAVAL ACADEMIES

The Clerk called the bill (H. R. 3657) to provide for a Board of Visitors to the United States Naval Academy and for a Board of Visitors to the United States Military Academy, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, as near as I have been able to tell by a hurried examination of this bill and the report, it appears that the bill proposes to change the composition of the Board of Visitors, which in the case of the Military Academy at the present time has a total of 19 members all from the Congress, and in the case of the Naval Academy 18 members, the majority of whom are from the Congress, with 7 appointed by the President. It is proposed that these be changed to a board where there will be 9 members appointed by the President on a board of 18 members. In other words, in the case of the Military Academy a wholly congressional board would be reduced to a board which has 50 percent congressional representation and 50 percent Presidential representation. I personally have no objection to a reduction of the number of members from the Appropriations Committee of the House, but I do not see any reason why we should create a Board of Visitors which has a 50 percent Presidential representation to take the place of a board where it was entirely a congressional board. I would like to have some justification for this.

Mr. TOWE. Does the gentleman know how many members who have been appointed in the past have visited these institutions?

Mr. CASE of South Dakota. I know that not very many Members have. I

have been up there a time or two, but not as often as I would have liked to have gone; at the same time I think that the Congress should not substitute a Presidential board for a congressional board.

Mr. TOWE. If the gentleman will examine the bill, he will find that the purpose of this measure is to try to create a board that will function more or less continuously. The appointments are made in a little different fashion than at the present time, so that there will always be on the board men who have been there before. The object is to improve the work of the Board of Visitors and to interest people who may deal with educators and so forth who might make a real contribution in their work.

Mr. CASE of South Dakota. Mr. Speaker, I would have no objection to the consideration of the bill if the gentleman would offer an amendment reducing from nine to six the number to be named by the President. That would make the board consist of 15 rather than 18 members and leave the majority with the Congress.

Mr. ANDREWS of New York. Mr. Speaker, if the gentleman will yield, what this bill does is to see to it that members of the Committee on Appropriations are on both boards, whereas they are not necessarily now.

Mr. CASE of South Dakota. But you do make it two from the Committee on Appropriations where at the present time there are five. That is all right with me and I am not objecting to it, but I think to change a wholly congressional board in the case of West Point to a board where nine represent the President and nine the Congress requires an explanation at least. The writers of the Constitution thought it important to put in the keeping of Congress the power of the purse and the sword.

Mr. ANDREWS of New York. And there is the necessity of having scientists and educators on that board.

Mr. CASE of South Dakota. Yes, and you could have that with six members appointed by the President. But I certainly object to destroying the balance of a board which is primarily a congressional responsibility and giving it over to the President. Therefore I object, Mr. Speaker.

FEDERAL APPOINTMENT FOR NATIONAL GUARD PERSONNEL

The Clerk called the bill (H. R. 6494) to provide that personnel of the National Guard of the United States and the Organized Reserve Corps shall have a common Federal appointment or enlistment as reserves of the Army of the United States, to equalize disability benefits applicable to such personnel, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCRIVNER. Mr. Speaker, reserving the right to object, I have given this bill some study. It seems to be a complete departure from our present defense system of a separate National Guard and a separate Reserve, and in order that some of us who are interested in the preservation of the National Guard may have an opportunity to study the measure and its eventual significance, I ask

unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

SENDING OF MILITARY PERSONNEL TO CIVILIAN SCHOOLS

The Clerk called the bill (S. 295) to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the thirteenth paragraph of section 127a of the National Defense Act, as amended (10 U. S. C., Supp. V, 535), is further amended to read as follows:

"The Secretary of the Army is hereby authorized to detail personnel of the Army of the United States, without regard to component, as students at such technical, professional, and other civilian educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places as shall be best suited to enable such personnel to acquire knowledge or experience in the specialties in which it is deemed necessary that such personnel shall perfect themselves, and any officer or warrant officer who receives such instruction shall, immediately upon termination thereof, be ordered to active duty for a period at least equal to the duration of his period of instruction but not greater than 4 years, except that where the duration of such training is 90 days or less, such subsequent active duty may be at the discretion of the Secretary of the Army and only with the consent of the individual concerned: *Provided*, That no member of the National Guard or the Organized Reserve Corps shall be detailed as a student, observer, or investigator pursuant to the provisions of this act nor be ordered to active duty as herein provided except with his own consent, and, in the case of a member of the National Guard of the United States, with the approval of the Governor or other appropriate authority of the State, Territory, or the District of Columbia, whichever is concerned: *Provided further*, That the Secretary of the Army may require that an enlisted man, prior to his detail pursuant to the provisions of this paragraph, shall be discharged and reenlisted in his component for a period of not less than 3 years; and the total length of detail of an enlisted man pursuant to the provisions of this paragraph shall not exceed 50 percent of his enlistment period: *And provided further*, That at no time shall more than 8 percent of the authorized commissioned officer strength, 8 percent of the authorized warrant officer strength, or 2 percent of the authorized enlisted strength of the Regular Army, or more than 8 percent of the actual commissioned officer strength, 8 percent of the actual warrant officer strength, or 2 percent of the actual enlisted strength of all reserve components of the Army (including in the computation of the actual strength of each such class of reserve personnel persons in active or inactive duty status), be detailed as students pursuant to the provisions of this paragraph."

SEC. 2. All expenditures incident to the detail of personnel as students at such technical, professional, and other civilian educational institutions, or as students, observers, or investigators at such industrial plants, hospitals, and other places, as provided herein, shall be paid from any appropriated Department of the Army funds.

SEC. 3. The provisions of the foregoing section shall be equally applicable to the Department of the Air Force: *Provided*, That all reference therein to the Secretary of the Army, the Department of the Army, the Regular Army, the National Guard of the

United States, and the Army of the United States shall, insofar as they apply to the Department of the Air Force, be construed for the purpose of this section as referring to the Secretary of the Air Force, the Department of the Air Force, the United States Air Force, the Air National Guard, and the Air Force of the United States, respectively.

With the following committee amendment:

Page 2, line 9, after the word "Army", insert "and only with the consent of the individual concerned."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATIVE AMENDMENTS TO THE HOLLOWAY PLAN

The Clerk called the bill (S. 1214) 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, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the training of officers for the naval service, and for other purposes," approved August 13, 1946 (60 Stat. 1057), as amended, is hereby further amended as follows:

(a) In clause (b) of section 2 after the word "Navy" insert the following: "or his designated representative."

(b) Amend the first sentence of the first proviso of section 4 to read as follows: "Provided, That such benefits and retainer pay shall commence to accrue on the day each midshipman or apprentice seaman commences his first term of college work under the provisions of this act and that such benefits and retainer pay may be received by midshipmen appointed pursuant to paragraph (a) of section 3 for a period not exceeding four academic years."

(c) Amend section 8 to read as follows:

"SEC. 8. The Secretary of the Navy shall during the second quarter of each calendar year cause to be examined (a) the records of all ensigns of the line of the Navy and second lieutenants of the Marine Corps commissioned pursuant to paragraph 2 of subsection (a) of section 6 who apply prior to April 1 of that calendar year or prior to the first anniversary of the acceptance of their commissions, whichever is earlier, for retention in the Regular service as permanent officers and who in the then current calendar year will reach the first anniversary of the date of acceptance of their appointment as ensigns in the Navy or second lieutenants in the Marine Corps, selecting from among such officers the number he may determine necessary for retention, and (b) the records of all other officers appointed pursuant to this act who apply prior to April 1 of the third calendar year following that in which they accepted their commissions or prior to the third anniversary of the acceptance of their commissions, whichever is earlier, for retention in the Regular service as permanent officers and who in the then current calendar year will reach the third anniversary of the date of acceptance of their appointment as ensigns in the Navy or second lieutenants in the Marine Corps, selecting from among such officers the number that he may determine necessary for retention."

(d) Amend section 9 to read as follows:

"SEC. 9. (a) The commission of each officer commissioned pursuant to paragraph 2 of subsection (a) of section 6 who, prior to April 1 of the calendar year following that in which he accepted his commission or

prior to the first anniversary of the acceptance of his commission, whichever is earlier, shall not have applied for retention in the Regular service, shall be terminated not later than the first anniversary of his acceptance of his commission, and the commission of each such officer who applies for retention as a permanent officer within the time limits prescribed by this subsection, but who is not selected for retention under clause (a) of section 8 shall be terminated not later than June 30 of the appropriate calendar year or the first anniversary of his acceptance of his commission, whichever is the later date. Upon termination of commission, each such officer who thereupon accepts appointment to commissioned rank in the Naval or Marine Corps Reserve may apply for and receive retainer pay at the rate of \$100 for each calendar month or part thereof during which, while an officer of the Naval or Marine Corps Reserve, he pursues full-time instruction in an accredited college or university but not to exceed a total of \$2,000, such instruction to commence not later than a date to be determined by the Secretary of the Navy; in addition, each such officer shall be entitled to the benefits provided for him by section 10 of this act.

(b) The commission of each officer commissioned pursuant to paragraph 1 of subsection (a) of section 8 and pursuant to subsection (b) of section 6 who, prior to April 1 of the third calendar year following that in which he accepted his commission or prior to the third anniversary of the acceptance of his commission, whichever is earlier, shall not have applied for retention in the Regular service, shall be terminated not later than the third anniversary of his acceptance of his commission, and the commission of each such officer who applies for retention as a permanent officer within the time limits prescribed by this subsection, but who is not selected for retention under clause (b) of section 8 shall be terminated not later than June 30 of the appropriate calendar year or the third anniversary of his acceptance of his commission, whichever is the later date. Upon termination of commission, each such officer may be commissioned in the Naval or Marine Corps Reserve in the grade of lieutenant (junior grade) or first lieutenant, as the case may be (if in a staff corps, with the rank of lieutenant (junior grade) in the grade appropriate to that rank), and to rank from a date 3 years after the date of rank stated in his original commission in the Regular Navy or Regular Marine Corps."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARINE CORPS BAND AT ASSEMBLY OF MARINE CORPS LEAGUE

The Clerk called the bill (H. R. 5036) to authorize the attendance of the United States Marine Corps Band at the national assembly of the Marine Corps League to be held at Milwaukee, Wis., September 22 to September 25, inclusive, 1948.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the national assembly of the Marine Corps League to be held in Milwaukee, Wis., from September 22 to September 25, inclusive, 1948.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such assembly, there is authorized to be appropriated the sum of \$8,901, or so much thereof as may be necessary, to carry out the provisions of this act: Pro-

vided, That in addition to transportation and pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$6 per day each for additional living expenses while on duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROCEDURES FOR CONTROL OF THE USE OF PENALTY MAIL

The Clerk called the bill (H. R. 6406) providing procedures for the control of the use of penalty mail by Government departments.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all envelopes, labels, wrappers, cards, and other articles, bearing the indicia prescribed by law for matter mailed free of postage under the penalty privilege by all executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, shall be procured or accounted for through the Postmaster General under such regulations as he shall prescribe. The head of each such department, agency, establishment, or other organization, or each such person, shall submit to the Postmaster General within 60 days after the close of each fiscal year a statement showing the number of envelopes, labels, wrappers, cards, and other articles bearing such indicia on hand at the close of such fiscal year.

SEC. 2. The Postmaster General shall report to the Congress and to the Bureau of the Budget within 90 days after the close of each fiscal year the number of envelopes, labels, wrappers, cards, and other articles bearing such penalty indicia procured or accounted for through him during such fiscal year by each executive department and agency, by each independent establishment, and by each organization and person authorized by law to use the penalty privilege.

SEC. 3. No article or package of official matter, or number of articles or packages of official matter constituting in fact a single shipment, exceeding 4 pounds in weight shall be admitted to the mails under the penalty privilege, except (1) stamped paper and supplies sold or used by the postal service; and (2) books and documents published or circulated by order of Congress when mailed by the Superintendent of Public Documents or under the franking privilege.

SEC. 4. (a) Official matter not within the provisions of section 3 which is over 4 pounds in weight, if otherwise mailable, whether sealed or unsealed, including written matter, shall, if such matter does not exceed the limit of weight or size prescribed for fourth-class matter, be accepted for mailing upon the payment of postage at fourth-class rates.

(b) Shipments of official matter shall be sent by the most economical means of transportation practicable, and the Postmaster General may refuse to accept any such matter for shipment by mail when in his judgment it is in the public interest that it be forwarded by other means at less expense.

SEC. 5. All executive departments and agencies, all independent establishments of the Government, and all other organizations and persons authorized by law to use the penalty privilege, are directed to supply as soon as practicable, all necessary information requested by the Post Office Department to carry out the provisions of this act.

SEC. 6. No executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject. The head of each independent establishment and executive department (other than the Post Office Department) shall certify to the Postmaster General at the end of each quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, or of announcements of publication of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 825k of title 16: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries, or to Federal, State, or other public authorities.

SEC. 7. Section 321b of title 39 United States Code and Public Law 364 approved June 28, 1944, are hereby repealed.

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

SEC. 9. This act shall take effect July 1, 1948.

With the following committee amendment:

Page 2, line 24, strike out "is" and insert "if."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIGHTER-THAN-AIR AIRCRAFT PROGRAM

The Clerk called the bill (H. R. 6628) to provide for a program in the field of lighter-than-air aeronautics under the direction of the United States Maritime Commission, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PHILLIPS of California. Mr. Speaker, reserving the right to object, would the gentleman from Massachusetts inform me what this bill does? As a member of the committee handling the Maritime Commission appropriation I would like to know why this was sent to the Maritime Commission.

Mr. HINSHAW. Mr. Speaker, if the gentleman will yield, I am not the gentleman from Massachusetts, nevertheless, this was a recommendation of the Congressional Aviation Policy Board. It was

recommended by the Congressional Aviation Policy Board that as this type of lighter-than-air aircraft was of particular use and appropriate to the Maritime service, and as the Navy Department has heretofore, in recent years, not engaged in such development, the Maritime Commission would be the only other place for its consideration.

Mr. PHILLIPS of California. Does the gentleman know how much money is involved?

Mr. HINSHAW. I do not.

Mr. HAND. Mr. Speaker, will the gentleman yield?

Mr. PHILLIPS of California. I yield to the gentleman from New Jersey.

Mr. HAND. In the absence of the gentleman from Massachusetts, may I say to the gentleman from California that this bill will not cost any money under its present terms. It merely authorizes an investigation of the lighter-than-air aircraft program by the Maritime Commission. As the gentleman from California has said, it has been recommended by the Aviation Policy Board and by every other agency that has studied the program.

Mr. PHILLIPS of California. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the interest of national defense and of the commerce of the United States and for the development, promotion, and improvement of the commercial and civil aeronautics of the United States, the United States Maritime Commission is authorized and directed to formulate and carry out a program of development, experimentation, procurement, and operation of lighter-than-air aircraft, and is authorized in connection therewith to make such purchases and to execute such contracts as it deems necessary or advisable. The effecting of such program shall be in addition to the other functions of the United States Maritime Commission authorized or required by law, and for the purposes hereof the Commission is authorized to make use of its regular personnel, facilities, and, to such extent as shall be appropriate for the purpose of the program hereby authorized, its powers under the shipping laws of the United States. The Commission shall include in its annual report to Congress a summary of its operations hereunder.

SEC. 2. The United States Maritime Commission is authorized to confer with other departments and agencies of the Government and any such departments or agencies are authorized to make available to the Maritime Commission such of their personnel, property, and facilities as may be desirable for carrying out the purposes of this act.

SEC. 3. There are hereby authorized to be appropriated such sums as shall be necessary to carry out the purposes of this act.

With the following committee amendment:

Page 2, line 6, strike out "its" and insert "necessary."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GULF STATES MARINE FISHERIES COMMISSION

The Clerk called the bill (H. R. 4365) granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries—marine, shell, and anadromous—of the Gulf Coast and creating the Gulf States Marine Fisheries Commission.

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937

The Clerk called the bill (H. R. 6766) to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes.

Mr. KEAN. Mr. Speaker, I understand that this bill is supposed to come up under a motion to suspend the rules later; therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. This bill will come up under suspension later. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

TERRITORY OF HAWAII

The Clerk called the bill (S. 1052) to fix the salaries of certain justices and judges of the Territory of Hawaii.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

TAX COURT

The Clerk called the bill (H. R. 5687) relating to the jurisdiction of the circuit court of appeals to review decisions of the Tax Court.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1141 (b) (1) of the Internal Revenue Code is hereby amended to read as follows:

"(1) In general: Except as provided in paragraph 2, such decisions may be reviewed by the circuit court of appeals for the circuit in which is located the collector's office to which was made the return of the tax in respect of which the liability arises or, at the election of the petitioner, by the circuit court of appeals for the circuit in which is located the principal place of business or principal office of the taxpayer. If no return was made, the decision may be reviewed by the United States Court of Appeals for the District of Columbia."

Sec. 2. The amendment made by this act shall be applicable with respect to decisions rendered by the Tax Court of the United States after the date of the enactment of this act.

With the following committee amendment:

Page 1, line 9, after "or", insert "in cases of appeals from income or excess profits tax decisions."

Line 11, strike out "petitioner" and insert "taxpayer."

Page 2, line 1, strike out "in which is located" and insert "in which either the taxpayer resides or."

Line 3, after "taxpayer", insert "is located."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOANS MADE UNDER SERVICEMEN'S READJUSTMENT ACT

The Clerk called the bill (H. R. 6635) to amend the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over.

The SPEAKER. Is there objection to the request of the gentlemen from New Jersey?

There was no objection.

RESEARCH RELATING TO DENTAL DISEASES

The Clerk called the bill (H. R. 6726) to amend the Public Health Service Act to provide for, foster, and aid in coordinating research relating to dental diseases and conditions, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "National Dental Research Act."

PURPOSE

SEC. 2. The purpose of this act is to improve the dental health of the people of the United States through the conduct of researches, investigations, experiments, and studies relating to the cause, diagnosis, and treatment of dental diseases and conditions; assist and foster such researches and other activities by public and private agencies; provide training in matters relating to dental diseases and conditions; and promote the coordination of all such researches and activities and the useful application of their results, with a view to the development and prompt widespread use of the most effective methods of prevention, diagnosis, and treatment of dental diseases and conditions.

RESEARCH AND TRAINING

SEC. 3. (a) The heading of title IV of the Public Health Service Act (42 U. S. C., ch. 6A), as amended, is amended to read "Title IV—National Cancer and Dental Institutes."

(b) Title IV of such act is further amended by inserting "Part A—National Cancer Institute" between the heading of such title IV and the heading of section 401, and by adding immediately after section 406 the following new part:

"PART B—NATIONAL INSTITUTE OF DENTAL RESEARCH

"ESTABLISHMENT OF INSTITUTE

"SEC. 411. There is hereby established in the Public Health Service a National Institute of Dental Research (hereafter in this part referred to as the 'Institute').

"DENTAL DISEASE RESEARCH AND TRAINING

"SEC. 412. In carrying out the purposes of section 301 with respect to dental diseases and conditions the Surgeon General, through the Institute and in cooperation with the National Advisory Dental Research Council (hereinafter in this part referred to as the 'Council'), shall—

"(a) conduct, assist, and foster researches, investigations, experiments, and studies relating to the cause, prevention, and methods of diagnosis and treatment of dental diseases and conditions;

"(b) promote the coordination of researches conducted by the Institute, and similar researches conducted by other agencies, organizations, and individuals;

"(c) provide fellowships in the Institute from funds appropriated or donated for the purpose;

"(d) secure for the Institute consultation services and advice of persons from the United States or abroad who are experts in the field of dental diseases and conditions;

"(e) cooperate with State health agencies in the prevention and control of dental diseases and conditions; and

"(f) provide training and instruction and establish and maintain traineeships, in the Institute and elsewhere in matters relating to the diagnosis, prevention, and treatment of dental diseases and conditions with such stipends and allowances (including travel and subsistence expenses) for trainees as he may deem necessary, the number of persons receiving such training and instruction, and the number of persons holding such traineeships, to be fixed by the Council, and, in addition, provide for such training, instruction, and traineeships through grants, upon recommendation of the Council, to public and other nonprofit institutions.

"ADMINISTRATION

"SEC. 413. (a) In carrying out the provisions of section 412 all appropriate provisions of section 301 shall be applicable to the authority of the Surgeon General, and grants-in-aid for dental research and training projects shall be made only after review and recommendation of the Council made pursuant to section 414.

"(b) The Surgeon General shall recommend to the Administrator acceptance of conditional gifts, pursuant to section 501 of the Public Health Service Act, for study, investigation, or research into the cause, prevention, or methods of diagnosis or treatment of dental diseases and conditions, or for the acquisition of grounds or for the erection, equipment, or maintenance of premises, buildings, or equipment of the Institute. Donations of \$50,000 or over for carrying out the purposes of this part may be acknowledged by the establishment within the Institute of suitable memorials to the donors.

"FUNCTIONS OF THE COUNCIL

"SEC. 414. The Council is authorized to—
(a) review research projects or programs submitted to or initiated by it relating to the study of the cause, prevention, or methods of diagnosis and treatment of dental diseases and conditions, and certify approval to the Surgeon General for prosecution under section 412 (a) hereof, of any such projects which it believes show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or methods of diagnosis and treatment of dental diseases and conditions;

"(b) collect information as to studies which are being carried on in the United States or any other country as to the cause, prevention, or methods of diagnosis or treatment of dental diseases and conditions, by correspondence or by personal investigation of such studies, and with the approval of the Surgeon General make available such information through appropriate publications for the benefit of health agencies and organizations (public or private), physicians, dentists, or any other scientists, and for the information of the general public;

"(c) review applications from any university, hospital, laboratory, or other institution, whether public or private, or from individuals, for grants-in-aid for research projects relating to dental diseases and conditions, and certify to the Surgeon General its approval of grants-in-aid in the cases of such projects which show promise of making valuable contributions to human knowledge with respect to the cause, prevention, or

methods of diagnosis or treatment of dental diseases and conditions;

"(d) recommend to the Surgeon General for acceptance conditional gifts pursuant to section 413 (b);

"(e) make recommendations to the Surgeon General with respect to carrying out the provisions of this part; and

"(f) review applications from any public or other nonprofit institution for grants-in-aid for training, instruction, and traineeships in matters relating to the diagnosis, prevention, and treatment of dental diseases and conditions, and certify to the Surgeon General its approval of such applications for grants-in-aid as it determines will best carry out the purposes of this act.

"OTHER AUTHORITY WITH RESPECT TO DENTAL DISEASES AND CONDITIONS

"SEC. 415. This part shall not be construed as superseding or limiting (a) the functions or authority of the Surgeon General or the Service, or of any other officer or agency of the United States, relating to the study of the causes, prevention, or methods of diagnosis or treatment of dental diseases and conditions; or (b) the expenditure of money therefor.

"SEC. 416. There is hereby authorized to be appropriated the sum of \$750,000 for each fiscal year, beginning with the fiscal year ending June 30, 1949, for the purpose of carrying out the provisions of this part."

"NATIONAL ADVISORY DENTAL RESEARCH COUNCIL

"SEC. 4. (a) Section 217 of such act is amended by adding at the end thereof the following new subsection:

"(f) The National Advisory Dental Research Council shall consist of the Surgeon General or his representative, the chief medical officer of the Veterans' Administration or his representative, the Surgeon General of the Army or his representative, the Surgeon General of the Navy or his representative, who shall be ex officio members, and 12 members appointed without regard to the civil-service laws by the Surgeon General with the approval of the Administrator. The 12 appointed members shall be leaders in the fields of fundamental sciences, medical sciences, education, or public affairs; 6 of such 12 shall be selected from leading dental, medical, or scientific authorities who are outstanding in the study, diagnosis, or treatment of dental diseases and conditions, and at least 4 of such 6 shall be dentists. Each appointed member of the Council shall hold office for a term of 4 years except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that, of the members first appointed, 3 shall hold office for a term of 3 years, 3 shall hold office for a term of 2 years, and 3 shall hold office for a term of 1 year, as designated by the Surgeon General at the time of appointment. None of such 12 members shall be eligible for reappointment until a year has elapsed since the end of his preceding term. Every 2 years the Council shall elect one member to act as chairman for the succeeding 2-year period."

(b) Subsection (b) of section 217 of such act is amended to read as follows:

"(b) The National Advisory Health Council shall advise, consult with, and make recommendations to, the Surgeon General on matters relating to health activities and functions of the Service. The Surgeon General is authorized to utilize the services of any member or members of the Council, and where appropriate, any member or members of the National Advisory Cancer Council, the National Advisory Mental Health Council, or the National Advisory Dental Research Council, in connection with matters related to the work of the Service, for such periods, in addition to conference periods, as he may determine."

(c) The heading of section 217 of such act is amended to read "National Advisory Health, Cancer, Mental Health, and Dental Research Councils."

(d) Subsection (e) of section 209 of such act is amended to read as follows:

"(e) Members of the National Advisory Health Council, members of the National Advisory Mental Health Council, members of the National Advisory Cancer Council, and members of the National Advisory Dental Research Council, other than ex officio members, while attending conferences or meetings of their respective Councils or while otherwise serving at the request of the Surgeon General, shall be entitled to receive compensation at a rate to be fixed by the Administrator, but not exceeding \$50 per diem, and shall also be entitled to receive an allowance for actual and necessary traveling and subsistence expenses while so serving away from their places of residence."

(e) Paragraph (d) of section 301 of such act is amended to read as follows:

"(d) Make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the National Advisory Health Council, or, with respect to cancer, recommended by the National Advisory Cancer Council, or, with respect to mental health, recommended by the National Advisory Mental Health Council, or, with respect to dental diseases and conditions, recommended by the National Advisory Dental Research Council."

(f) Paragraph (g) of such section 301 is amended to read as follows:

"(g) Adopt, upon recommendation of the National Advisory Health Council, or, with respect to cancer, upon recommendation of the National Advisory Cancer Council, or, with respect to mental health, upon recommendation of the National Advisory Mental Health Council, or, with respect to dental diseases and conditions, upon recommendations of the National Advisory Dental Research Council, such additional means as he deems necessary or appropriate to carry out the purposes of this section."

"RESEARCH FACILITIES

"SEC. 5. There is hereby authorized to be appropriated a sum not to exceed \$2,000,000 for the erection and equipment of suitable and adequate buildings and facilities for the use of the National Institute of Dental Research in carrying out the provisions of this act. The Federal Works Administrator is authorized to acquire, by purchase, condemnation, donation, or otherwise, a suitable and adequate site or sites, selected on the advice of the Surgeon General of the Public Health Service, in or near the District of Columbia for such buildings and facilities, and to erect thereon, furnish, and equip such buildings and facilities. The amount authorized to be appropriated in this section shall include the cost of preparation of drawings and specifications, supervision of construction, and other administrative expenses incident to the work: *Provided*, That the Federal Works Agency shall prepare the plans and specifications, make all necessary contracts, and supervise construction.

"GENERAL PROVISIONS

"SEC. 6. (a) Section 2 of the Public Health Service Act, as amended, is amended by striking out the word "and" at the end of paragraph (1), by striking out the period at the end of paragraph (m) and inserting in lieu thereof ";" and", and by inserting after paragraph (m) the following new paragraph:

"(n) The term 'dental diseases and conditions' means diseases and conditions affecting teeth and their supporting structures, and other related diseases of the mouth."

(b) The term "National Institute of Health", wherever appearing in such act, is hereby changed to "National Institutes of Health."

(c) The word "title", wherever appearing in sections 403, 404, and 406 of such act, is hereby changed to "part."

(d) Section 633 (b) of such act is amended by striking out "\$25" and by inserting in lieu thereof "\$50."

With the following committee amendment:

Page 9, line 6, strike out "209" and insert "208."

The committee amendment was agreed to.

Mr. BREHM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BREHM:

On page 10, line 17, strike out the title in line 17 and all of section 5, and renumber the remaining sections accordingly.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, I need not stress the necessity for the Nation to undertake a dental program, as outlined in the bill introduced by my colleague, the gentleman from Ohio [Mr. BREHM]. In my opinion it is preferable to S. 176 introduced by Senator MURRAY and passed in the Senate, since it has been drawn as an amendment to the Public Health Service Act and in conformity with the National Cancer Institute Act passed in 1938.

It is essential that all the special health programs, dental, heart, cancer, polio, and so forth, follow a uniform pattern, drawn as amendments to the Public Health Service Act with such additional language as we have found, after consultation with the USPH, to have been the experience gained in the 10 years operation of the Cancer Act.

GENERAL STATEMENT

This bill proposes to amend the Public Health Service Act by establishing in the Public Health Service a National Institute of Dental Research, for the purpose of furthering the purposes of the legislation, to improve the dental health of the people of the United States through the conduct of researches, investigations, experiments, and studies relating to the cause, diagnosis, and treatment of dental diseases and conditions; to assist and foster such researches and other activities by public and private agencies; to provide training in matters relating to dental diseases and conditions; and to promote the coordination of all such researches and activities and the useful application of their results, with a view to the development and prompt widespread use of the most effective methods of prevention, diagnosis, and treatment of dental diseases and conditions.

H. R. 6726 is designed to lay a sound legislative basis for a dental research program. The establishment of a National Institute of Dental Research in the Public Health Service would provide a focal center for basic and applied research in dental diseases. The new Institute would occupy a position comparable to that of the Cancer and Mental

Health Institutes in the fields of cancer and mental health. It would be empowered not only to conduct basic and applied research but to make grants-in-aid to public and private institutions for research projects which are found by the Surgeon General and the National Advisory Dental Research Council to show promise of making valuable contributions to knowledge of dental diseases and conditions.

In establishing an institute and an advisory council on the basis for administering the provisions of this bill, H. R. 6726 follows the pattern already tested by experience in the fields of cancer and mental hygiene. This pattern is modified in one significant respect, namely, in the size and composition of the Council. In the opinion of the committee a council composed of both experts and laymen is superior for the purposes of this legislation than one confined to expert or technical membership. H. R. 6726, therefore, provides for a Council of 4 ex-officio members and 12 appointed members, and only 6 of the appointed members need have technical or professional training. In addition, the bill increases the maximum compensation of members of this and similar councils in the Public Health Service from \$25 to \$50 per diem.

H. R. 6726 recognizes the need to support training of potential researchers both within the Institute and in the various institutions where dental research will be conducted. The establishment of a National Institute of Dental Research, coupled with a training program as provided by this bill, would constitute a clear demonstration that dental research was on a sound basis and would encourage qualified candidates to prepare themselves for research.

The bill here represents the best thought of the committee on this subject after having given careful consideration to various bills having the same purpose. These included H. R. 574 and its companion bill, S. 176, passed by the Senate, and H. R. 4200, on which hearings were held in March, and H. R. 6470.

Mr. Speaker, I hope the House will act favorably and promptly on this measure.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, this bill, H. R. 6726, is of great importance to the health and welfare of the people of this country.

In the Seventy-ninth Congress an effort was made to establish a National Institute of Dental Research. It was not enacted by the Congress at that time.

At the beginning of the Eightieth Congress, and in fact, January 7, 1947, I introduced H. R. 574, which was similar to the bill that passed the Senate in the previous Congress but failed to have the approval of the House. H. R. 574 was a companion bill to S. 176, passed by the Senate in the last session of Congress. These bills have the approval of

and strong support of the American Dental Association.

This bill, H. R. 6726, contains the same provisions and has for its purpose the same objectives. The committee decided that it would probably be more appropriate to amend the Public Health Service Act to make the dental-research program a part of that act.

In establishing a National Institute of Dental Research, the Surgeon General, in cooperation with the National Advisory Dental Research Council is authorized to carry out the program to improve the dental health of the people of the United States, through the conduct of research, investigations, experiments, and studies relating to the causes, diagnosis, and treatment of dental diseases and conditions. It provides for such activities to be conducted by public and private agencies and for the training in matters relating to dental diseases and conditions.

In addition, this authorizes \$2,000,000 to be appropriated for the erection of buildings and facilities for the use of dental research institute. This would provide a centralized institution for basic and appropriate research in dentistry.

I am advised by Dr. Carl O. Flagstad, who appeared before our committee in support of this program, that this new bill "has the full endorsement of the American Dental Association as it incorporates our objectives for Federal support and desirable facilities for dental research." This is another step by the Congress in providing a sound legislative program for the health and welfare of our people. It deserves the most careful consideration by the House.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESEARCH AND TRAINING IN POLIOMYELITIS AND OTHER DISEASES

The Clerk called the bill (H. R. 6732) to amend the Public Health Service Act to support research and training in poliomyelitis and other diseases, and for other purposes.

Mr. KEAN. Mr. Speaker, no report has been available to the objectors on this bill. Therefore, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

SOIL CONSERVATION AND DOMESTIC ALLOTMENT ACT

The Clerk called the bill (H. R. 5154) to extend the period within which the Secretary of Agriculture may carry out the purposes of the Soil Conservation and Domestic Allotment Act by making payments to agricultural producers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 8 (a), as amended, of the Soil Conservation and Domestic Allotment Act (U. S. C., 1940 edition, Supp. V, title 16, sec. 590h (a)) is amended (a) by striking out "January 1, 1949" wherever appearing therein and inserting in lieu thereof "January 1, 1953"; and (b) striking out

"December 31, 1948" and inserting in lieu thereof "December 31, 1952."

With the following committee amendments:

Page 1, line 7, strike out the year "1953" and insert in lieu thereof the year "1950."

Page 1, line 9, strike out the year "1952" and insert in lieu thereof the year "1949."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTION 77 OF THE BANKRUPTCY ACT

The Clerk called the bill (H. R. 6657) to amend section 77 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PAYMENT OF COSTS OF JURORS

The Clerk called the bill (H. R. 945) relating to the payment of fees, expenses, and costs of jurors.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That section 2 of the act entitled "An act fixing the fees of jurors and witnesses in the United States courts, including the District Court of Hawaii, the District Court of Porto Rico (now 'Puerto Rico'), and the Supreme Court of the District of Columbia (now 'District Court of the United States for the District of Columbia')," approved April 26, 1926 (44 Stat. 323), as amended (U. S. C., title 28, sec. 600), is hereby amended to read as follows:

"Sec. 2. Jurors in the United States courts, except in the United States district courts of Hawaii, Puerto Rico, Alaska, and the Canal Zone, and except in the District Court of the Virgin Islands, and including the United States District Court for the District of Columbia, shall receive the following and no other compensation, except in cases otherwise expressly provided by law: For actual attendance at the place of trial or hearing of any court or courts, and for the time necessarily occupied in going to and returning from such place of trial or hearing, either at the beginning and end of service or at any time during the same, \$4 per day during such attendance: *Provided*, That whenever a juror is required to attend court 30 or more days in hearing a single case, he may be paid, in the discretion and upon the certification of the trial judge, a per diem of up to and not exceeding \$10 for each and every day in excess of 30 days he is required to hear such case.

"For the distance necessarily traveled by the shortest practicable route from their place of residence in going to and returning from the place of trial or hearing at the beginning and at the end of the term of service, 5 cents per mile: *Provided*, That for additional necessary daily transportation expenses, the cost of travel by common carrier shall be allowed not to exceed \$2 per day, or if it is not practicable to travel by common carrier a rate of 5 cents per mile shall be allowed but not to exceed \$2 per day, or if daily travel appears impracticable subsistence of \$2 per day shall be allowed: *Pro-*

vided further, That whenever in any case the jury is ordered to be kept together and not to separate, the cost of subsistence during such period shall be paid by the marshal upon the order of the court in lieu of the foregoing allowance for subsistence, and such sum may, in the discretion of the court, be taxed as costs."

With the following committee amendments:

Page 1, line 11, strike out the words "except in", and on page 2, strike out lines 1 and 2, and through the word "and" in line 3, and insert after the comma following "Columbia" in line 4 the following: "the United States District Court for the Territory of Hawaii, and the District Court of the United States for Puerto Rico, and excluding the United States District Courts of Alaska and the Canal Zone and the District Court of the Virgin Islands."

Page 2, line 10, strike out "\$4" and insert in lieu thereof "\$5."

Page 3, lines 6 and 7, change the comma after the word "subsistence" to a period, and strike out the words "and such sum may, in the discretion of the court, be taxed as costs."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AIR PARCEL-POST SERVICE

The Clerk called the bill (H. R. 6773) to provide for an air parcel-post service, and for other purposes.

Mr. VAN ZANDT. Mr. Speaker, this is a highly important and controversial bill concerning several industries in my district. Therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. REES. Mr. Speaker, I regret that the gentleman from Pennsylvania [Mr. VAN ZANDT] has seen fit to cause this bill not to be considered at this time. In my opinion, with the end of the session so near this bill should be approved now to assure that this new service to the public is authorized and directed.

The objection apparently is premised upon a question as to how the railroads feel about this particular legislation. As I stated to the gentleman, the railroads were given an opportunity to testify and did not object to this legislation. Specifically the railroads were represented by Mr. Roland Rice, assistant general counsel of the Association of American Railroads. This association represents 95 percent of the class 1 railroad mileage in this country. In his statement to the committee at hearings on air parcel post, Mr. Rice said:

Let it be clear that we are not opposing the institution of air parcel post as such. If it be a development in the course of progress in this country it is something that ought to come. However, we do feel that if it is provided as a service to the public it should be on a compensatory basis, it should pay its own way.

H. R. 6773 provides rates of American railroads. These rates were submitted to the committee by the Post Office Department with the assurance they would bring in sufficient revenue to meet the expenditures for this new service. We have written into the bill an additional safeguard assuring that there will be no loss to the Post Office Department in air

parcel post. This safeguard appears in section 1 (11) which I quote:

The Postmaster General is further authorized and directed for the period of 2 years, notwithstanding the provisions of paragraphs (1) to (9), inclusive, of this section, to adjust from time to time the weight limit, size, rate of postage, zone or zones or conditions, or either, in order to promote the service to the public and assure the receipt of revenue from such service adequate to pay the cost thereof.

I would like to point out that at the present time the Post Office Department under rates established by the Civil Aeronautics Board is required to pay for in excess of 20,000,000 ton-miles of space annually on the air lines. This is because the Civil Aeronautics Board has directed that the Post Office Department pay some air lines on a plane-mile basis and others based upon a minimum-load guaranty. Since there is not sufficient mail to use up this space, it is being paid for by the Department and represents a large part of the subsidy to the air lines. By authorizing this air parcel-post service most of this space will be used by the additional mail sent by air.

It is also pointed out that under the recent ruling of the Civil Aeronautics Board which granted more than \$5,000,000 in increased mail pay to the big-five carriers, the ton-mile rate decreases as the volume increases. Taking into consideration present volume, the average ton-mile payments to these carriers is 60 cents. After this air-parcel-post program is placed into operation the additional volume will bring the ton-mile rate down to less than 40 cents.

The net effect of the increase in volume of mail which will be produced as a result of this new service will be a reduction in the present Post Office Department deficit of over \$10,000,000 annually. Taking into consideration this large savings, and in view of the Post Office and Civil Service Committee's efforts to reduce the Post Office Department's deficit, you can understand my concern for any delay in establishing the air-parcel-post service.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

FEDERAL COMMUNICATIONS COMMISSION

The Clerk called the bill (H. R. 1470) to provide for the review of orders of the Federal Communications Commission under the Communications Act of 1934, as amended, and of certain orders of the Secretary of Agriculture made under the Packers and Stockyards Act, 1921, as amended, and the Perishable Agricultural Commodities Act, 1930, as amended.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE JUDICIAL CODE

The Clerk called the bill (H. R. 2271) to incorporate into the Judicial Code the provisions of certain statutes relating to

the three-judge district courts, and for other purposes.

Mr. KEATING. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. HOBBS. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if this three-judge court review—H. R. 2271—might not be adopted. It is a very important matter, and as the gentleman knows, does not conflict with any of the interests of the ones who are involved.

Mr. KEATING. I might say to the gentleman from Alabama that this bill contains the same provision giving to the Attorney General complete control over the litigation of independent agencies, the same as the other two bills, with which the gentleman is concerned. If he would be willing to amend the bill to withdraw that provision, I am sure those who filed the minority report would be willing to go along with that suggestion.

Mr. HOBBS. Of course, that is not within my power because the full Committee on the Judiciary adopted it. But the point I want to make is wholly without regard to that, because that does not affect the Interstate Commerce Commission nearly to the same extent that the other does, this is asking for complete and excellent revision of provisions for review of decision of three-judge courts, which involves several hundred sections of the code. I do hope we may have this legislation passed.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CIVIL AERONAUTICS ACT, 1938

The Clerk called the bill (S. 2454) to amend the Civil Aeronautics Act of 1938, as amended, to make further provision for the recording of title to, interests in, and encumbrances upon certain aircraft, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the Civil Aeronautics Act of 1938, as amended (52 Stat. 973; U. S. C., title 49, sec. 401), is amended by changing the number of paragraph (31) to (32), and by inserting, immediately following paragraph (30), the following new paragraph (31):

"(31) 'Spare parts' means parts, appurtenances, and accessories of aircraft (other than aircraft engines and propellers), of aircraft engines (other than propellers), of propellers and of appliances, maintained for installation or use in an aircraft, aircraft engine, propeller, or appliance, but which at the time are not installed therein or attached thereto."

Sec. 2. Paragraph (17) of section 1 of such act is amended to read as follows:

"(17) 'Conditional sale' means (a) any contract for the sale of an aircraft, aircraft engine, propeller, appliance, or spare part under which possession is delivered to the buyer and the property is to vest in the buyer at a subsequent time, upon the payment of part or all of the price, or upon the performance of any other condition or the happening of any contingency; or (b) any contract for the bailment or leasing of an aircraft, aircraft engine, propeller, appliance, or spare part, by which the bailee or lessee contracts to pay as compensation

a sum substantially equivalent to the value thereof, and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner thereof upon full compliance with the terms of the contract. The buyer, bailee, or lessee shall be deemed to be the person by whom any such contract is made or given."

Sec. 3. Section 503 of such act (U. S. C., title 49, sec. 523), is amended to read as follows:

"Sec. 503. (a) The Administrator shall establish and maintain a system for the recording of each and all of the following:

"(1) Any conveyance which affects the title to, or any interest in, any civil aircraft of the United States;

"(2) Any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any specifically identified aircraft engine or engines of 750 or more rated take-off horsepower for each such engine or the equivalent of such horsepower, and also any assignment or amendment thereof or supplement thereto;

"(3) Any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any aircraft engines, propellers, or appliances maintained by or on behalf of an air carrier certificated under section 604 (b) of this act for installation or use in aircraft, aircraft engines, or propellers, or any spare parts maintained by or on behalf of such an air carrier, which instrument need only describe generally by types the engines, propellers, appliances, and spare parts covered thereby and designate the location or locations thereof; and also any assignment or amendment thereof or supplement thereto.

"(b) The Administrator shall also record under the system provided for in subsection (a) of this section any release, cancellation, discharge, or satisfaction relating to any conveyance or other instrument recorded under said system.

"(c) No conveyance the recording of which is provided for by section 503 (a) (1) made on or after August 22, 1938, and no instrument the recording of which is provided for by section 503 (a) (2) or section 503 (a) (3) made on or after the effective date of this section, shall be valid in respect of such aircraft, aircraft engine or engines, propellers, appliances, or spare parts against any person other than the person by whom the conveyance or other instrument is made or given, his heir or devisee, or any person having actual notice thereof, until such conveyance or other instrument is filed for recordation in the office of the Administrator. For the purposes of this subsection (c), such conveyance or other instrument shall take effect from the time and date of its filing for recordation, and not from the time and date of its execution.

"(d) Each conveyance or other instrument recorded by means of or under the system provided for in subsection (a) or (b) of this section shall from the time of its filing for recordation be valid as to all persons without further or other recordation, except that an instrument recorded pursuant to section 503 (a) (3) shall be effective only with respect to those of such items which may from time to time be situated at the designated location or locations and only while so situated: *Provided*, That an instrument recorded under section 503 (a) (2) shall not be affected as to the engine or engines specifically identified therein, by any instrument theretofore or thereafter recorded pursuant to section 503 (a) (3).

"(e) No conveyance or other instrument shall be recorded unless it shall have been acknowledged before a notary public or other officer authorized by the law of the United

States, or of a State, Territory, or possession thereof, or the District of Columbia, to take acknowledgment of deeds.

"(f) The Administrator shall keep a record of the time and date of the filing of conveyances and other instruments with him and of the time and date of recordation thereof. He shall record conveyances and other instruments filed with him in the order of their reception, in files to be kept for that purpose, and indexed according to—

"(1) the identifying description of the aircraft or aircraft engine, or in the case of an instrument referred to in section 503 (a) (3), the location or locations specified therein; and

"(2) the names of the parties to the conveyance or other instrument.

"(g) The Administrator is authorized to provide by regulation for the endorsement upon certificates of registration, or aircraft certificates, of information with respect to the ownership of the aircraft for which each certificate is issued, the recording of discharges and satisfactions of recorded instruments, and other transactions affecting title to or interest in aircraft, aircraft engines, propellers, appliances, or parts, and for such other records, proceedings, and details as may be necessary to facilitate the determination of the rights of parties dealing with civil aircraft of the United States, aircraft engines, propellers, appliances, or parts.

"(h) The person applying for the issuance or renewal of an airworthiness certificate for an aircraft with respect to which there has been no recordation of ownership as provided in this section shall present with his application such information with respect to the ownership of the aircraft as the Administrator shall deem necessary to show the persons who are holders of property interests in such aircraft and the nature and extent of such interests."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEDICAL AND HOSPITAL SERVICE FOR EMPLOYEES OF MARITIME SERVICE

The Clerk called the bill (H. R. 6728) to authorize medical and hospital service for those employed in the maritime service, and for other purposes:

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FENTON. Mr. Speaker, reserving the right to object, I do so to ask an explanation of this bill.

Mr. WOLVERTON. For the benefit of the gentleman from Pennsylvania, I am pleased to say that this bill which was introduced by the gentleman from New York, chairman of the Committee on Merchant Marine and Fisheries, was for the purpose of giving statutory authority for appropriations which, in the past, have been made with legislative language on an appropriation bill.

The purpose of this bill as presently drawn, different from the bill as originally drawn, is merely to confirm by statute the right of the Public Health Service to carry on this very worth-while activity, which it has been doing for many years.

Mr. FENTON. Will the gentleman yield?

Mr. WOLVERTON. I yield.

Mr. FENTON. Just how far does the bill go? Does it authorize treatment on the outside, or is it purely within the Bureau?

Mr. WOLVERTON. It is purely within the Public Health Service at their hospitals where such exist, but I think the gentleman will readily understand that it is impossible to have the Public Health Service hospital at every port in the United States, so that the Public Health at times does enter into contractual relations with hospitals and others for medical service in different ports of the United States.

We must ever bear in mind that the nations of the world recognize a responsibility toward their seafaring men. This country for many, many years has recognized its obligation and has sought to fulfill its duty to them. The services provided in this bill are a part of our general program to promote the welfare of our seamen. The whole basic thought of caring for them arises from the fact that in many instances, these men have no permanent home or place of abode to go to when sick and disabled; hence the desire to provide for them.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 (h) of the Public Health Service Act (U. S. C., 1940 ed., Supp. IV, title 42, sec. 201 (h)), is amended to read as follows:

(h) The term 'seamen' includes (1) any person employed on board in the care, preservation, or navigation of any vessel, or in the service, on board, of those engaged in such care, preservation, or navigation, and (2) any person who (A) has been so employed for at least 60 days of substantially continuous service, (B) applies for treatment under this act within 6 months of the last day of such service, and (C) has not changed his occupation;".

SEC. 2. Section 322 (a) of the Public Health Service Act (U. S. C., 1940 ed., Supp. IV, title 42, sec. 249 (a)) is amended by inserting after the word "Seamen" in paragraphs (1) and (2) the words "who are or have been," by inserting before the word "employed" in paragraph (3) the words "or have been," and by inserting after the word "Seamen" in paragraph (5) the words "who are or have been employed."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPOSITION OF THE AIR FORCE

The Clerk called the bill (H. R. 6247) to provide for the air security and defense of the United States, to establish the composition of the Air Force, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, of course, we are all much in favor of the 70-group air force, but placing a bill which has to do with \$7,000,000,000 on the Consent Calendar seems ridiculous. May I ask the gentleman from New York, Does this bill do anything more than authorize what has already been appropriated.

Mr. ANDREWS of New York. I will be glad to yield to the gentleman from Massachusetts [Mr. CLASON]. This provides authorization for the 70-group air force.

Mr. CLASON. Mr. Speaker, the Air Force was created as a separate military

service under the National Security Act of 1947. Both the Navy and the Army have legislation which determines the composition of those two services. No legislation has ever been brought forward for the purpose of determining the composition of the Air Force. So this bill has been brought forward for that purpose, to lay a foundation.

There is no money involved in this bill. It is not an authorization bill in the sense of asking for any planes or any men or anything of that sort. It provides for ceilings; for example, a ceiling for the number of officers and men as contained in the Selective Service Act which is before the House. The ceiling as to planes, squadrons, and groups is the ceiling which was placed on the appropriation bill which has already become law. Other provisions in the bill are solely for the purpose of determining the composition of the Air Force so that it can have something for guidance.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CLASON. I yield.

Mrs. ROGERS of Massachusetts. Do the Navy and the Army Air Force approve of this bill?

Mr. CLASON. As far as our committee is concerned, I would say it met with the approval of everybody.

Mrs. ROGERS of Massachusetts. They are all satisfied?

Mr. CLASON. Yes, they are both satisfied. No objection was ever raised to it. It simply lays the basis on which the Air Force shall be guided in its work.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ANDREWS of New York. Mr. Speaker, reserving the right to object, as chairman of the Armed Services Committee, I would like to say this: This is the only plank that is a 70-group air force that the Republicans have got so far to put in their platform in Philadelphia on the subject of preparedness. Up to now, with their refusal to act on universal military training, and no consideration having been given as yet to selective service, this issue of a 70-group air force is going to have to be spread pretty thin. I do not think there is 1 man in 50 in this House that knows what is in the 70-group air force. I want to remind the House that the 70 groups contain 10 whole groups of many squadrons and many planes in the 70-group air force, which passed this House almost unanimously, and these 10 groups are for airborne troops, engineers, and air-borne infantry. These are men we have not now got and will not have unless we have selective service and a larger Army.

There are only 10 days left presumably, and I am banking on the word of the Speaker of this House and the majority leader that the selective service will come up before we adjourn; otherwise what might be said in the Republican platform will be mockery and claptrap.

The SPEAKER. The gentleman from New Jersey asks that the bill be passed over without prejudice. Is there objection?

Mr. KEAN. Mr. Speaker, reserving the right to object, I did not ask that.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, there is no one in this House I think who is any stronger for the 70-group air force than I am. In fact, I did all that I could to have the appropriation bill passed that made that possible.

I would suggest to the gentleman from New York, however, the chairman of the Committee on Armed Forces, that he has given evidence of the fact that this bill ought to have some general consideration. He has just said that there were not 50 Members of this House who knew what was in the 70-group air force.

It is said that the bill now before us proposes a program involving \$7,500,000,-000 annually. Under all precedents in our procedure, it should be put over until we can give it specific and direct consideration which is not possible on the Consent Calendar.

The bill may be perfect in every particular, but it should be explained. For example, I note that it proposes to make inapplicable to the Air Force certain limitations on numbers of the civilian employees as established by law for other branches of the armed services—the Army and Navy. It is not clear how this ties in with the action which the House took in the appropriation bill the other day on civilian employees.

So, because of the very far-reaching importance of the bill, and because I think the House should be acquainted with the details of the bill I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

Mr. ANDREWS of New York. Mr. Speaker, reserving the right to object, when does the gentleman think the House will find time to take it up?

Mr. CASE of South Dakota. If it is as important as the gentleman from New York says it is there will be no question but that it will have attention before we adjourn.

Mr. ANDREWS of New York. The gentleman from South Dakota voted for the 70-group air force.

Mr. CASE of South Dakota. Certainly; and the gentleman from South Dakota as much as any member of the Committee on Deficiencies, was responsible for the appropriation and the language which was worked out, which made it possible for the larger air force to be a reality. But as that law is already in being, and the appropriation has already been made, we should at least devote a few minutes to considering the bill that seeks to spell out basic air-force law.

The bill should be considered before we adjourn, of course, but the House ought to know what is in it and not pass the bill on the Consent Calendar without explanation or debate.

Mr. CLASON. Mr. Speaker, reserving the right to object, it is the position of the Air Force and the witnesses who came before our committee that they would like to have a basic law on which to base the composition of their work in the

future. They have to have a guide. Now we are going to go into a recess or into an adjournment which will last for possibly 6 months. The Air Force should have this basic legislation now.

The pending bill does not call for anything that they have not already been granted; as a matter of fact, it places a ceiling on the amount they can spend for civilian employees, as it is already established by an appropriation bill.

Mr. CASE of South Dakota. What does it do to the ceiling on civilian employees?

Mr. CLASON. It limits them to 50,000.

Mr. CASE of South Dakota. That is the ceiling on civilian employees even though we establish a different ceiling in the bill that was reported last week. In the matter of civilian employees whereas they requested \$325,000,000, the bill as it passed the House called for only \$300,000,000. They are now limited to those figures.

Mr. CLASON. The Air Force under the adjustment of January 2, 1948, was allotted 50,000 of the employees which we gave to the Army. They have asked for the right of the Air Force to employ civilian personnel though it may be in addition to what the civil-service law provides at the present time.

Mr. CASE of South Dakota. Mr. Speaker, I must insist upon this because the matter obviously has too many ramifications to be considered on the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota that the bill be passed over without prejudice?

There was no objection.

CAUSES AND CHARACTERISTICS OF THUNDERSTORMS AND OTHER ATMOSPHERIC DISTURBANCES

The Clerk called the bill (S. 2456) to provide safety in aviation and to direct a study of the causes and characteristics of thunderstorms and other atmospheric disturbances.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of the Weather Bureau is authorized and directed to study fully and thoroughly the internal structure of thunderstorms, hurricanes, cyclones, and other severe atmospheric disturbances, particularly the degree of turbulence within such storms and the development, maintenance, and magnitude of updrafts and downdrafts with a view to establishing methods by which the characteristics of particular thunderstorms may be forecast and methods by which the characteristics of such storms may be determined on visual observation from outside of the immediate thunderstorm area. Such study shall be concluded at the earliest practicable date and a final report submitted to Congress. The Chief of the Weather Bureau shall make interim reports to Congress at least annually during the course of the study.

SEC. 2. The Chief of the Weather Bureau is empowered to make such expenditures at the seat of government and elsewhere as may be necessary to carry out the purposes of this act and as from time to time may be appropriated for by Congress, including expenditures for the development and purchase of special meteorological instruments and other equipment (including motor vehicles and aircraft), without regard to the provisions of

section 3709 of the Revised Statutes. There is hereby authorized to be appropriated such sums as are necessary for the purpose of carrying out the provisions of this act.

SEC. 3. Any executive department or independent establishment is hereby authorized to cooperate with the Chief of the Weather Bureau in carrying out the purposes of this act, and for such purposes may lend or transfer to the Chief of the Weather Bureau any officer or employee of such department or establishment and any property, equipment, lands, or buildings under its control.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETENTION IN THE SERVICE OF CERTAIN DISABLED ARMY AND AIR FORCE PERSONNEL

The Clerk called the bill (S. 1783) to provide for retention in the service of certain disabled Army and Air Force personnel, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any other provision of law, the President is authorized and directed to retain in service disabled officers, warrant officers, and flight officers of the Army and the Air Force of the United States until their treatment for physical reconstruction has reached a point where they will not be further benefited by retention in a military hospital or in the military service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISSUANCE OF A SPECIAL SERIES OF STAMPS COMMEMORATING FOUNDER OF GIRL SCOUTING IN THE UNITED STATES OF AMERICA

The Clerk called the joint resolution (H. J. Res. 327) to authorize the issuance of a special series of stamps commemorative of Juliette Low, founder and organizer of Girl Scouting in the United States of America.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Postmaster General is authorized and directed to issue during 1948, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of Juliette Low, the founder and organizer of Girl Scouting in the United States of America.

With the following committee amendment:

Page 1, line 4, strike out "during 1948 a" and insert "at the earliest practicable date."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMMISSION TO HEAR AND DETERMINE THE CLAIMS OF CERTAIN MOTOR CARRIERS

The Clerk called the bill (S. 1260) to create a commission to hear the claims of certain motor carriers.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BYRNES of Wisconsin. Mr. Speaker, I object.

SAFEGUARDING AND CONSOLIDATING CERTAIN AREAS WITHIN THE SUPERIOR NATIONAL FOREST, MINN.

The Clerk called the bill (S. 1090) to safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That to protect and administer more effectively the publicly owned lands within certain parts of the area described in section 1 of the act approved July 10, 1930 (46 Stat. 1020), and to accomplish certain public purposes explicit and implicit in sections 2 and 3 of said act the Secretary of Agriculture is authorized and directed to acquire any lands or interest in lands, and appurtenances thereto, situated within the area described in section 2 of this act, where in his opinion development or exploitation, or the potentialities for development of exploitation, impair or threaten to impair the unique qualities and natural features of the remaining wilderness canoe country: *Provided, however*, That under the authority of this act no contiguous tract of land in one ownership, not exceeding 500 acres in the aggregate, shall be condemned if at the time of the approval of this act it is encumbered with a structure or structures of a permanent type suitable for human occupancy and if the owner thereof files written objections before expiration of the time for answering the petition in the proceedings.

SEC. 2. That the authority granted in section 1 of this act shall be supplemental to the authority granted by existing acts relating to the acquisition of lands for national-forest purposes and shall not be deemed as repealing any portions of those acts; and said supplemental authority granted by section 1 of this act, but not the authority granted by existing acts, shall be confined to the following described areas in Cook, Lake, and Saint Louis Counties, State of Minnesota:

Township 63 north, range 2 west, fourth principal meridian, sections 5 to 8, inclusive.

Township 63 north, range 3 west, fourth principal meridian, sections 1 to 12, inclusive.

Township 63 north, ranges 4, 5, 6, 7, and 8 west, fourth principal meridian, entire townships.

Township 63 north, range 9 west, fourth principal meridian, south half section 19 and sections 20 to 36, inclusive.

Township 63 north, range 13 west, fourth principal meridian, section 6.

Township 63 north, range 14 west, fourth principal meridian, sections 1 to 12, inclusive, and 14 to 22, inclusive.

Township 63 north, range 15 west, fourth principal meridian, sections 1 to 24, inclusive.

Township 63 north, range 16 west, fourth principal meridian, sections 1 to 3, inclusive, 10 to 15, inclusive, and 22 to 24, inclusive.

Township 64 north, range 3 east, fourth principal meridian, south half section 7.

Township 64 north, range 2 east, fourth principal meridian, sections 1 to 12, inclusive.

Township 64 north, range 1 east, fourth principal meridian, sections 1 to 4, inclusive, south half section 7, sections 8 to 12, inclusive, 15 to 17, inclusive, and east half section 18.

Township 64 north, range 1 west, fourth principal meridian, sections 17 to 20, inclusive, and 29 to 32, inclusive.

Township 64 north, range 2 west, fourth principal meridian, sections 7 to 11, inclusive, and 13 to 36, inclusive.

Township 64 north, range 3 west, fourth principal meridian, sections 7 to 36, inclusive.

Township 64 north, range 4 west, fourth principal meridian, sections 6, 7, and 10 to 36, inclusive.

Township 64 north, ranges 5, 6, 7, and 8 west, fourth principal meridian, entire townships.

Township 64 north, range 9 west, fourth principal meridian, sections 1 to 24, inclusive.

Township 64 north, range 10 west, fourth principal meridian, sections 1 to 18, inclusive.

Township 64 north, range 11 west, fourth principal meridian, sections 1 to 4, inclusive, and 9 to 16, inclusive.

Township 64 north, range 13 west, fourth principal meridian, sections 5 to 8, inclusive, 15 to 22, inclusive, and 28 to 32, inclusive.

Township 64 north, range 14 west, fourth principal meridian, sections 6 to 36, inclusive.

Township 64 north, range 15 west, fourth principal meridian, sections 1 to 3, inclusive, and 10 to 36, inclusive.

Township 64 north, range 16 west, fourth principal meridian, sections 22 to 27, inclusive, and 34 to 36, inclusive.

Township 65 north, range 2 east, fourth principal meridian, entire township.

Township 65 north, range 1 east, fourth principal meridian, sections 19 to 30, inclusive, and 33 to 36, inclusive.

Township 65 north, range 1 west, fourth principal meridian, sections 19 to 30 inclusive.

Township 65 north, range 4 west, fourth principal meridian, sections 1 to 3 inclusive, 10 to 14, inclusive, and 31.

Township 65 north, range 5 west, fourth principal meridian, sections 6, 7, and 18 to 36, inclusive.

Township 65 north, ranges 6, 7, 8, 9, 10, and 11 west, fourth principal meridian, entire townships.

Township 65 north, range 12 west, fourth principal meridian, sections 1 to 17, inclusive, 20 to 27, inclusive, and 34 to 36, inclusive.

Township 65 north, range 13 west, fourth principal meridian, sections 1 to 3, inclusive, and 10 to 12, inclusive.

Township 65 north, range 14 west, fourth principal meridian, sections 18, 19, 30, and 31.

Township 65 north, range 15 west, fourth principal meridian, sections 13, 14, 23 to 26, inclusive, 35 and 36.

Township 66 north, range 4 west, fourth principal meridian, sections 3, 9, 16, 21, 22, 26 to 28, inclusive, and 33 to 36, inclusive.

Township 66 north, range 5 west, fourth principal meridian, sections 2, 8, 9, 16 to 20, inclusive, 30 and 31.

Township 66 north, range 6 west, fourth principal meridian, entire township.

Township 66 north, ranges 11, 12, and 13 west, fourth principal meridian, entire townships.

Township 66 north, range 14 west, fourth principal meridian, sections 1 to 28, inclusive, and 33 to 36, inclusive.

Township 66 north, range 15 west, fourth principal meridian, sections 1 to 17, inclusive, and 20 to 24, inclusive.

Township 66 north, range 16 west, fourth principal meridian, sections 1 to 5, inclusive, and 9 to 12, inclusive.

Township 67 north, ranges 13, 14, and 15 west, fourth principal meridian, entire townships.

Township 67 north, range 16 west, fourth principal meridian, sections 6 to 8, inclusive, 16 to 18, inclusive, 20, 21, 28, 29, and 32 to 34, inclusive.

Township 67 north, range 17 west, fourth principal meridian, those portions of sections 1, 12, and 13 east of Crane Lake.

Township 68 north, ranges 13, 14, 15, and 16 west, fourth principal meridian, entire townships.

Township 68 north, range 17 west, fourth principal meridian, that portion of section 36 east of Crane Lake.

Sec. 3. That lands shall be acquired by purchase or condemnation under the supple-

mental authority granted in section 1 of this act only with prior approval of the National Forest Reservation Commission created by section 4 of the act approved March 1, 1911 (36 Stat. 961), as amended, and lands so acquired shall become parts of the Superior National Forest and be subject to the provisions of said act (36 Stat. 961), as amended, and of such other laws as apply to land acquired under the provisions of said act (36 Stat. 961), as amended, except as herein-after provided.

Sec. 4. That upon finding and determination by the Secretary of Agriculture that the public purposes and objectives explicit and implicit in the act approved July 10, 1930 (46 Stat. 1020), more effectively can be accomplished by exchanging lands of the United States situated within the boundaries described in said act for other lands in State, county, or private ownership situated within the said boundaries which are more suitable for public ownership, management, and use, for the purposes contemplated by said act, such lands of the United States shall be subject to exchange under the provisions of the act of March 20, 1922 (42 Stat. 465), as amended, or the provisions of the act of March 3, 1925 (43 Stat. 1215).

Sec. 5. That in addition to the payment to the State of Minnesota under the provisions of the act of May 23, 1908 (35 Stat. 260), and of section 13 of the act of March 1, 1911, as amended (36 Stat. 961; 38 Stat. 441), there shall be paid at the end of each fiscal year by the Secretary of the Treasury to the State of Minnesota the amount, if any, by which the payment made under the above cited acts for such year is less than the sum certified to him by the Secretary of Agriculture as equaling, as of the first day of such year, the number of acres of national forest land situated within the areas described in section 2 of this act multiplied by 7½ cents per acre; and such amount shall be expended for the benefit of the counties in which said national-forest lands are situated in the manner prescribed by State law for the expenditure of payments made under the acts cited above or in such other manner as the State legislature may hereafter prescribe: *Provided, however,* That the first payment to the State of Minnesota under the provisions of this section shall not be due until the close of the first full fiscal year after approval of this act.

Sec. 6. That there are hereby authorized to be appropriated annually such sums as are necessary to carry out the provisions of this act: *Provided, however,* That the total appropriations under the authority of this act shall not exceed \$500,000 for the purchase and condemnation of land.

With the following committee amendments:

Page 2, line 3, strike out the word "or" and insert in lieu thereof the word "or."

Page 8, line 1, strike out all of section 5 and insert in lieu thereof a new section 5 as follows:

"Sec. 5. That the Secretary of the Treasury, upon the certification of the Secretary of Agriculture, shall pay to the State of Minnesota, at the close of each fiscal year, from any national-forest receipts not otherwise appropriated, a sum of money equivalent to three-quarters of 1 percent of the fair appraised value of such national-forest lands as may be situated within the area described in section 2 of this act at the end of each fiscal year; and the payments made hereunder shall be distributed to each of the three aforesaid counties in conformity with the fair appraised value of such national-forest lands in each county: *Provided,* That the fair appraised value of the lands shall be determined by the Secretary of Agriculture at 10-year intervals and his determination shall be conclusive and final: *Provided further,* That the first payment to the

State of Minnesota under the provisions of this section shall not be due until the close of the first full fiscal year after approval of this act: *And provided further,* That the provisions of the act of May 23, 1908 (35 Stat. 260), and of section 13 of the act of March 1, 1911, as amended (36 Stat. 961; 38 Stat. 441), shall not be applicable to the national-forest lands to which this section applies."

The committee amendments were agreed to.

Mr. GOFF. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOFF: Page 2, line 16, after the word "acts" insert "except as provided hereinafter."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF POTATO AND TOMATO PRODUCTION FROM THE GOLDEN NEMATODE

The Clerk called the bill (S. 2137) to provide for the protection of potato and tomato production from the golden nematode, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That to protect potato and tomato production in the United States from the destructive pest known as the golden nematode which subsists on the roots of potatoes and tomatoes, causes marked reduction in yield, persists in the soil for many years in an inactive state in the absence of preferred hosts, and becomes active and destructive when potatoes or tomatoes are again planted, it is the policy of the Government of the United States, independently or in cooperation with the State and local governmental agencies, and other public and private organizations, associations, and individuals, to eradicate, suppress, control, and prevent the spread of, this pest.

Sec. 2. The Secretary of Agriculture either independently or in cooperation with public or private agencies is authorized to carry out operations or measures to eradicate, suppress, control, or prevent the spread of, the golden nematode.

Sec. 3. The activities contemplated by this act include cooperation with States and other agencies in making inspections, applying suppressive measures, enforcing quarantines, enforcing restrictions on the planting of potatoes and tomatoes, destroying potatoes and tomatoes growing in soil found infested or exposed to infestation with the golden nematode, and compensating growers in areas infected, or exposed to infestation, with the golden nematode for not planting potatoes or tomatoes or for losses resulting from destruction for the purposes of this act of potatoes or tomatoes.

Sec. 4. In the discretion of the Secretary of Agriculture no part of any sums appropriated to carry out the purposes of this act shall be expended with respect to any area infested with the golden nematode or exposed to such infestation until the appropriate cooperating agency or agencies have presented evidence satisfactory to the Secretary of Agriculture that they will provide funds, materials, means, and State and local authority necessary for the cooperating agency or agencies to carry out effectively that part of the cooperative program the Secretary of Agriculture may require from the cooperating agency or agencies.

Sec. 5. The Secretary of Agriculture shall not undertake any program involving mandatory restrictions on the planting of potatoes or tomatoes, or mandatory destruction

of potatoes or tomatoes unless the State concerned shall have enacted legislation authorizing such restrictions or destruction.

SEC. 6. The amount of compensation to be paid by the Federal Government and any cooperating agency, and the method of computation thereof, shall be determined by the Secretary of Agriculture or the agent or agents designated by him, in cooperation with the responsible officials of the agency concerned and in a manner to assure that necessary records are preserved to show full compliance with the provisions of this act and regulations promulgated in accordance therewith. No payment shall be made to any grower except after compliance in good faith with regulations concerning the golden nematode promulgated by the Secretary of Agriculture and the responsible official of the cooperating agency. The determination by the Secretary of Agriculture, or his authorized agent, of the amount of compensation to be provided by the Federal Government for any grower shall be final.

SEC. 7. To carry out the purposes of this act the Secretary of Agriculture is authorized to incur all necessary expenses, including the employment of persons in the District of Columbia and elsewhere, printing and binding, and the purchase of passenger-carrying vehicles.

SEC. 8. The provisions of this act are intended to supplement, and shall not be construed as limiting or repealing existing legislation.

SEC. 9. This act may be cited as the "Golden Nematode Act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT OF CLAIMS OF MILITARY PERSONNEL, ETC.

The Clerk called the bill (H. R. 6794) to provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, and I shall not object, this is a very worthy piece of legislation. It is designed to take care of many veterans of World War II, especially prisoners of war, who returned to their homes and neglected to file certain claims because they did not know it was necessary to file a claim for the value of personal effects lost in the military service. I also wish to take this opportunity to commend the House Committee on the Judiciary, and especially the gentleman from Pennsylvania [Mr. WALTER], for initiating this legislation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War, and such other officer or officers as he may designate for such purposes and under such regulations as he may prescribe, are hereby authorized to consider, ascertain, adjust, determine, settle, and pay any claim against the United States, including claims not heretofore satisfied arising on or after December 7, 1939, of military personnel and civilian employees of the War Department or of the Army, when such claim is substantiated, and the property determined to be reasonable, useful, necessary, or proper under the attendant circumstances, in such manner

as the Secretary of War may by regulation prescribe, for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, or to replace such personal property in kind: *Provided*, That the damage to or loss, destruction, capture, or abandonment of property shall not have been caused in whole or in part by any negligence or wrongful act on the part of the claimant, his agent, or employee, and shall not have occurred at quarters occupied by the claimant within continental United States (excluding Alaska) which are not assigned to him or otherwise provided in kind by the Government. No claim shall be settled under this act unless presented in writing within 1 year after the accident or incident out of which such claim arises shall have occurred: *Provided further*, That if such accident or incident occurs in time of war, or if war intervenes within 2 years after its occurrence, any claim may, on good cause shown, be presented within 5 years after peace is established. Any such settlement made by the Secretary of War, or his designee, under the authority of this act and such regulations as he may prescribe hereunder, shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.

SEC. 2. Such appropriations as may be required for the settlement of claims under the provisions of this act are hereby authorized. Appropriations available to the War Department for the settlement of claims under the provisions of the act of March 3, 1885 (23 Stat. 350), as amended, shall be available for the settlement of claims under the provisions of this act.

SEC. 3. Sections 3483-3488 of the Revised Statutes (31 U. S. C. 209-214), and the act of March 3, 1885 (23 Stat. 350), as amended by the act of July 9, 1918 (40 Stat. 880), and by the act of March 4, 1921 (41 Stat. 1436; 31 U. S. C. 218-222), and by section 6 of the act of July 3, 1943 (57 Stat. 374; 31 U. S. C. 222a, 222b), are hereby repealed.

SEC. 4. That portion of section 1 of the act of July 3, 1943 (57 Stat. 372; 31 U. S. C. 223b), reading as follows: "The provisions of this act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for damage to or loss or destruction of property of military personnel or civilian employees of the War Department or of the Army, or for personal injury or death of such persons, if such damage, loss, destruction, injury, or death occurs incident to their service," is hereby amended, effective as of the date of approval of said act, to read as follows: "The provisions of this act shall not be applicable to claims arising in foreign countries or possessions thereof which are cognizable under the provisions of the act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended, or to claims for personal injury or death of military personnel or civilian employees of the War Department or of the Army if such injury or death occurs incident to their service."

SEC. 5. This act may be cited as the "Military Personnel Claims Act of 1948."

Mr. WALTER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: Page 2, line 14, after the word "within" strike out "1 year" and insert "5 years."

Mr. WALTER. Mr. Speaker, this is merely a conforming amendment because in the statutes there were two limitations within which the claim had to be filed. The committee overlooked one and this merely makes it perfectly plain that it is the intention of the Congress

to give to the men the right to file their claims within 5 years from the enactment of this act.

The SPEAKER. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the call of the Consent Calendar.

RECLASSIFYING THE SALARIES OF POST-MASTERS, OFFICERS, AND EMPLOYEES OF THE POSTAL SERVICE

Mr. KEAN. Mr. Speaker, I ask unanimous consent to return for the immediate consideration to Calendar No. 703, the bill (H. R. 4786) to amend the act entitled "An act to reclassify the salaries of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, so as to provide promotions for temporary employees of the custodial service.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1861, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That subsection (1) of section 14 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, as amended, is amended to read as follows:

(1) Temporary employees in the custodial service paid on an annual basis shall be paid at the rates of pay of grade 1 of the position in which employed and shall, at the beginning of the quarter following the completion of 1 year's satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position; and temporary employees in the custodial service paid on an hourly basis shall be paid at the rates of pay of grade 1 of the position which employed and shall, at the beginning of the quarter following the completion of 12 months' satisfactory service in each pay status, be advanced successively to the rates of pay of the next higher grade of such position: *Provided*, That no temporary employee shall be paid at a rate higher than that provided herein for the highest automatic grade of the position in which he is employed: *Provided further*, That when a temporary employee is appointed to a regular position in the custodial service, the employee shall be assigned to a salary grade corresponding to his salary as a temporary employee at the time of such appointment. Any fractional part of a year's temporary service accumulated since the last compensation increase as a temporary shall be included with the regular service of a regular employee in determining eligibility for promotion to the next higher grade following appointment to a regular position."

SEC. 2. Any period of continuous satisfactory service as a temporary employee in the

custodial service performed by any such temporary employee prior to the effective date of this act shall be creditable for a promotion to the rates of pay of grade 2 of the position in which such temporary employee is employed.

SEC. 3. This act shall become effective at the beginning of the quarter following the date of enactment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 4786, was laid on the table.

NATIONAL SERVICE LIFE INSURANCE ACT
OF 1940

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to return for the immediate consideration to Calendar No. 709, the bill (H. R. 6507) to amend subsection 602 (f) of the National Service Life Insurance Act of 1940, as amended, to authorize renewal of level premium term insurance for a second 5-year period, and for other purposes.

The SPEAKER. The Chair would like to inquire of the gentlewoman whether she has cleared this with the objector?

Mrs. ROGERS of Massachusetts. I have cleared it with the gentleman who objected, and he has withdrawn his objection.

Mr. RICH. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. RICH. How many times has this extension been granted?

Mrs. ROGERS of Massachusetts. None for World War II veterans.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That subsection (f) of section 602 of the National Service Life Insurance Act of 1940, as amended, is hereby amended to read as follows:

"(f) Such insurance may be issued on the following plans: Five-year level premium term, ordinary life, 20-payment life, 30-payment life, 20-year endowment, endowment at age 60, and endowment at age 65. Level premium term insurance may be converted as of the date when any premium becomes or has become due, or exchanged as of the date of the original policy, upon payment of the difference in reserve, at any time while such insurance is in force and within the term period to any of the foregoing permanent plans of insurance, except that conversion to an endowment plan may not be made while the insured is totally disabled. All level premium term policies, except as provided below, shall cease and terminate at the expiration of the term period: *Provided*, That at the expiration of the term period any national service life insurance policy which was issued on a 5-year level premium term plan before January 1, 1948, and which has not been exchanged or converted to a permanent plan of insurance, may be renewed as level premium term insurance for an additional period of 5 years at the premium rate for the then attained age without medical examination, provided, the required premiums are tendered prior to the expiration of the first term period: *Provided further*, That in any case in which the insured is shown by evidence satisfactory to the Administrator to be totally disabled at the expiration of the level premium term

period of his insurance under conditions which would entitle him to continued insurance protection but for such expiration, such insurance, if subject to renewal under this provision, shall be automatically renewed for an additional period of 5 years at the premium rate for the then attained age, unless the insured has elected insurance on some other available plan. Provisions for cash, loan, paid-up, and extended values, dividends from gains and savings refund of unearned premiums, and such other provisions as may be found to be reasonable and practicable may be provided for in the policy of insurance from time to time by regulations promulgated by the Administrator."

Mr. McMAHON. Mr. Speaker, we have but a few legislative days remaining in this session of Congress, and we are faced with the problem here now as to whether or not we can extend the 5-year level premium term insurance under the National Life Insurance Act. Mr. Speaker, the most fundamental observation that can be made regarding this insurance of our former GI's is that at the peak period we had in this country 19,000,000 policies, and today we have less than 6,000,000.

I had hoped, Mr. Speaker, that I would not be alone in this fight to restore some of the 13,000,000 policies that we have lost because of the vacillation in administration and the forcing of these boys to abandon their life insurance because their budgets could not meet the threat of increased premiums in the years to come.

Think what a golden opportunity we have here in this country today here in this Congress to set in motion the machinery which would ultimately bring under insurance some 10,000,000 or more of our young men. Surely this would cost a little money, but nothing in comparison with the terrific impact it would have on social legislation. Any procedure which has resulted in the loss of two-thirds of the policyholders—13,000,000—is indeed one in which this House must sit up, take notice, and seek to have remedial action. Is it the policy of this House and the Veterans' Administration to lose 3,000,000 of the remaining 6 they have?

Mr. Speaker, I had hoped that in this fight for the veteran that my bill, H. R. 6171, which provides that the 5-year level term insurance be extended for an additional 5 years upon written application at the same premium that they are now paying, would be the bill accepted by the House here today.

This present bill, coming as it does so late in the session and which would increase the premiums by two or three dollars a month, is not the answer to our problem. We must adopt a strong, forceful campaign to insist that we lose not even one more of the remaining 6,000,000 policyholders, and that we set our sights on getting back at least 50 percent of the 13,000,000 policyholders that we have lost.

Is the Congress going to miss this golden opportunity of establishing a rock-bound insured people to stable future generations?

Since this appears to be a hopeless fight, Mr. Speaker, I am not in a position, because of the legislative jam, to use a mere legislative technicality to prevent the passage of this wholly inadequate bill for the extension of level-term policies that a good many of our boys now hold.

Therefore, because of these legislative restrictions, I am withdrawing my objections at this time, but I will continue to fight to regain these 13,000,000 policyholders that we have lost by poor administration.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from New York (Mr. McMAHON) may extend his remarks in the RECORD previous to the passage of this bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

AMENDING PARAGRAPH 1007 OF THE
TARIFF ACT OF 1930

Mr. GOODWIN. Mr. Speaker, I ask unanimous consent to return for the immediate consideration to Calendar No. 600, the bill (H. R. 5608) to amend paragraph 1007 of the Tariff Act of 1930.

Mr. Speaker, I understand that the gentleman from Massachusetts who objected now has no further objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 1007 of the Tariff Act of 1930 is amended by striking out "19% cents per pound and 15 percent ad valorem" and inserting in lieu thereof "40 percent ad valorem."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. WOLVERTON asked and was given permission to extend his remarks in the RECORD at the points where the bill H. R. 127 and House Joint Resolution 412 were considered, and in the latter extension to include an editorial from the Camden Courier.

Mr. PHILLIPS of Tennessee (at the request of Mrs. ROGERS of Massachusetts) was given permission to extend his remarks at the point in the RECORD where the bill H. R. 6448 was passed.

EXEMPTING HOSPITALIZED SERVICEMEN
AND VETERANS FROM ADMISSIONS
TAX

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5065) to amend section 1700 (a) (1) of the Internal Revenue Code so as to exempt hospitalized servicemen and veterans from the admissions tax when admitted free, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 6, strike out all after "follows:" down to and including "furlough," in line 10 and insert: "Subject to such regulations as the Commissioner, with the approval of the Sec-

retary, shall prescribe, no tax shall be imposed in the case of admission free of charge of a hospitalized member of the military, naval, or air forces of the United States or of a person hospitalized as a veteran by the Federal Government in a Federal, State, municipal, private, or other hospital or institution, except when such member or veteran is on leave or furlough."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

METHOD OF ISSUING PATENTS FOR PUBLIC LANDS

Mr. WELCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3628) to revise the method of issuing patents for public lands, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out lines 3 to 7, inclusive, and insert: "That all patents for public lands shall be issued and signed by the Secretary of the Interior in the name of the United States: *Provided*, That the Secretary may delegate his authority under this act to officers or employees of the Department of the Interior, but notice of any such delegation shall be given by publication in the Federal Register."

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

SUPPLEMENTAL INDEPENDENT OFFICES APPROPRIATION BILL, 1949

Mr. WIGGLESWORTH, from the Committee on Appropriations, reported the bill (H. R. 6829) making supplemental appropriations for the Executive Office and sundry independent bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1949, and for other purposes (Rept. No. 2245), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. HENDRICKS reserved all points of order on the bill.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

BUNGE NORTH-AMERICAN GRAIN CORP. AND OTHERS

The Clerk called the bill (H. R. 2091) for the relief of the Bunge North-American Grain Corp., the Corporation Argentina de Productores de Carnes, Herman M. Gidden, and the Overseas Metal & Ore Corp.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SCRIVNER and Mr. DOLLIVER objected and, under the rule, the bill was recommitted to the Committee on the Judiciary.

JAMES B. WALSH

The Clerk called the bill (S. 1281) for the relief of James B. Walsh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$21,899.67, to James B. Walsh, an individual doing business as M. J. Walsh & Sons, of Holyoke, Mass., in full settlement of all claims against the United States for work performed in connection with the construction of defense housing project Mass-19023, at Springfield, Mass., in January and February 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "\$21,899.67" and insert "\$7,500"

Line 5, strike out "B." and insert "R."

The committee amendments were agreed to.

The bill was ordered to be read a third time, and was read the third time, and passed.

The title was amended so as to read: "An act for the relief of James R. Walsh."

A motion to reconsider was laid on the table.

MARCELLA KOSTERMAN

The Clerk called the bill (S. 1573) for the relief of Marcella Kosterman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Marcella Kosterman, the sum of \$3,422, in full satisfaction of her claim against the United States for compensation for the death of her husband, William P. Kosterman, on February 25, 1924, as a result of illness contracted by the said William P. Kosterman in the Philippine Islands while a member of Company F, Signal Corps, United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. L. McCANDLESS

The Clerk called the bill (H. R. 915) for the relief of the estate of L. L. McCandleless, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$113,655 to the executors of the will of L. L. McCandleless, late of Honolulu, T. H., deceased, in full settlement of all claims against the United States sustained as a result of activities of the armed forces of the United States on and following the 7th day of December 1941, upon lands owned in fee simple or held under lease by the trustees under said will, and for the use and occupation of said lands from December 7, 1941, to December 29, 1946, in the districts of Waianae and Waialua, Island of Oahu, T. H.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection therewith, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 3, after the enacting clause, strike out the remainder of the bill and insert:

"That jurisdiction is hereby conferred upon the District Court of the United States for the Territory of Hawaii to hear, determine, and render judgment upon the claims of the executors and trustees of the estate of L. L. McCandleless, deceased, as their interest may appear, against the United States of America for damages, if any, but not exceeding the sum of \$46,155, for the loss of personal property, including the loss of livestock, alleged to have been caused by military personnel of the United States, and for damages, if any, but not exceeding the sum of \$67,500, for the alleged withdrawal of the Government lands covered by general leases Nos. 1740 and 1741 of the Territory of Hawaii, each dated December 25, 1925, from the operation of those leases for use by the United States Army for war purposes: *Provided*, That judgment shall not be rendered against the United States with respect to any part of the alleged damages for the loss of personal property, including livestock, which arose out of the combat activities of military personnel of the United States.

"SEC. 2. Proceedings for the determination of these claims shall be had in the same manner as in cases against the United States of which the district courts of the United States have jurisdiction under the provisions of section 24 of the Judicial Code, as amended: *Provided*, That suit hereunder shall be instituted within 1 year after the enactment of this act; *And provided further*, That this act shall be construed only to waive the immunity from suit of the Government of the United States and to confer jurisdiction upon said court to hear, determine, and render judgment upon the claims of the executors and trustees of the estate of L. L. McCandleless, deceased, described in section 1 hereof, and not otherwise to affect any substantive rights of the parties."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to confer jurisdiction upon the District Court of the United States for the Territory of Hawaii to hear, determine, and render judgment on the claims

of the executors and trustees of the estate of L. L. McCandless, deceased, as their interest may appear, against the United States of America."

A motion to reconsider was laid on the table.

GEORGE H. WHIKE CONSTRUCTION CO.

The Clerk called the bill (H. R. 1902) for the relief of George H. Whike Construction Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$14,483.45, to George H. Whike Construction Co., of Canton, Ohio, in full settlement of all claims against the United States for losses sustained on Jackson Park homes project contract No. OH 33037, Canton, Ohio, as the result of Executive Order 9301 changing the workweek from 40 hours to 48 hours on same date (February 11, 1943) that contract was signed: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GLADYS JANOW ET AL.

The Clerk called the bill (H. R. 2431) conferring jurisdiction upon the United States District Court for the Western District of Oklahoma to hear, determine, and render judgment upon the claim of Gladys Janow, the widow of David Jefferson Janow, for herself and seven minor children, namely, Vernon Janow, James Jefferson Janow, Virginia Janow, Hazel Janow, William Janow, Patsy Janow, and Jefferson Janow, said claim growing out of the death of said David Jefferson Janow, who was killed on or about the 25th day of January 1944 while working at the Enid Army Air field at Enid, Okla., when he was struck by a United States Army airplane being driven by Army student pilots at said Army airfield base.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court of the Western District of the State of Oklahoma to hear, determine, and render judgment upon the claim of Gladys Janow, the widow of David Jefferson Janow, for herself and seven minor children, namely, Vernon Janow, James Jefferson Janow, Virginia Janow, Hazel Janow, William Janow, Patsy Janow, and Jefferson Janow, said claim growing out of the death of said David Jefferson Janow, who was killed on or about the 25th day of January 1944 while he was working at the Enid Army Air Field at Enid, Okla., when he was struck by a United States Army airplane being driven by Army student pilots at said Army airfield base.

SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the passage and approval of this act.

With the following committee amendment:

Page 2, line 1, strike out the remainder of the bill and insert:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of David Jefferson Janow, deceased, late of Woodward, Okla., the sum of \$7,500, in full settlement of all claims against the United States on account of the death of the said David Jefferson Janow as the result of being struck by a United States Army airplane on January 25, 1944, at the Enid Army Air Field, Enid, Okla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of David Jefferson Janow, deceased."

A motion to reconsider was laid on the table.

HAWAIIAN DREDGING CO., LTD.

The Clerk called the bill (H. R. 6186) for reimbursement of the Hawaiian Dredging Co., Ltd.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy, out of funds heretofore appropriated for Public Works, Bureau of Yards and Docks, is hereby authorized to pay to the Hawaiian Dredging Co., Ltd., as one of the contractors under contract NOy 3550, an amount not to exceed \$25,120 as reimbursement for, and in full settlement of all claims against the United States on account of, the loss of its dump scow No. 14, which scow, due to military exigencies arising out of the attack on Pearl Harbor, was abandoned and lost without negligence or fault on December 7, 1941, while in transit upon the open sea for the purposes of the contract: *Provided*, That no part of the amount authorized in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out "\$25,120" and insert "\$14,610.21."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALASKA JUNEAU GOLD MINING CO.

The Clerk called the bill (H. R. 329) for the relief of the Alaska Juneau Gold Mining Co., of Juneau, Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Alaska Juneau Gold Mining Co., a corporation, of Juneau, Alaska, the sum of \$250,000, in full settlement of all claims against the United States for crushed rock, building materials, and services furnished the United States for use in urgently needed defense projects, including construction of the subport of embarkation, air landing fields, and so forth, at Juneau, Alaska, and in the vicinity during the period from June 1, 1942, to February 1, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out "\$250,000" and insert "\$80,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. RUTH CAMERON

The Clerk called the bill (H. R. 1501) for the relief of Mrs. Ruth Cameron.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ruth Cameron, of Los Angeles, Calif., the sum of \$54,722.37, in full settlement of all claims against the United States for missing and damaged equipment which she had stored at the Los Angeles County Fairgrounds at the time it was occupied by the United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$54,722.37" and insert "\$34,704.49."

The committee amendment was agreed to.

Mr. DOLLIVER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER: On page 1, line 5, after the word "to", insert "Mrs. Wesley Berk, formerly."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mrs. Wesley Berk (formerly Mrs. Ruth Cameron)."

A motion to reconsider was laid on the table.

D. C. HALL MOTOR TRANSPORTATION

The Clerk called the bill (H. R. 1795) for the relief of D. C. Hall Motor Transportation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to D. C. Hall Motor Transportation, Fort Worth, Tex., the sum of \$7,551.17. The payment of such sum shall be in full settlement of all claims of the said D. C. Hall Motor Transportation against the United States arising out of the collision near Leland, Miss., on December 11, 1945, of a United States Army truck (which was being operated in a negligent manner by an Army enlisted man who was using the vehicle without authority) with a truck and trailer belonging to the said D. C. Hall Motor Transportation and being operated with due care: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$7,551.17" and insert "\$7,107.17."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LORAIN THOMSEN

The Clerk called the bill (H. R. 4590) for the relief of Mrs. Loraine Thomsen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission is authorized and directed to extend to Mrs. Loraine Thomsen, Lincoln, Nebr., the benefits of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1940 ed., title 5, ch. 15; Supp. III, title 5, ch. 15), as if such Commission had found that the death of her husband, Immanuel H. Thomsen, on December 5, 1946, had been the result of a personal injury sustained while in the performance of his duty as an employee of the Navy Department.

Sec. 2. Any amounts payable pursuant to this act with respect to any period prior to the date of enactment of this act (including funeral and burial expenses) shall be paid in a lump sum within 60 days after the date of enactment of this act.

With the following committee amendments:

Page 1, line 3, strike out "United States Employees' Compensation Commission" and insert "Federal Security Administrator."

Page 1, line 10, strike out "Commission" and insert "Administrator."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARY T. MALONEY PREECE

The Clerk called the bill (H. R. 5943) for the relief of Mrs. Mary T. Maloney Preece.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the time limitation for execution of applications for retirement under section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is hereby waived in favor of Mrs. Mary T. Maloney Preece, of Newport, R. I., formerly employed at the naval torpedo station, Newport, R. I., and her application for retirement on account of disability under such section 6 shall be considered and acted upon under the remaining provisions of such act, as amended, if she files such application with the Civil Service Commission not later than 60 days after the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WARREN H. MCKENNEY

The Clerk called the bill (S. 873) for the relief of Warren H. McKenney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Warren H. McKenney, of Chicago, Ill., the sum of \$8,660, in full satisfaction of his claims against the United States (1) for compensation for personal injuries sustained by him as a result of an automobile accident which occurred on November 22, 1945, near Antwerp, Belgium, when the automobile in which he was a passenger was struck by a United States Army vehicle, and (2) for compensation for the death of his wife, Anita R. McKenney, as a result of such accident, and (3) for reimbursement for medical and hospital expenses incurred by him as a result of such accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EUGENE J. BEARMAN

The Clerk called the bill (H. R. 355) for the relief of Eugene J. Bearman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eugene J. Bearman, of Memphis, Tenn., the sum of \$642.60. The payment of such sum constitutes a refund of payments heretofore made by the said Eugene J. Bearman to the United States on account of the loss by theft of a United States Army vehicle on August 10, 1944, in Rome, Italy, while said vehicle was in his custody and control as an officer in the United States Army, and the said Eugene J. Bearman

is hereby relieved of all liability to the United States by reason of the loss of said vehicle by theft: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT (JACK) NORMAN

The Clerk called the bill (H. R. 1782) for the relief of Albert (Jack) Norman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert (Jack) Norman, of Cullieka, Tenn., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims against the United States for property damage and injuries sustained by the said Albert (Jack) Norman when a motorcycle being driven by him was struck by a United States Army truck, on 70-N, just outside the city limits of Lebanon, Tenn., on August 28, 1943.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert "\$5,000."

Page 2, line 1, after "1943", insert: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. J. HOUZE CONVEX GLASS CO.

The Clerk called the bill (H. R. 1783) for the relief of the L. J. Houze Convex Glass Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the L. J. Houze Convex Glass Co., of Point Marion, Fayette County, Pa., the sum of \$7,868.38, for flood damages to their gas well field property located in Monongalia County, W. Va. Such damage caused to their property by the construction by the Government of lock and dam No. 8 on the Monongahela River. The construction of such new lock and dam No. 8 has caused the permanent overflow and submergence of the land adjacent to the gas well leased by the L. J. Houze Convex Glass Co., thereby causing damage in the above-named sum to their company.

With the following committee amendment:

Page 2, line 4, after the word "company:", insert: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEGAL GUARDIAN OF ROBERT LEE THREATT

The Clerk called the bill (H. R. 1910) for the relief of the legal guardian of Robert Lee Threatt, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Robert Lee Threatt, a minor, of Danville, Ark., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims against the United States arising out of severe personal injuries sustained by the said Robert Lee Threatt on or about October 17, 1943, on the Camp Chaffee Military Reservation about 4 miles east of Greenwood, Ark., when an unexploded shell which he had picked up suddenly exploded, causing the loss of his right hand and severe injuries to his right leg: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert "\$4,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. GERTRUDE WOOTEN

The Clerk called the bill (H. R. 2349) for the relief of Mrs. Gertrude Wooten.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Gertrude Wooten, of Detroit, in Red River County, Tex., the sum of \$267. The payment of such sum shall be in full settlement of all claims of the said Mrs. Gertrude Wooten against the United States on account of personal injuries, including hospital and medical expenses, and loss of earnings, sustained as a result of a collision between a passenger car of the Texas Electric Railway Co., of Dallas and Denison, Tex., on which claimant

was a passenger, and an Army vehicle, near Denison, Tex., on August 19, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in this connection, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CYPRESS CREEK DRAINAGE DISTRICT OF THE STATE OF ARKANSAS

The Clerk called the bill (H. R. 2395) for the relief of the Cypress Creek Drainage District of the State of Arkansas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Cypress Creek Drainage District of the State of Arkansas, the sum of \$7,500. The payment of such sum shall be in full settlement of all claims of the said Cypress Creek Drainage District against the United States on account of damage to its drainage system as the result of the activities of the War Relocation Authority: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR G. ROBINSON

The Clerk called the bill (H. R. 2435) for the relief of Arthur G. Robinson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$10,000 to Arthur G. Robinson, of Keansburg, N. J. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries, medical services, loss of earnings, and future loss of earnings sustained when the bakery truck driven by Mr. Robinson was involved in a collision with an Army truck on Route 35, in Middletown Township, N. J., on August 18, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$10,000" and insert "\$3,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NICHOLAS G. NIEDERMILLER ET AL.

The Clerk called the bill (H. R. 2531) for the relief of Nicholas G. Niedermiller, Peter A. Beklemishev, and Nicholas M. Tlkmenev.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$79,199.54 to Nicholas G. Niedermiller, Peter A. Beklemishev, and Nicholas M. Tlkmenev, in full settlement of all claims against the Government of the United States on account of services rendered by the said Nicholas G. Niedermiller, Peter A. Beklemishev, and Nicholas M. Tlkmenev and all other officers and employees of the Russian Volunteer Fleet represented by them in connection with the preservation of the property of the said Russian Volunteer Fleet.

With the following committee amendment:

Page 2, line 3, after the word "Fleet", insert: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARION T. SCHWARTZ

The Clerk called the bill (H. R. 3727) for the relief of Mrs. Marion T. Schwartz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marion T. Schwartz, Oakland, Calif., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Marion T. Schwartz against the United States on account of the death of her husband, Leo Schwartz, as the result of injuries sustained by him on September 1, 1944, at Camp Knight, Calif., when he was struck and crushed against a building by a United States Army vehicle: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the word "of", strike out "\$5,000" and the balance of line 6, all of lines 7, 8, 9, 10, and 11 down to and includ-

ing the word "vehicle", in line 1, on page 2 and insert: "\$4,000, in full settlement of all claims against the United States for damages on account of the personal injuries sustained by her late husband, Leo Schwartz as the result of an accident involving an Army vehicle at the Oakland Army Base, Oakland, Calif., on September 1, 1944.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PAUL E. ROCKE

The Clerk called the bill (H. R. 4179) for the relief of Paul E. Rocke.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Paul E. Rocke, Warren, Ohio, the sum of \$373. The payment of such sum shall be in full settlement of all claims of the said Paul E. Rocke against the United States for property damage sustained by him on May 3, 1946, when an Army reconnaissance car, driven by a soldier who was using such car without authority, ran into the automobile of the said Paul E. Rocke which was properly parked on Market Street, Warren, Ohio: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY W. SHARPLEY

The Clerk called the bill (H. R. 4292) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon a certain claim of Harry W. Sharpley, his heirs, administrators, or assigns, against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of Harry W. Sharpley, of Greenbackville, Va., his heirs, administrators, or assigns, against the United States for alleged damages caused by the sewage emanating from the naval auxiliary air station, at Chincoteague, Va., and the flow of such sewage over and across certain oyster grounds located in Mosquito Creek, Va., which grounds had been leased by the said Harry W. Sharpley.

Sec. 2. Proceedings for the determination of said claim shall be had in the same manner as in cases of which said court has jurisdiction under the provisions of section 145 of the Judicial Code, as amended: *Provided*, That suit hereunder shall be instituted within 4 months after the enactment of this act: *And provided further*, That this act shall be construed only to waive the immunity from suit of the Government of the United States with respect to the claim of said Harry W. Sharpley, his heirs, administrators, or assigns, and not otherwise to affect any substantive rights of the parties.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. RICHARD E. DEANE

The Clerk called the bill (H. R. 4458) for the relief of Mr. and Mrs. Richard E. Deane.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Richard E. Deane the aggregate sum of \$5,000, in full settlement of all claims against the United States for the personal injury, the medical expenses, pain and suffering, loss of earnings, and property damage incurred by reason of the injuries and the property damage sustained by them as a result of being struck by an Army vehicle operated by Army personnel on Route 25, near the intersection with Lawrence Street, near Rahway, N. J., August 15, 1944, and said injuries and damage having been caused by the negligent operation of said Army vehicle so as to cause it to turn into the vehicle in which said Mr. and Mrs. Richard E. Deane were riding: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$5,000" and insert in lieu thereof "\$1,341.85."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. BREVARD WALKER

The Clerk called the bill (H. R. 4644) for the relief of E. Brevard Walker, trading as E. B. Walker Lumber Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. Brevard Walker, Mobile, Ala., trading as E. B. Walker Lumber Co. (hereinafter referred to as the "shipper"), the sum of \$674.70. Payment of such sum shall be in full settlement of all claims of the shipper against the United States for the loss sustained by reason of nonpayment of the balance of the price of a shipment of southern yellow pine lumber sent by the shipper on August 3, 1944, upon the telephonic order of the Birmingham, Ala., office of the Central Procurement Agency, office of the Chief of Engineers, Army Service Forces, to the Campagna Construction Co., Easthampton, Mass., for use by such company in the execution of a contract with the United States Government. The Central Procurement Agency had stipulated that such shipment be made by sight draft with bill of lading attached because of the unsound financial condition of the Campagna Construction Co., but the telephonic order of the Birmingham office of such Agency indicated that such shipment be made an open

account in accordance with wartime procurement practices, and the shipper received only a part of the price of the lumber as a result of the subsequent bankruptcy of the Campagna Construction Co.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. REBECCA LEVY

The Clerk called the bill (H. R. 5484) for the relief of Mrs. Rebecca Levy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Rebecca Levy, of Seattle, Wash., the sum of \$30,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Rebecca Levy against the United States arising out of the death of her husband, Isaac Levy, which resulted from his being struck by a United States Army vehicle in Seattle, Wash., on September 26, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$30,000" and insert in lieu thereof "\$6,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF LAND ADJACENT TO ANCHORAGE HOUSING PROJECT, MIDDLETOWN, R. I., TO ANTHONY P. MILLER, INC.

The Clerk called the bill (S. 1551) to authorize the Secretary of the Navy to sell to Anthony P. Miller, Inc., a parcel of unimproved land adjacent to the Anchorage housing project at Middletown, R. I.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to sell to Anthony P. Miller, Inc., for not less than its fair market value and on such terms and conditions as the Secretary of the Navy may prescribe, an unimproved parcel of land adjacent to the Anchorage housing project at Middletown, R. I., containing 20 acres more or less.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES D. SIGLER ET AL.

The Clerk called the bill (H. R. 1220) to confer jurisdiction upon the United States District Court of Maryland to hear, determine, and render judgment upon the claims of James D. Sigler and Frederick P. Vogelsang 3d.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court of Maryland to hear, determine, and render judgment upon the claims of James D. Sigler and Frederick P. Vogelsang 3d, both of Baltimore County, Md., for compensation for personal injuries and property damage sustained by them as the result of a collision between the automobile in which they were riding and an Autocar tractor and trailer, U. S. N. 71430, U. S. N. 63839, owned by the United States of America and operated by its agent and servant, Herbert E. Anderson, in Baltimore County, Md., on the 4th day of March 1944 at about 12:20 p. m.

SEC. 2. In the determination of such claims the United States shall be held liable for damages, and for any acts committed by any of its officers or employees, to the same extent as if the United States were a private person.

SEC. 3. Suit upon such claims may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims and appeals from and payment of any judgment thereon shall be in the same manner as in case of claims over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended.

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to James D. Sigler, and to pay the sum of \$1,000 to Frederick P. Vogelsang 3d, both of Baltimore County, Md., in full settlement of all claims against the United States for personal injuries, hospital and medical expenses, and property damage sustained as a result of an accident involving a United States Navy vehicle in Baltimore County, Md., on March 4, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill for the relief of James D. Sigler and Frederick P. Vogelsang 3d."

A motion to reconsider was laid on the table.

ESTATE OF JOHN W. MITCHELL, DECEASED

The Clerk called the bill (H. R. 5113) for the relief of the estate of John W. Mitchell, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any provision of law to the contrary, the

Administrator, War Assets Administration, be, and he is hereby, authorized and directed to reconvey to the estate of John W. Mitchell, deceased, all of the real estate and improvements thereon situated in the county of Sonoma, State of California, and more particularly described as hereinafter stated, which was conveyed to the United States of America by John W. Mitchell and his wife, Anna A. Mitchell, by a certain deed under date of November 6, 1942, wherein the real estate is described as follows, to wit:

Parcel 1: Being the fractional part of the northeast quarter of the southwest quarter of section 30, township 8 north, range 8 west, Mount Diablo meridian, and commencing about the center of said section at a point in the center of the county road from Mark West Station to Redwood and about one-eighth mile west from the railroad at a point from which a white oak tree four feet in diameter is south sixty-eight degrees thirty-one minutes east, one hundred and thirty-seven links distant and the west chimney of Mrs. Kidds' house is north thirty-eight degrees west; thence west along the center of said road twenty rods; thence south sixteen rods; thence east twenty rods; thence north sixteen rods to place of beginning, containing two acres of land and being bounded on the east by the Lone Redwood District School property and lands of the Kruse estate.

Parcel 2: Being the fractional part of the northeast quarter of the southwest quarter of section 30, township 8 north, range 8 west, Mount Diablo meridian, and commencing at the southwest corner of land of John W. Mitchell; thence south to land of Charles Reverman; thence west twenty rods; thence north to southwest corner of land of John W. Mitchell; thence east twenty rods to point of beginning, containing about two acres of land.

Sec. 2. Said reconveyance of said real estate and improvements thereon shall be in consideration of the payment to the United States from the estate of John W. Mitchell, deceased, or any one of the legal heirs of said John W. Mitchell, deceased, of a sum not more than the sum paid for said land to John W. Mitchell, deceased, by the United States on November 6, 1942; less such sum as may be determined by the Administrator and the Secretary of the Army, jointly, as the benefit which has accrued to the United States for the use of such real estate and improvements thereon by the agencies of the United States from November 6, 1942, to current date. The net amount to be paid upon said reconveyance shall be adjusted by the Administrator to reflect any increase or decrease in value of said property resulting from action by the United States since November 6, 1942, or a price equal to market value at time of said reconveyance of said property, whichever is the lower. The decision by the Administrator as to net amount to be paid the United States under the provisions of this act shall be final.

With the following committee amendments:

Page 1, line 5, strike out the word "estate" and insert in lieu thereof the word "heirs."

Page 3, line 5, strike out the word "estate" and insert in lieu thereof the word "heirs."

Page 3, line 6, after the word "deceased", strike out all down to and including the word "deceased" on line 7 thereof.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended to read: "A bill for the relief of the heirs of John W. Mitchell."

LOUISE PETERS LEWIS

The Clerk called the bill (H. R. 403) for the relief of Louise Peters Lewis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the German special deposit account in the Treasury of the United States, created by section 4 (a) of the Settlement of War Claims Act of 1928, as amended, to Louise Peters Lewis, of East Lynn, Mass., a native-born citizen of the United States, the sum of \$10,000. Such sum represents the actual amount of the loss (without interest thereon) sustained by the said Louise Peters Lewis on account of the depreciation in value of certain pre-World War German securities owned by her and described in her claim (list No. 5242, docket No. 7172) heretofore filed with, and dismissed by, the Mixed Claims Commission, United States and Germany.

With the following committee amendments:

Page 1, line 4, after the word "pay", strike out "out of the German special deposit account in the Treasury of the United States, created by section 4 (a) of the Settlement of War Claims Act of 1928, as amended", and insert in lieu thereof: "out of any funds or property of the Government of Germany or of nationals of Germany in the possession or under the control of the Government of the United States or which may hereafter come into the possession or under the control of the United States."

Page 2, line 1, after the word "pre", insert "First."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM R. BLAIR

The Clerk called the bill (H. R. 6216) to correct possible inequity in the case of a certain application for letters patent of William R. Blair.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any provision of existing law, the application for United States Letters Patent of William R. Blair, serial number 598,167, filed June 7, 1945, for Object Locating System, shall not be rejected nor shall any patent granted on said application be held invalid by reason of the fact that the invention disclosed in said application was patented or described in a printed publication in this or any foreign country, or was in public use or on sale in this country, unless the effective date of such patent, publication, public use, or sale, is prior to the date of said invention by the said William R. Blair.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN J. HIGGINS ET AL.

The Clerk called the bill (S. 424) conferring jurisdiction upon the United States District Court for the District of Nebraska to hear, determine, and render judgment upon the claims of John J. Higgins, and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States

District Court for the District of Nebraska to hear, determine, and render judgment upon the claims of the following-named persons, all of Saunders County, Nebr., against the United States for loss of or damage to their corn crops as a result of the flooding in April, May, and June, 1944, of the properties owned or rented by such persons as a result of an excessive flow of water in Silver Creek which followed the construction by the War Department of a drainage ditch from the Nebraska Ordinance Plant to such creek: John J. Higgins, Frank Higgins, Mrs. Agnes Kelly, Leonard G. Cameron, Dr. Daniel Dieter, Frank J. Dieter, Kenneth Rogers, Amanda Scheuneman Coderre, and Joseph Trpisovsky.

SEC. 2. In the determination of such claims, the United States shall be held liable for damages, and for any negligent or wrongful acts or omissions of any of its officers or employees, to the same extent as if the United States were a private person in accordance with the law of the place where the acts or omissions occurred.

SEC. 3. Notwithstanding any statute of limitation or lapse of time, suit upon such claims may be instituted by the claimants within 1 year after the date of enactment of this act. Proceedings for the determination of such claim and review thereof, and payment of any judgment thereon, shall be had as in the case of claims over which such court has jurisdiction under the provisions of paragraph twentieth of section 24 of the Judicial Code, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CHRISTINE AND MRS JESSE WEST

The Clerk called the bill (S. 1062) for the relief of Mrs. Christine West and Mrs. Jesse West.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to (1) Mrs. Christine West, of Poplar, Mont., the sum of \$1,000 representing compensation for her outstanding right, title, and interest in 340 acres of land and all improvements thereon, tract 215B, Roosevelt County, State of Montana, adverse to the title of the United States under deed from Christ Christofferson dated on December 2, 1936, recorded in the land records of the said county on December 12, 1936, in volume 62 on page 190, and for any and all damages to a dwelling formerly located thereon, which was destroyed by enrollees of the Civilian Conservation Corps in 1939, upon submission of evidence satisfactory to the Attorney General of a right, title, or interest adverse to the record title of the United States, and, upon delivery of a quitclaim deed conveying such right, title, or interest to the United States, together with a release to the United States of any and all claims for damages resulting from the possession or use of the land by the United States prior to the transfer of title; and (2) to Mrs. Jesse West, of Wolf Point, Mont., in full satisfaction of her claim against the United States, the sum of \$250, representing the fair value of certain buildings owned by her late deceased husband, upon proof of title, right, or interest by Christine West to the lands on which they were situated when seized and destroyed in 1939 by enrollees of the Civilian Conservation Corps: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding.

withstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LORRAINE BURNS MULLEN

The Clerk called the bill (S. 1703) for the relief of Lorraine Burns Mullen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lorraine Burns Mullen, of West Haven, Conn., the sum of \$4,000, in full satisfaction of her claim against the United States for (1) compensation for personal injuries and loss of earnings sustained by her and reimbursement for medical expenses incurred by her as the result of an accident which occurred on October 20, 1944, when a United States Coast Guard vehicle in which she was riding and which was operated by Edward Kiselewski, then a member of the United States Coast Guard, collided with a trolley car in West Haven, Conn.; the said Lorraine Burns Mullen having obtained a judgment for \$7,000 against the said Edward Kiselewski in the Superior Court at New Haven, Conn., on account of such injuries; and (2) the costs and expenses incidental to the obtaining of such judgment: *Provided*, That the said Lorraine Burns Mullen furnish to the Secretary of the Treasury satisfactory evidence of the relief of the said Edward Kiselewski from liability for the payment of such judgment: *And provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY DANIELS

The Clerk called the bill (S. 1835) for the relief of Harry Daniels.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Daniels, of 1426 Twenty-first Street NW, Washington, D. C., the sum of \$894.25, in full settlement of all claims against the United States for salary not paid while under suspension and separation from service in the National War Labor Board, from November 9, 1944, to August 6, 1945, inclusive, while serving in the position of mail clerk of the communications unit of the National War Labor Board, Washington, D. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERNICE GREEN

The Clerk called the bill (H. R. 1170) for the relief of Bernice Green.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Bernice Green, the sum of \$2,000, in full settlement of all claims against the United States for personal injuries, medical, hospital, and other expenses, and losses sustained by her as a result of an Army truck striking the automobile in which she was riding at the intersection of Pico and Sepulveda Boulevard in the city of Los Angeles, Calif., on January 24, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATES OF ARTHUR F. SALADINO, JOSEPH SPIVAK, AND IRVING WEINBERG

The Clerk called the bill (H. R. 3848) for the relief of the estates of Arthur F. Saladino, Joseph Spivak, and Irving Weinberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Arthur F. Saladino, of Brooklyn, N. Y., the sum of \$10,000; to the estate of Joseph Spivak, of New York, N. Y., the sum of \$10,000; and to the estate of Irving Weinberg, of Brooklyn, N. Y., the sum of \$10,000; in full satisfaction of the claims of each estate against the United States for compensation for the death of the said Arthur F. Saladino, Joseph Spivak, and Irving Weinberg as a result of personal injuries sustained by them when the taxicab in which they were passengers was struck by a United States Army vehicle on route 5, near Clinton, St. Georges County, Md., on February 21, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 4, line 6, strike out "\$10,000" and insert "\$4,700."

Page 1, line 8, strike out "\$10,000" and insert "\$4,700."

Page 1, line 9, strike out "\$10,000" and insert "\$4,700."

The committee amendments were agreed to.

Mr. POTTS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Potts: Page 1, line 9, strike out "\$4,790" and insert "\$4,700."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LESLIE A. HARBER

The Clerk called the bill (H. R. 4133) for the relief of Leslie A. Harber.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 to Leslie A. Harber, of 4303 Thirteenth Place NE., Washington, D. C., in full settlement of all claims against the United States for personal injuries and loss of earnings sustained as a result of an accident in the city of Port of Spain, Trinidad, British West Indies, on March 12, 1942. Said accident occurred while on official duty with the War Department as a civilian employee: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "\$5,000" and insert "\$1,800."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES I. MATHEWS

The Clerk called the bill (H. R. 2508) for the relief of James I. Mathews.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James I. Mathews, New York, N. Y., the sum of \$2,812.65. Such sum represents the amount (exclusive of the amount which would have been deducted for subsistence) which the said James I. Mathews would have received for the period February 6, 1946, to October 19, 1946, both dates inclusive, if he had been continued during such period in an active-duty status as a lieutenant in the United States Naval Reserve. The said James I. Mathews was admitted to the United States Naval Hospital, St. Albans, N. Y., on January 29, 1946, while on terminal leave which expired on February 5, 1946, and was discharged from such hospital on October 20, 1946. A dispatch of the Secretary of the Navy known as Alstacon 222258, dated March 18, 1946, provided for the continuance on active duty of naval officers hospitalized while on terminal leave, but such dispatch was not made retroactive and, therefore, did not include the said James I. Mathews.

With the following committee amendment:

Page 2, after line 13, insert the following: *Provided*, That no part of the amount ap-

propriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

Mr. POTTS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Potts: Whether the surname "Mathews" appears the same is hereby amended so that it is spelled "Matthews."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JUAN BERRAR

The Clerk called the bill (H. R. 5655) confirming the claim of Juan Berrar to certain lands in the State of Louisiana, county of Attakapas, now parish of Saint Martin, said claim being listed as No. B-690 in the report of the commissioners dated June 1811, so as to include section 2, township 11 south, range 6 east, Louisiana meridian, containing 139.62 acres.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the claim of Juan Berrar, listed as claim No. B-690 in the report of the commissioners for the western land district of the State of Louisiana, dated June 1811, reported in volume II, page 686, American State Papers, Public Lands, Duff Green Edition, 1934, be, and it is hereby, confirmed in favor of said claimant and his heirs, assigns, and legal representatives, as including among other lands, all of section 2, township 11 south, range 6 east, Louisiana meridian, containing one hundred and thirty-nine and sixty-two one-hundredths acres: *Provided*, That this act shall be construed to operate merely as a confirmation of said claim so as to include the above-mentioned section, and as a relinquishment of title on the part of the United States, and shall not prejudice any right, title, or interest of any person or body corporate, who, except for lack of confirmation of the claim, as to said section, would be the true and lawful owners of said lands or any portion thereof under the laws of the State of Louisiana, by virtue of either legal title or possession.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TITLE TO THE SALINE LANDS IN JACKSON COUNTY (ILL.)

The Clerk called the bill (S. 1504) to amend the act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others, approved March 2, 1861 (12 Stat. 891), as amended by the act of November 29, 1944 (58 Stat. 1036).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others", approved March 2, 1861 (12 Stat. 891), as

amended by the act of November 29, 1944 (58 Stat. 1036), is further amended by striking out so much thereof as reads as follows: "To Stephen Holliday, southeast quarter of the southeast quarter of section thirty-one, township eight, of range two; ", and inserting in lieu thereof the following: "To Stephen Holliday, the southwest quarter of the southeast quarter and the southeast quarter of the southeast quarter of section thirty-one, township eight, of range two; ".

SEC. 2. The amendment made by the first section of this act shall be effective as of March 2, 1861.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF EASTERN AVENUE (DISTRICT OF COLUMBIA)

The Clerk called the bill (S. 2040) to permit certain property owners to file objections and exceptions to awards of damages and assessments of benefits growing out of condemnation proceedings for the extension of Eastern Avenue in the District of Columbia, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to provide relief for the owners of certain properties abutting Eastern Avenue in the District of Columbia, which properties were involved in condemnation case No. 2611 in the District Court of the United States for the District of Columbia, wherein the owners of such properties were awarded damages as a result of the bringing to grade of the proposed Eastern Avenue, which damages have become inadequate because of increased construction costs during the war period, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury of the United States to the credit of the District of Columbia, upon certification by the Commissioners of the District of Columbia of the amounts payable, to the owner of each parcel of real property enumerated in section 2 of this act, an amount equal to the actual cost of constructing a retaining wall and steps in front of such parcel, not exceeding, however, the amount set forth in section 2 after the number of such parcel. Upon completion of the construction, by private contractors, of the retaining wall and steps for each parcel, the Commissioners of the District of Columbia shall certify to the Secretary the amount payable to the owner of such parcel under the provisions of this act.

SEC. 2. The parcels of real property referred to in the first section and the maximum amount payable to the owner of each parcel are as follows:

Parcel number at condemnation	number at present time	to property owner	Maximum
127/25	127/42	\$3,961.00	
127/27	127/40	3,600.00	
127/23	127/38	3,020.00	
127/7	127/60	2,620.00	
116/21	116/46	4,083.60	
116/28	116/42	2,103.86	
116/27	116/40	2,087.86	
116/22	116/38	2,741.01	
116/23	116/47	2,443.00	
116/25	116/34	2,487.00	
116/26	116/32	400.00	
	Total		29,527.33

SEC. 3. All walls and steps, payment for which is authorized by this act, shall be designed and constructed in accordance with applicable regulations in force in the District of Columbia, and all construction shall be performed under permit or permits issued by the appropriate officials of the government of the District of Columbia.

Sec. 4. The authority to pay the sums authorized by this act shall expire 1 year after the date of enactment of this act.

With the following committee amendment:

Page 2, after line 17, strike out "\$3,961" and insert "\$5,105"; strike out "\$3,600" and insert "\$5,064"; strike out "\$3,020" and insert "\$4,932"; strike out "\$2,620" and insert "\$8,120."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAMUEL O. BURDETTE

The Clerk called the bill (H. R. 6327) for the relief of Samuel O. Burdette.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that further call of bills on the Private Calendar be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EXTENSION OF REMARKS

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and include an excerpt from a Senate hearing.

OMNIBUS PRIVATE CLAIMS BILLS

The SPEAKER. This is Private Calendar day. The Clerk will call the first omnibus bill on the Private Calendar.

The Clerk called the bill (H. R. 6482) for the relief of sundry claimants, and for other purposes.

NORTHWEST MISSOURI FAIR ASSOCIATION, OF BETHANY, HARRISON, COUNTY, MO.

The Clerk read as follows:

Be it enacted, etc.

Title I—(H. R. 3983. For the relief of Northwest Missouri Fair Association, of Bethany, Harrison County, Mo.) By Mr. COLE of Missouri

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$25,000 to Northwest Missouri Fair Association, of Bethany, Harrison County, Mo., in full settlement of all claims against the United States for damage and destruction by fire of certain buildings, while occupied by and under the exclusive control of the Seventeenth Field Artillery, Third Battalion, of the United States Army, on September 13, 1931: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. DOLLIVER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER: Beginning on page 1, strike out all of title I.

Mr. DOLLIVER. Mr. Speaker, I reiterate what I said here a few weeks ago on the occasion of the consideration of first omnibus bill of this session. Being an objector is not the way to make friends or influence people.

However, I feel it incumbent, as do my colleagues the objectors, to bring to the attention of the House certain bills which appeal to them as having some doubt which the House should consider and pass upon.

This bill makes payment of \$25,000 to the Northwest Missouri Fair Association, of Bethany, Mo., in full settlement of all claims against the United States for damages and destruction by fire of certain buildings on the fairgrounds while said fairgrounds was occupied by a United States Army battalion on September 14, 1931.

While en route from Fort Leavenworth to Des Moines, the Army obtained oral permission for the battalion to encamp at the fairgrounds from September 12 to September 14, 1931. A nominal rental of \$10, plus \$2.50 for water, was paid. The Army did not occupy any of the buildings. A State fair held on September 11, 1931, ended that day.

On Sunday, September 13, the Army held a baseball game, for which it obtained permission. The grandstand was used by spectators, both military and civilian. At about 4 p. m. a fire started. It spread and the Liberal Arts Building was destroyed.

The War Department opposes the bill. Its Board of Investigation found that the Army had assumed no responsibility for the buildings, that no one claims that any member of the military force caused the fire, and that the only basis for the claim is that if the troops had not been there, there would not have been a ball game, and if there had not been a ball game, there would not have been a fire.

The association claims that the building would not have been destroyed if the Army vehicles had not driven over the hose that had been put down by the fire department to combat the fire, thereby damaging it so that it would not withstand sufficient pressure. The Army board claims that this claim is not based on fact, but rather there was not sufficient pressure in the first instance.

Now, there are two questions I raise to this bill for the consideration of the House. The first one is the remoteness of the claim. This loss occurred nearly 17 years ago, in 1931.

The second part to which I call the attention of the House as a valid reason for your consideration is the liability of the Army or the United States Government in any respect for this fire. It is true that a fire did occur, but actually the armed forces of the United States were not in occupation of any of the buildings. There is no showing by any of the witnesses that the Army was in any way responsible for the unfortunate fire which occurred. Of course, this House may vote this \$25,000 to an undoubtedly very deserving County Fair Association in Missouri. You have the right to do that, and perhaps you will

do that, but it occurs to me that there is no liability here which would attach to the Government of the United States for this unfortunate loss which occurred, as I say, nearly 17 years ago, and which now at long last has come to the attention of this House.

I think it might be well to call your attention to the fact that this bill was introduced in the Seventy-second and Seventy-third Congresses, but no action was taken by the House in either of those instances. It was reported out by the Committee on Claims at that time. I understand that the reason why no action was taken, perhaps, was because no private bills were considered during those two Congresses. I was not here then and I do not know what the answer to that question is.

But, bear in mind as you cast your vote that this is \$25,000 for a claim which occurred in 1931, nearly 17 years ago. It is on a proposition where, as far as I can discover from anything in the record, there is no showing that the United States Government caused this fire or that there was anything which would attach liability to the Government.

Mr. COLE of Missouri. Mr. Speaker, I rise in opposition to the motion.

Mr. Speaker, the distinguished gentleman from Iowa [Mr. DOLLIVER], who is my good friend, no doubt thinks that he is doing his duty in moving to strike this title from the omnibus bill. Evidently he has overlooked the fact that he is pitting his judgment against two former Members of this House, one of whom is now a Federal judge. He is pitting his judgment against the entire membership of the Claims Committee in the Seventy-second Congress. He is pitting his judgment against the entire membership of the Claims Committee in the Seventy-third Congress. He is pitting his judgment against the entire membership of the House Committee on the Judiciary, which is composed of some of the best lawyers in the House.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. COLE of Missouri. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Is it not an undisputed fact that this property was owned by this county, and that at the time it was destroyed it was under the control and under the auspices of the Army, and that in addition, after the fire was started, the Army trucks came along and cut the hose and cut the water off so that these buildings were all destroyed?

Mr. COLE of Missouri. The gentleman is absolutely correct.

May I point out that this bill has been twice considered by the present House Committee on the Judiciary, because when it was first objected to, when first called on the Private Calendar, it was sent back to the Committee on the Judiciary and was reconsidered by that committee.

Now let me read from the original report on this claim by the Claims Committee of the Seventy-third Congress to prove the Army was exercising complete jurisdiction and control over this fairgrounds and over the buildings thereof

at the time this loss occurred. This is what the report says:

During the 2 days the grounds were entirely in charge of the battalion, not even the caretaker or the fair association having any control over the grounds during the period. When the people were gathering for the ball game the Army patrol directed traffic to and from the grandstand, policing the grounds and at points turning back the people and requiring them to move along certain lines. Even the officers of the fair association were ordered and directed by the Army patrol where they could and could not go.

The grounds were policed and patrolled by members of this Army battalion. The ball game was arranged by the Army officers in charge for the amusement and entertainment of the soldiers and visiting citizens. When the fire started it first caught in the grandstand. The Bethany Fire Department was called and soon had their fire hose out in an effort to save the grandstand. A strong wind fanned the fire, and it was soon realized that this building could not be saved. In the meantime, the wind was blowing sparks over to the roof of the Liberal Arts Building. Some of the soldiers had climbed to the roof of that building and were tearing off the shingles that had caught fire, trying to check the spread of the fire, but the Army officers ordered them down. While the fire department was attempting to change their hose so that they could play the stream on the Liberal Arts Building, the Army officers ordered the soldiers and their equipment out of the fairgrounds.

Tractors, trucks, and other equipment were recklessly driven over the fire hose which had been attached to a hydrant near the Liberal Arts Building, cutting it to pieces. As a result, no water could be thrown on the roof of this building, so it was completely destroyed.

I will now read from the conclusions of the Committee on the Judiciary, beginning on page 3 of the report on this bill:

CONCLUSIONS

(a) The evidence justifies the conclusion that the Liberal Arts Building could have been saved had it not been for the action of the troops in recklessly driving their tractors, trucks, and other equipment over the fire hose which the Bethany Fire Department had attached to a nearly hydrant to throw water on the roof of the Liberal Arts Building. These trucks, tractors, and other equipment driven over the fire hose injured it to such an extent that it would not stand the pressure and water could not be carried to the roof of the Liberal Arts Building. The loss of this building is directly attributable to the action of the troops in injuring the fire hose.

(b) The origin of the fire will probably never be known; however, the United States troops were in complete possession and control of the grounds and buildings. If the fire was the result of the negligent act of one of the soldiers the Government should respond in damages. If, on the other hand, the fire originated from some wrongful act of a civilian invited or permitted to be on the grounds, this would not purge the Government of liability. It was the duty of the officers of this battalion to police these grounds and buildings during the presence of their invited guests and to exercise reasonable care and caution to avoid damage and injury. The officers must have known that underneath the grandstand was a quantity of rubbish which could be easily ignited by the dropping of a burning match or a lighted cigar or cigarette. Under these circumstances, it was the

duty of the officers of the battalion to police the grandstand and prevent the visitors from going or loafing thereunder and committing any careless act that might result in a fire and destruction of the building. The injury was suffered and the loss sustained while the Government troops and their invited visitors were in possession of the fairgrounds, and in my opinion the Government should reimburse the fair association in an amount representing the fair and reasonable value of the buildings destroyed on September 13, 1931, and that the buildings on that date were to the reasonable value of \$25,000.

Mr. Speaker, I ask that this amendment be voted down, and H. R. 3983 passed.

The SPEAKER. The question is on the amendment offered by the gentleman from Iowa [Mr. DOLLIVER].

The question was taken; and on a division (demanded by Mr. DOLLIVER) there were—ayes 6, nays 27.

So the amendment was rejected.

The Clerk read as follows:

Title II—(H. R. 5546. For the relief of Harry Tansey.) By Mr. GORSKI

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$39,105 to Harry Tansey, of Chicago, Ill., in full settlement of all claims against the United States as reimbursement for personal property, which was illegally seized and disposed of by the United States marshal, on October 18, 1926, in Chicago, Ill.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. POTTS. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. POTTS moves to strike out all of title II.

Mr. POTTS. Mr. Speaker, this bill in the same form except for amount was before the House in the Seventy-ninth Congress, and on a roll call vote, the House rejected the bill. We are doing the same thing over again in the Eightieth Congress. In view of the fact that action has been taken in the previous Congress, I think that what was said in the Seventy-ninth Congress merits attention. Mr. McGREGOR had the bill at that time and he pointed out that the bill was for the relief of Mr. Harry Tansey, and at that time it represented the third bill which had been before the House. This is now the fourth bill. It originally was introduced as a claim for payment of \$31,000 to Harry Tansey for alleged payment of taxes and interest, taxes paid on liquor stored in Chicago, Ill., during the bootleg era of 1923. Then a new bill was introduced and presented for \$49,500. Mr. McGREGOR said in the Seventy-ninth Congress:

Now we have another for \$39,500, all relative to the same case.

Gentlemen, I say that now we have a fourth bill, this time reduced to \$34,272. So if this bill comes in many more times, it will gradually peter out. I

cannot go into the details in so short a time, but I briefly say that originally it involved a corporate set-up. The firm of Grommes & Ullrich, Inc., at a meeting of the board of directors back in 1923, elected Mr. Harry Tansey president and director and by special resolution authorized a distribution of the liquor to certain stockholders. On or about April 23, 1923, Roscoe Andrews, prohibition director for the State of Illinois, was suspended for the reason of having issued a permit for the distribution of the assets of this corporation. In November 1923 the Government seized certain liquor in a barn located on West Monroe Street in Chicago. On January 5, 1925, in the case of the United States of America against Albert Mulcahy and Romain Blakesly, Harry Tansey intervened with the claim that the liquor seized from Mulcahy belonged to him and asked that the same be returned to him. His appeal was denied, and on October 18, 1926, the liquor was destroyed. There was involved about 17,000 cases of liquor. The Government filed in the District Court of the United States for the Northern District of Illinois Equity No. 3798, seeking to have the premises where the liquor was stored declared a nuisance under the National Prohibition Act. Harry S. Tansey filed an intervening petition, and after numerous hearings United States District Judge, James H. Wilkerson, issued a final decree on January 6, 1926.

On October 2, 1928, the United States circuit court of appeals, upon motion of counsel for appellant, that is, Tansey, dismissed the appeal.

I said Mr. Tansey wants some \$34,000. Last year it was \$39,500. A couple of years before it was \$49,500, and before that it was \$81,000.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. POTTS. I yield.

Mr. DOLLIVER. Is there any showing in the record that Mr. Tansey paid this amount, or any amount, to the Federal Government for taxes?

Mr. POTTS. There is no testimony whatsoever. Acting Secretary of the Treasury John T. Sullivan said:

Available reports and files do not show when or from whom the liquor was purchased by Grommes & Ullrich, or what, if any, commodity tax thereon was paid by the company or by Mr. Tansey.

Mr. DOLLIVER. So actually there is no showing in this record that Tansey or anybody else ever paid any amount of taxes, and by paying this money to him it would be just a windfall or a gracious gift to him from this Congress.

Mr. POTTS. That is my opinion. Mr. Tansey had his day in court in Chicago.

The SPEAKER. The time of the gentleman from New York [Mr. POTTS] has expired.

Mr. GORSKI. Mr. Speaker, the gentleman who just preceded me, the gentleman from New York [Mr. POTTS], said that the Seventy-ninth Congress voted down this bill, but he failed to tell you that the Seventy-eighth Congress passed the bill and it reached the Senate, but because it did not reach it before adjournment, no action was taken.

This bill has been considered by three different committees on claims. Each committee allowed the bill. Mr. Tansey obtained this liquor legitimately. The report says he was the only one singled out. Everybody else got their assets out of this corporation except Mr. Tansey. True, while he took an appeal from the district court judge in Chicago, and while that appeal was pending in the appellate court, the liquor was destroyed. All that Mr. Tansey gets out of this claim is the amount of money that was paid in taxes on the liquor.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. GORSKI. I yield.

Mr. DOLLIVER. To identify this claim, is not Mr. Tansey the man who at one time was Doorkeeper out here?

Mr. GORSKI. Yes; I think he was.

Now, the Claims Committee went into this very, very carefully, and they allowed this claim. Let me read to you from page 2 of the report:

A great many bills are automatically rejected under the committee rules, and a great many rejected after exhaustive consideration by the whole committee. It is therefore felt that those bills which do reach the floor of the House, especially in an omnibus bill, should be met with the realization that they have already been given consideration similar to that given by a jury in a court of law.

Now, Mr. Speaker, I did not attend the hearings, but I presume that those three different committees which have considered this claim have gone into every phase of it. While the gentleman from New York said there is no evidence that Tansey paid the money for these taxes, I believe there is evidence, and I have been so informed, that there was \$175,000 paid by the people who took over the assets of this corporation. I believe those statements to be true. All that Tansey gets is the amount that was paid in taxes on this liquor.

Mr. POTTS. Will the gentleman yield again?

Mr. GORSKI. I yield.

Mr. POTTS. Is it not a fact that Mr. Tansey had sold his interest in the corporation and taken back a promissory note?

Mr. GORSKI. Mr. Tansey took back a promissory note from Mr. Mulcahy.

Mr. POTTS. Was not this liquor put up as collateral to that note?

Mr. GORSKI. Yes; I believe it was, I may say to the gentleman from New York.

Mr. POTTS. Then, does not this liquor belong to the one who made the note and not to Mr. Tansey?

Mr. GORSKI. Let me answer in this way, that the committee said after exhaustive hearings and going into the matter very fully, as I said—I have not attended the hearings, but they have considered it very fully and they found that Tansey is the owner, that he did pay some money in here and I believe that as a legitimate transaction he is entitled to this money.

The report also says, Mr. Speaker, that Andrew Mellon came into possession of some distilleries. Now, no one would accuse him of doing anything illegal and unlawful, yet he disposed of his

assets legitimately. I believe that Mr. Tansey could have done the very same thing if he had been given an opportunity.

The money he is seeking is only money that was paid as taxes on this liquor.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GORSKI. I yield.

Mr. COLE of Missouri. That is what I wanted to bring out. I was going to ask the gentleman to yield to bring out that point. They are just returning to him his own money that they collected illegally.

Mr. GORSKI. That is the point. This is money that was paid for taxes.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. GORSKI. I yield.

Mr. McGREGOR. There is no evidence here at all to show that Mr. Tansey ever paid a nickel in here. Will the gentleman point out what evidence there is to show that in the hearings?

Mr. GORSKI. Yes. There is evidence that Tansey paid money. I was told there was \$175,000 paid for the assets of this corporation.

Mr. McGREGOR. If that be so, why does Tansey ask for only \$39,000?

Mr. GORSKI. That is what the committee decided to give him.

The SPEAKER. The time of the gentleman from Illinois has expired, all time has expired.

The question is on the motion of the gentleman from New York to strike out title II.

The question was taken; and on a division (demanded by Mr. GORSKI) there were—ayes 37, noes 39.

Mr. SMITH of Wisconsin. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present. The roll call is automatic. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 192, nays 173, not voting 65, as follows:

[Roll No. 95]

YEAS—192

Abernethy	Carson	Gavin	Jensen	Merrow	Scoblick
Allen, Calif.	Case, S. Dak.	Gearhart	Johnson, Ill.	Meyer	Scott, Hardie
Allen, Ill.	Chadwick	Gillette	Jones, Wash.	Michener	Scott
Allen, La.	Chenoweth	Gillie	Jonkman	Miller, Conn.	Hugh D., Jr.
Andersen,	Chiperfield	Goff	Judd	Miller, Md.	Scrivner
H. Carl	Church	Goodwin	Kean	Miller, Nebr.	Seely-Brown
Andrews, N. Y.	Clason	Graham	Kearney	Mitchell	Shafer
Angell	Clevenger	Grant, Ind.	Keating	Muhlenberg	Simpson, Pa.
Arends	Coffin	Gross	Keefe	Nixon	Smith, Kans.
Arnold	Cole, Kans.	Gwynn, N. Y.	Kersten, Wis.	Nodar	Smith, Ohio
Auchincloss	Cole, N. Y.	Gwynne, Iowa	Kirkland	Norblad	Smith, Wis.
Banta	Colmer	Hale	Kluburn	Norrell	Snyder
Barrett	Cooley	Halleck	Kunkel	Patterson	Stefan
Beall	Corbett	Hand	Latham	Phillips, Calif.	Stevenson
Beckworth	Cotton	Harness, Ind.	LeCompte	Potter	Sundstrom
Bennett, Mich.	Crawford	Harris	LeFevre	Potts	Taber
Bennett, Mo.	Crow	Harvey	Lemke	Poulson	Talle
Bishop	Dague	Herter	Lichtenwalter	Ramey	Taylor
Blackney	Davis, Wis.	Heselton	Love	Rankin	Tibbott
Bolton	Dawson, Utah	Hess	McConnel	Redden	Tollefson
Bramblett	D'Ewart	Hill	McCown	Reed, N. Y.	Van Zandt
Brehm	Dolliver	Hinshaw	McCulloch	Rees	Vorys
Brooks	Dondero	Hoeven	McDonough	Riehman	Vursell
Brophy	Ellis	Hoffman	McDowell	Rizley	Wadsworth
Brown, Ohio	Ellsworth	Holmes	McGarvey	Rockwell	Weich
Bryson	Engel, Mich.	Hope	McGregor	Rogers, Fla.	Whitten
Buck	Fenton	Horan	McMahon	Rogers, Mass.	Wigglesworth
Buffett	Fletcher	Hull	McMillen, Ill.	Rohrbough	Williams
Burke	Foot	Jenison	Mack	Ross	Wilson, Ind.
Bussey	Fuller	Jenkins, Ohio	Mahon	Russell	Winstead
Byrnes, Wis.	Gamble	Jenkins, Pa.	Malone	Sadiack	Wolverton
			Mason	Sanborn	Woodruff
			Mathews	Schwabe, Mo.	Worley
				Schwabe, Okla.	

NAYS—173

Abbitt	Garmatz	Morris
Albert	Gary	Morrison
Anderson, Calif.	Gordon	Multer
Andresen,	Gore	Mundt
August H.	Gorski	Murdock
Andrews, Ala.	Gossett	Murray, Tenn.
Bakewell	Grant, Ala.	Murray, Wis.
Bates, Ky.	Gregory	Norton
Bates, Mass.	Griffiths	O'Brien
Battle	Hagen	O'Hara
Bland	Hall,	O'Konski
Blatnik	Edwin Arthur	O'Toole
Boggs, Del.	Hardy	Pace
Boggs, La.	Harrison	Passman
Bonner	Hart	Peterson
Boynkin	Havener	Pfeifer
Bundley	Hays	Philbin
Brown, Ga.	Hebert	Pickett
Buchanan	Hedrick	Poage
Bulwinkle	Heffernan	Powell
Burleson	Hendricks	Preston
Butler	Hobbs	Price, Fla.
Byrne, N. Y.	Holtfield	Price, Ill.
Camp	Huber	Priest
Canfield	Isaacson	Rains
Cannon	Jackson, Wash.	Reed, Ill.
Carroll	Jarman	Reeves
Celler	Javits	Regan
Chelf	Jennings	Richards
Cole, Mo.	Johnson, Ind.	Riley
Combs	Jones, Ala.	Rivers
Cooper	Jones, N. C.	Rooney
Cravens	Karsten, Mo.	Sabath
Crosser	Kelley	Sadowski
Cunningham	Kennedy	Sarbacher
Curtis	Kilday	Sasscer
Davis, Ga.	Kirwan	Sikes
Davis, Tenn.	Klein	Smathers
Dawson, Ill.	Knutson	Smith, Va.
Deane	Landis	Somers
Delaney	Lea	Spence
Devitt	Lesinski	Stratton
Dingell	Lewis, Ohio	Teague
Dirksen	Lucas	Thomas, Tex.
Domengeaux	Lyle	Thompson
Donohue	Lynch	Towe
Durham	Eaton	McCormack
	Elsaesser	McMillan, S. C.
	Elston	MacKinnon
	Engle, Calif.	Madden
	Evins	Vail
	Feighan	Manasco
	Fernandez	Mansfield
	Fisher	Marcantonio
	Flannagan	Martin, Iowa
	Forand	Meade, Md.
	Fulton	Mills
	Gallagher	Monrone
		Morgan

NOT VOTING—65

Barden	Coudert	Fellows
Bell	Courtney	Fogarty
Bender	Cox	Folger
Bloom	Dorn	Gathings
Buckley	Doughton	Granger
Case, N. J.	Douglas	Hall
Chapman	Eberhardt	Leonard W.
Clark	Elliott	Harless, Ariz.
Clippinger	Falton	Hartley

Jackson, Calif.	Ludlow	Robertson
Johnson, Calif.	Lusk	St. George
Johnson, Okla.	Meade, Ky.	Sheppard
Johnson, Tex.	Miller, Calif.	Short
Kee	Morton	Simpson, Ill.
Kefauver	Nicholson	Smith, Maine
Keogh	Patman	Stigler
Kerr	Peden	Stockman
King	Phillips, Tenn.	Thomas, N. J.
Lane	Ploeser	West
Larcade	Plumley	Whittington
Lewis, Ky.	Rayburn	Wilson, Tex.
Lodge	Rich	Youngblood

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Rayburn for, with Mr. Keogh against.

General pairs until further notice:

Mr. Leonard W. Hall with Mr. Lane.

Mr. Case of New Jersey with Mr. Peden.

Mrs. St. George with Mrs. Lusk.

Mr. Ploeser with Mr. Cox.

Mr. Plumley with Mr. Kefauver.

Mr. Phillips of Tennessee with Mr. Bloom.

Mr. Thomas of New Jersey with Mr. Stigler.

Mr. Youngblood with Mr. King.

Mr. Coudert with Mr. Bell.

Mr. Jackson of California with Mr. Wilson of Texas.

Mr. Johnson of California with Mr. Gathings.

Mr. Short with Mr. Fogarty.

Mrs. Smith of Maine with Mr. Miller of California.

Mr. Rich with Mr. Folger.

Mr. Bender with Mr. Chapman.

Mr. Nicholson with Mr. Eberhardt.

Mr. Stockman with Mr. Granger.

Mr. Simpson of Illinois with Mrs. Douglas.

Mr. BOGGS of Louisiana changed his vote from "yea" to "nay."

Mr. REDDEN changed his vote from "nay" to "yea."

Mr. ROGERS of Florida changed his vote from "nay" to "yea."

Mr. GRIFFITHS changed his vote from "yea" to "nay."

Mr. TIBBOTT changed his vote from "nay" to "yea."

Mr. KNUTSON changed his vote from "yea" to "nay."

Mr. AUGUST H. ANDRESEN changed his vote from "yea" to "nay."

Mr. STRATTON changed his vote from "yea" to "nay."

Mr. Ross changed his vote from "nay" to "yea."

Mr. POLK changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed and a motion to reconsider was laid on the table.

ROLL OF THE INDIANS OF CALIFORNIA

Mr. D'EWART submitted a conference report and statement on the bill (H. R. 2878) to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the roll of the Indians of California provided therein (Rept. No. 2248).

FEDERAL AID TO EDUCATION

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Speaker, millions of our children will be unable to attend school this next year because no facilities will be available. Why? Because Congress has failed to pass the Federal aid to education bill.

I admit that this is not the way education should be financially assisted—by the Federal Government. But when the various States cannot, or will not provide the necessary facilities, then the Federal Government remains the sole benefactor for these children by offering grants to the several States on a matching basis.

Illiteracy is increasing at an alarming rate in the country. Obviously this cannot, or must not, be permitted to continue. Illiteracy is a national weakness, and if we are to continue to be a strong virile people, this trend must be reversed.

Congress must do something soon. It cannot escape its duty here. This problem of education has become a national issue. Congress should have taken some action before this. Another year will only intensify the problem, and every year of postponement will intensify it further. It would not take long until we would become the most illiterate nation among the so-called civilized nations of the earth. Do we wish to be labeled thus?

Many States and sections of States are far in arrears on proper school buildings, equipment, and teachers. All backward States should be brought up to the average of the best States. This will take time and the longer we defer aid the longer will be the road to a satisfactory status.

There is the great problem of national subsidy with the necessary taxes but there is no alternative if we are to avoid a high rate of illiteracy. Every child has a right to an education, and it has now, distasteful as it is, become the duty of our National Government to assist by grants to States.

The grave danger of the Federal Government assuming some control of education in the States must be avoided. This situation cannot be tolerated.

The question is: How long must we wait before Congress acts to correct a bad situation?

COMMITTEE ON BANKING AND CURRENCY

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may meet this afternoon, notwithstanding that the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. KERSTEN of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a speech and copy of a bill.

AMENDMENT TO RAILROAD RETIREMENT ACT OF 1937

Mr. WOLVERTON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6766) to amend the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That subsection (a) of section 3 of the Railroad Retirement Act of 1937, as amended, is amended by changing "2" to "2.40", "1½" to "1.80", and "1" to "1.20". Subsection (e) of section 3 of the Railroad Retirement Act of 1937, as amended, is amended by changing "\$3" to "\$3.60" and "\$50" to "\$60."

Sec. 2. Subsection (f) of section 5 of the Railroad Retirement Act of 1937, as amended, is amended by inserting "(1)" before "Upon", by striking out "this subsection" wherever it occurs and inserting in lieu thereof "this paragraph", and by adding at the end thereof the following new paragraph.

"(2) Whenever it shall appear, with respect to the death of an employee on or after January 1, 1947, that no benefits, or no further benefits, other than benefits payable to a widow or parent upon attaining age 65 at a future date, will be payable under this section or, pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended, there shall be paid to such persons or persons as the deceased employee may have designated by a writing filed with the Board prior to his death, or if there be no designation, to the person or persons in the order provided in paragraph (1) of this subsection or, in the absence of such person or persons, to his estate, a lump sum in an amount equal to the sum of 4 percent of his compensation paid after December 31, 1936, and prior to January 1, 1947, and 7 percent of his compensation after December 31, 1946 (exclusive in both cases of compensation in excess of \$300 for any month), minus the sum of all benefits paid to him, or to others by reason of his death, under this act and, pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended: *Provided, however,* That if the employee is survived by a widow or parent who may upon attaining age 65 be entitled to further benefits under this section, or pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended, such lump sum shall not be paid unless such widow or parent makes and files with the Board an irrevocable election, in such form as the Board may prescribe, to have such lump sum paid in lieu of all benefits to which such widow or parent might otherwise become entitled under this section or, pursuant to subsection (k) of this section, under section 202 of the Social Security Act, as amended, to which such widow or parent would have been entitled had this section not been enacted. The term 'benefits' as used in this paragraph includes all annuities payable under this act, lump sums payable under paragraph (1) of this subsection, and insurance benefits and lump-sum payments under section 202 of the Social Security Act, as amended, pursuant to subsection (k) of this section."

Sec. 3. The provisions of section 1 hereof shall apply to all annuities under section 2 of the Railroad Retirement Act of 1937, as amended, accruing during calendar months following the month of enactment hereof other than joint and survivor annuities heretofore awarded and survivor annuities deriving from joint and survivor annuities heretofore awarded; and the provisions of section 2 hereof shall be effective as of January 1, 1947. All annuities under the Railroad Retirement Act of 1935 and all joint and survivor annuities heretofore awarded and survivor annuities deriving from joint and survivor annuities heretofore awarded, accruing during the calendar months following the month of enactment hereof, and all pensions due in months following the first calendar month after the enactment hereof,

shall be increased by 20 percent. All re-certifications required by reason of the provisions of this act shall be made by the Railroad Retirement Board without application therefor.

SEC. 4. Subsection (a) of section 8 of the Railroad Unemployment Insurance Act, as amended, is amended by substituting the following for so much of said subsection as precedes the proviso:

"(a) Every employer shall pay a contribution, with respect to having employees in his service, equal to the percentage determined as set forth below of so much of the compensation as is not in excess of \$300 for any calendar month paid by him to any employee for services rendered to him after June 30, 1939."

SEC. 5. (a) Subsection (a) of section 8 of the Railroad Unemployment Insurance Act, as amended, is further amended by substituting a colon for the period at the end thereof and adding the following:

"1. With respect to compensation paid prior to January 1, 1948, the rate shall be 3 percent.

"2. With respect to compensation paid after December 31, 1947, the rate shall be as follows:

"If the balance to the credit of the railroad unemployment insurance account as of the close of business on September 30 of any year, as determined by the Board, is:

\$450,000,000 or more	1/2 percent.
\$400,000,000 or more but less than \$450,000,000	1 percent.
\$350,000,000 or more but less than \$400,000,000	1 1/2 percent.
\$300,000,000 or more but less than \$350,000,000	2 percent.
\$250,000,000 or more but less than \$300,000,000	2 1/2 percent.
Less than \$250,000,000	3 percent.

"As soon as practicable following the enactment of this act, the Board shall determine and proclaim the balance to the credit of the account as of the close of business on September 30, 1947, and on or before December 31 of 1948 and of each succeeding year, the Board shall determine and proclaim the balance to the credit of the account as of the close of business on September 30 of such year."

(b) Contributions paid under subsection (a) of section 8 of the Railroad Unemployment Insurance Act, as amended, prior to the enactment of the foregoing amendment thereof which are in excess of those required by said subsection as so amended shall be subject to adjustment or refund in accordance with the provisions of subsections (d) and (e) of said section 8.

SEC. 6. Subsection (f) of section 8 of the Railroad Unemployment Insurance Act, as amended, is amended, to read as follows:

"(f) The contributions required by this act shall be collected by the Board and shall be deposited by it with the Secretary of the Treasury of the United States, such part thereof as equals 0.2 percent of the total compensation on which such contributions are based to be deposited to the credit of the fund and the balance to be deposited to the credit of the account."

SEC. 7. Subsection (a) of section 10 of the Railroad Unemployment Insurance Act, as amended, is amended by substituting the following for subdivision (1) of the second sentence of said subsection: "(1) such part of all contributions collected pursuant to section 8 of this act as is in excess of 0.2 percent of the total compensation on which such contributions are based, together with all interest collected pursuant to section 8 (g) of this act;".

SEC. 8. Subsection (a) of section 11 of the Railroad Unemployment Insurance Act, as amended, is amended by substituting the following for subdivision (1) of the second sentence of said subsection: "(1) such part of all contributions collected pursuant to section 8 of this act as equals 0.2 percent of the total compensation on which such contributions are based;".

The SPEAKER. Is a second demanded?

Mr. CROSSER. Mr. Speaker, I demand a second.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WOLVERTON. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, in view of the limited time available for consideration of H. R. 6766, which amends the Railroad Retirement Act and the Railroad Unemployment Insurance Act, I shall make my remarks as brief as possible. However, I urge all of you, if you have not already done so, to read the committee report, which is not much more than a page in length but contains all of the essential details.

The Committee on Interstate and Foreign Commerce has had jurisdiction over railroad retirement since its inception and it was a pleasure for me when our party was in the minority to support activities of the gentleman from California, Congressman LEA, then chairman, and my distinguished colleague the gentleman from Ohio, Congressman CROSSER, who has taken such an active part in this legislation. I am pleased now as a member of the majority to give assurance, by the action of the committee on H. R. 6766 and as its chairman, to the railroad workers that this committee hopes to establish a fine record similar to that already established.

As I stated when I introduced this bill, H. R. 6766, it is the product of an agreement between railroad labor and railroad management. Their action in this instance is indeed a continuation of the spirit of mutual agreement upon which the Railroad Retirement Act of 1937 was based. It will be recalled that the basic railroad retirement system was the result of agreement between labor and railroad management. I compliment both the representatives of labor and the representatives of management for the manner in which they have cooperated to present to the Congress a bill which they both can wholeheartedly support.

I am giving my full-hearted support to H. R. 6766. I do this even though I had introduced a previous measure—H. R. 6704—which, in my opinion, was on the whole a good bill. I recognize, however, the value of the compromise arrangement worked out in H. R. 6766, which is before the House today. I, therefore, am giving my full support to this measure sponsored by the railroad workers and management. I am delighted that the same attitude is being taken by other Members of Congress who have introduced bills.

So far as the Railroad Retirement Act is concerned, the bill provides in sections 1 and 3 for a 20-percent increase in pensions and annuities. This 20-percent increase applies to those who are now retired and to those who will retire in the future. And the increase is effective in the month following enactment of the law without the necessity of any application therefor on the part of those affected. This 20-percent increase represents the best increase in pension benefits which can safely be made. In the words of counsel for the railway labor executives:

We are very much concerned that what changes are made shall be made with due consideration for maintaining the soundness of the railroad retirement account * * * and we have gone as far in the direction of increasing benefits as we feel it is prudent to go.

In this connection it is important to note that the Railroad Retirement Board, which administers the act, wholeheartedly approves this bill, and stated in its report to the committee that it will not in any way destroy the soundness of the fund.

In section 2 the bill restores on an optional basis the provision for lump-sum death benefit payments that was in effect before the act was amended in 1946. In substance this provision guarantees that every employee who has contributed to the system will receive in benefits, either to himself or to survivors or a designated beneficiary, an amount equal to the amount he paid in pay-roll taxes, plus an allowance for interest.

With respect to the Unemployment Insurance Act, the bill substitutes for the present flat 3-percent tax, a sliding scale under which the tax is automatically adjusted in accordance with the amount of reserves in the railroad unemployment insurance account as of September 30 of each year. The rate of tax provided ranges from a minimum of one-half of 1 percent when the balance in the fund, as determined by the Board, is \$450,000,000 or more, to a maximum tax of 3 percent when the balance is less than \$250,000,000. So long as the reserve is \$450,000,000 or more, the rate of tax would remain at one-half percent; and the rate then is increased by graduated steps of one-half percent for each \$50,000,000 by which the reserve is less than that amount, again reaching the full 3-percent rate if the fund should fall below \$250,000,000.

The present tax rate of 3 percent has been paid by the railroads since the Unemployment Insurance Act became effective in 1939, and has resulted in a huge and unnecessary surplus—at the present time over \$900,000,000.

It should be borne in mind that this merit-rating or sliding scale of tax merely extends to the railroad industry substantially the same treatment accorded every other employer in the country with respect to unemployment under the various State and Federal social-security systems. Merit or experience rating is now in effect in all of the 48 States and in the three territorial funds with respect to unemployment insurance, the actual minimum tax rate applied varying from

complete forgiveness to 1½ percent. Where Congress itself has established an unemployment insurance system—in the District of Columbia—the minimum rate provided is one-tenth of 1 percent.

The graduated scale of tax provided in this bill is adequate to assure against depletion of the reserves, and at the same time, it will relieve the railroads of continued unnecessary payments of money which could be used in providing and improving service to the public.

The representatives of railway labor have always been on guard, and justifiably so, to see that nothing be done which would jeopardize their unemployment insurance system. The fact that they have agreed to this bill is an assurance that they are satisfied that the rates and balances required in the fund will be sufficient at all times to provide an ample margin of security.

In changing from a flat 3 percent tax to a sliding scale, it becomes necessary to change the formula by which the amount necessary for administration of the fund is fixed. Sections 6, 7, and 8 of the bill provide for the administrative expenses by allocating from the taxes collected an amount equal to two-tenths of 1 percent of the total compensation upon which collections are based. From past experience this will produce an adequate amount for administrative purposes.

And now a further word as to the underlying purpose for increasing by 20 percent the present and future retirement benefits. It is based upon the fact that there has been a considerable increase in the cost of living. This is so clear to all of us that it needs no proof.

The annuity formula in the Railroad Retirement Act was originally fixed in the early 1930's and was based on living costs and wages at that time. Amounts which were considered adequate in 1937 and the next few following years have not been increased (except for some increase in the minimum amount payable) since that time.

It is clear that the annuities which retired persons are now receiving are inadequate to cope with the higher living costs. The same situation, moreover, will exist as to those annuities of employees who will retire in the future. This fact comes about because under the present benefit formula annuities are based on the average wages for the entire period of railroad work up to 30 years. It would require many years of work at the current higher wage levels to raise these averages very much and in turn to show an appreciable effect on benefits.

Accordingly, even though railroad wages on the average in 1948 are up approximately 75 percent over those, in 1937, these increases in wage rates, as the Railroad Retirement Board says, have had no effect on benefits awarded before the increases, very little effect on those awarded since, and will have an appreciable effect only on those which will be granted many years in the future.

I long have supported and followed closely the operation of the railroad retirement system. I have always been in full accord with its purposes. I am firmly convinced, however, that annuities and benefits, which the retirement sys-

tem provides, must be adequate to permit the retired or disabled employee to maintain himself in reasonable comfort and decency.

At the same time I am firmly of the opinion, as I know all of us are, that the amount of benefits promised by the retirement system must in nowise jeopardize the soundness of the fund.

The Railroad Retirement Board has informed and assured the committee that increased benefits now might be paid without jeopardizing the fund and without necessitating any increase in tax rates. It states that this possibility arises from the fact that present rates of collection from the employees and the railroads were based on a lower total pay roll than that now being paid. With the current higher total pay roll, collections on the present tax schedule from employees and railroads could allow greater benefits without impairing the soundness of the fund.

While it may be true that this bill will not go all the way to meet today's higher cost of living, yet it will provide substantial relief consistent with maintaining the soundness of the retirement fund.

The bill also has merit in that it re-establishes what has been called lump-sum death-benefit payments. As previously stated, this was in the original act until abolished by the amendments of 1946. This should never have been done. The injustice of it has become more and more apparent. By the provisions of this bill this benefit payment is restored on any optional basis. It will guarantee to every employee who has contributed to the retirement fund, or to survivors or a designated beneficiary in the event of the existence of no survivors named under the act, an amount equal to the amount the employee has paid in payroll taxes, plus interest. Thus, every employee, his survivors or named beneficiary will receive the full amount he has paid into the fund, plus interest. This provision is fair and just and will eliminate one of the loudest complaints that has come since the amendments of 1946. From past experience this will produce an adequate amount for administrative purposes.

Summarizing, the bill gives to employees who are presently retired and to those who will retire in the future a 20-percent increase in their pensions, and restores to them the guarantee of a lump-sum death-benefit payment equal to the amount they have contributed plus an allowance for interest. To the railroads, who alone pay the tax for unemployment, it gives a reduction in the tax rate so long as an ample balance is maintained in the fund. These changes are urgently needed, and do not involve any other changes in the rights of employees, either with respect to retirement or unemployment rights which are now in effect. Neither do these changes involve any cost to the Federal Government.

In short, the bill represents a desirable improvement in the present acts, and since both management and employees, as well as the Railroad Retirement Board, are in agreement on its

terms as a whole, it should receive the unanimous support of the House as a fair and sound solution to the problems with which it deals.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON. I yield to the gentleman from New York.

Mr. REED of New York. I congratulate the gentleman on handling very efficiently a very serious problem.

Mr. WOLVERTON. I appreciate the remarks of the gentleman from New York. The Committee on Interstate and Foreign Commerce, on both the majority and minority sides, have worked hard, intelligently, sincerely, and sympathetically in the preparation of this bill, and it is unanimously supported by the committee.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON. I yield to the gentleman from Arkansas.

Mr. HARRIS. I agree thoroughly with the gentleman's statement that the committee has worked very hard on this bill, and that the bill comes from the committee with a unanimous report.

Mr. WOLVERTON. It was a unanimous report. I am happy to make that statement before this House because it assures the House that the members of the committee were actuated not by partisan motives but by a sincere desire to be helpful to the railroad employees of this Nation.

Mr. WOODRUFF. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON. I yield to the gentleman from Michigan.

Mr. WOODRUFF. I congratulate the committee on the promptness with which they have handled this legislation and the fine benefits that will accrue to the workers of the railroads in the years to come.

Mr. WOLVERTON. I thank the gentleman.

Mr. WOODRUFF. I think it is a fine piece of legislation. The committee is to be congratulated.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON. I yield.

Mr. JUDD. I congratulate the committee and the chairman for bringing in this bill, as one who 2 years ago opposed the bill that was passed because I did not think it would do the thing that it was intended to do. I am glad to support this bill, which I believe will do it.

Mr. WOLVERTON. I thank the gentleman.

Mr. CLASON. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON. I yield.

Mr. CLASON. I also wish to congratulate the chairman for the fine work that he and his committee have done in bringing in this bill. I believe at this time that all social-security benefits ought to be checked over on the basis of present high prices. I certainly think that your committee acted promptly in this matter.

Mr. WOLVERTON. I am in full accord with what the gentleman has said about increasing social security. I am strongly of the opinion that under present conditions, they should be increased.

I am hopeful that what the Committee on Interstate and Foreign Commerce has done for railroad employees will set the pattern for what should be done for social security beneficiaries in general.

Mr. BUSBEY. Mr. Speaker, will the gentleman yield?

Mr. WOLVERTON. I yield.

Mr. BUSBEY. I would like to ask the chairman of our committee if he thinks this is a correct statement, that every individual in every group and any organization that was interested in legislation of this kind was in agreement on it. There was no opposition to this bill.

Mr. WOLVERTON. That is true. Of course, there are some individuals and some organizations who would prefer something greater to be done, but at least they are in favor of what we have done and recognize the necessity of keeping the fund stable.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. BREHM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BREHM. Mr. Speaker, as a man nears the sunset of life I believe that he desires two things: First, that he be permitted to look back on a well-spent life and, second, that he find ample reward in the form of adequate social security for having contributed to the betterment of his fellow men.

No one can successfully argue that retired railroaders have failed in contributing to the welfare and betterment of our Nation, as well as to the happiness and contentment of mankind in general.

H. R. 6766 is intended as a partial repayment to those "old rails" not only as a reward for a well-spent and industrious life, but also as a partial recompense for their years of courageous and loyal service.

The gentleman from New Jersey [Mr. WOLVERTON] has done a splendid job in analyzing this bill so I will not repeat in this particular. However, I could not let this opportunity go by without expressing my joy and happiness in seeing this legislation pass the House.

A grand group of fellows will benefit from our action and my heart rejoices with them.

Mr. CROSSEY. Mr. Speaker, it is hardly necessary to discuss the merits of the pending bill. This bill is substantially the same as the bill H. R. 5993, which I introduced on March 24, 1948. The only difference between the two bills, as they provided for amendments to the Railroad Retirement Act, is this:

The bill which I introduced on March 24, 1948, provided for an increase in retirement annuities ranging from 20 to 25 percent and averaging 20.4 percent, while this substitute bill provides a uniform increase of 20 percent in retirement annuities.

The pending bill provides also for a reduction in the contributions payable under the Railroad Unemployment Insurance Act.

This bill represents an agreement between the Association of the American Railroads, representing the great ma-

jority of the railroads in the country, and the Railway Labor Executives Association, representing the overwhelming majority of railroad employees. It is supported also by the Brotherhood of Locomotive Engineers and the Brotherhood of Railroad Trainmen.

We might say in a paraphrase of the old hymn: "This is the thing I long have sought, and mourned because I found it not."

In view of the fact that the railroad workers and the railroad companies have agreed upon the bill, there is no opposition to bother anyone; in fact, there is eagerness to sponsor such measures. It has now become popular to speak in behalf of this kind of a bill. It is not so many years ago, however, when there was general reluctance, if not dread, on the part of legislators about speaking in behalf of this kind of measure. Generally it was hard even to secure a hearing, and the person who undertook to champion such a cause was not too popular, and was likely to be the victim of sneers, if not something even worse.

It is pleasant to recall, however, that in the great struggle to improve the condition of railway workers, the legislative representatives of the railway labor organizations, the general and local chairmen, their journalists, and other railroad men, by their earnest efforts, their courtesy, their sincerity, and tact, did very much, indeed, to assure the success of their measures. Their conscientious efforts did much to inspire and encourage those of us who officially presented the measures to Congress in behalf of the workers. Their good cheer and energy helped greatly to counteract any effect of the harassing tactics of the opposition. While, however, the early spokesmen for the victims of injustice received sneers and scorn from those in the seats of the mighty, such supporters were, on the other hand, greatly heartened by men of vision, like the poet, James Russell Lowell, who, in expressing his approval of the early workers for justice for the oppressed, wrote as follows:

Then to side with Truth is noble when we share her wretched crust,
Ere her cause bring fame and profit, and 'tis
prosperous to be just;
Then it is the brave man chooses, while the
coward stands aside,
Doubting in his abject spirit, till his Lord is
crucified.

Lowell was always vigorous in his support of those who, defying the displeasure of the powerful, and who early in the struggle, in behalf of the victims of special privilege, joined the workers for the cause of the oppressed, and who, without brag, bravado, or ostentation, and without proclaiming themselves inveterate champions of the obscure and humble, nevertheless plodded ahead in the struggle to improve the condition of mankind.

Yes; Lowell and all other great thinkers have realized that the service of the cause of the oppressed, rather than the wearing the uniform of the cause is what is most important. It is true also that the consciousness of serving, rather than other peoples' opinions of our service, is what truly satisfies the sense of duty.

The great political economist, Henry George, in one of his books writes as follows:

He who sees the truth let him proclaim it without asking who is for it or who is against it.

That certainly is sound principle. A little over 50 years ago, when Henry George, who wrote the most fundamental and unanswerable work on the subject of political economy ever published in this country, made a speech, on the last night of his life, in Turner Hall at College Point, in New York City. He was introduced as a special friend of labor. He rose to his feet and immediately said:

I have never claimed to be a special friend of labor. Labor does not want special privileges. * * * I stand for the equal rights of all men.

This last sentence has been shortened by a cigar manufacturer, and with the picture of Henry George was printed on the lids of cigar boxes. The statement so printed is:

I am for men.

Yes; Henry George, in the last speech of his life, scorning the martyr pose, shouted:

I am for equal rights for all men.

At the time of the occurrence of which I have just spoken I had just graduated from Kenyon College in Ohio and was in New York City to enter law school if I could find an opportunity to earn the means to pay my way.

I was particularly interested in the campaign for the first election for mayor of greater New York, as I had cast my first vote in the election of the year before, 1896.

Mr. George died suddenly in the middle of the night of October 29, on which he made the speech from which I have just quoted. His physicians had warned him that the campaign would probably cause his death. His answer to them was:

How can I die better than serving humanity?

Mr. George's brave action and courageous refusal to pander for the support of any special group made a profound impression on my young mind, an impression that has lasted to this day. Mr. George influenced me so greatly that during the many years which have followed his last speech I have never in any speech or at any time said, "I am a friend of labor. I have always been a friend of labor."

Now, Mr. Speaker, as I said in the beginning of my remarks, there is no difficulty for anyone in voting for this legislation. The railroad workers and the companies have agreed and there is, therefore, little need for much talk about the merits of this particular measure.

This bill and similar measures I regard as in the nature of temporary helps for the beneficiaries while there goes on the great struggle for the adoption of measures establishing fundamental economic justice and freedom. It is not enough to merely declare that all men are equal before the law. No, my friends, we must not rest until, as the fundamental principle of civilization, of social life, the

equal rights of all men in the Creator's bounty to mankind will have been established. Then will men surely receive the full value of their toil, whether it be mental or physical effort. No longer then would there be dependence on temporary aids, palliatives, or the exercise of arbitrary official power in order to save a large part of the population from disaster and physical suffering. Then men will no longer be haunted by want and the fear of want, then will they be free to obey their inspirations, their highest intuitions, and develop the real, the harmonious life, and be free to unfold in their individual experiences the eternal verities of being. The essence and law of the true life would then be realized. In order to be worthy of the commission, entitling him to speak in this House for the people, every Member should devote himself wholeheartedly to the task of assuring all men their equal rights in the bounty supplied by the Creator. When that task will have been finished we shall then welcome the dawn of a new day. No longer then shall we witness the unsecurity, strife, and struggle by men for the enjoyment of what they will have produced. Then shall we have the real brotherhood of man. The constant serious effort which all must make to carry out this purpose, to realize this high ideal will be well repaid by a vivid consciousness of happiness assured to our fellow men by our part in making it possible to enjoy the beneficence of the manifestation of the infinite ideal. Let there be no talk, however, about dying for one's faith. Rather should all be inspired to live for their convictions, as so nobly urged by Ernest Crosby, one of the faithful disciples of the great Henry George.

Let me here quote the poem by Ernest Crosby entitled "Life and Death," which is in the following language:

So he died for his faith. That's fine,
More than most of us do,
But, say, can you add to that line
That he lived for it, too?

In his death he bore witness at last
As a martyr to the truth.
Did his life do the same in the past,
From the days of his youth?

It is easy to die. Men have died
For a wish or a whim—
From bravado or passion or pride,
Was it harder for him?

But to live—every day to live out
All the truth that he dreamt,
While his friends met his conduct with doubt
And the world with contempt.

Was it thus that he plodded ahead,
Never turning aside?
Then we'll talk of the life that he lived.
Never mind how he died.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. CROSSEER. I yield.

Mr. CRAWFORD. I would like to ask the distinguished gentleman and scholar from Ohio if there is anything in this bill which necessitates raising the revenues of the railroads.

Mr. CROSSEER. Not one single thing. The assessments are not increased 1 cent.

Mr. CRAWFORD. In other words, the consumer has no particular interest in this bill.

Mr. CROSSEER. This increase of 20 percent in the annuities will be paid for out of the excess in the reserve fund of the retirement system. Contrary to the dire predictions of the opponents of the Crosseer amendments, 2 years ago, the reserve fund is not only adequate but has a surplus sufficient to pay 20 percent more to annuitants.

Mr. CRAWFORD. That was my understanding, but I wanted the gentleman to get that into the RECORD.

Mr. CROSSEER. That is entirely right.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CROSSEER. I yield.

Mr. JENKINS of Ohio. What does the bill finally provide with reference to unemployment compensation?

Mr. CROSSEER. It provides the same as was already provided, as far as benefits are concerned. It does not increase the unemployment benefits at all. I would have liked to have had the benefits increased. The men and the railroad companies, the official representatives of the two groups are, however, together, in agreement on the subject.

Mr. Speaker, I yield such time as he may desire to the gentleman from Louisiana [Mr. ALLEN].

Mr. CROSSEER. Mr. Speaker, I yield such time as he may desire to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Speaker, I am delighted to see this legislation brought up for consideration before the adjournment of Congress.

I have given this type of legislation my energetic support all along. Two years ago when the gentleman from Ohio [Mr. CROSSEER] proposed his bill, I strongly supported it. When the gentleman introduced his two bills a few weeks back, H. R. 5875 and H. R. 5993, I gave them my hearty endorsement. At this point, Mr. Speaker, I want to pay tribute to the splendid gentleman from Ohio [Mr. CROSSEER]. He is loved by everybody in this House. I am happy that I can count him among my very close friends. He has consistently fought for the workingman. He deserves great credit for the legislation for railroad men. He has always been in the forefront of the fight for them.

Mr. Speaker, this bill, H. R. 6766, which we are considering today is not all that I had hoped we could get at this session. While I am delighted that we have this bill before us, I wish very much that we could have a bill here embodying greater benefits. But it is gratifying that railroad management and railroad labor have agreed, so we are told, upon this legislation. It means a lot when these two great interests can sit down and work out a great problem like this. The bill therefore represents a great achievement.

We are told that this bill represented the very best that can be worked out at this session of Congress. That being true, I am giving the legislation my hearty approval and support, even though it does fall short of what I would like to achieve for the railroad men. I hope to see the time in the not too distant future when a program providing a far more substantial retirement plan can be worked out for the railroad people. I

appreciate the fact that it takes time to do that, but I would like to see the great committee of this House handling this legislation give attention in the next Congress to this very problem.

Of course, Mr. Speaker, everybody wants to keep this retirement fund on a very firm foundation. It is very important to the railroad men to know that their fund will be sound from an actuarial standpoint right on in the future. I believe all the railroad men themselves are anxious to preserve the soundness of this fund. We are advised by those in a position to know that the passage of this bill will not impair this fund. All Members of the Congress, it seems to me, can therefore give this bill their full support. And, while I am gratified at the accomplishment of this legislation, I do want to serve notice that it will be my purpose to work for a retirement program for these people that will give them better protection than is even afforded by this bill.

Mr. CROSSEER. Mr. Speaker, I yield such time as he may desire to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Speaker, we have waited a long time for this occasion. I have thought for several years that an amendment to the Railroad Retirement Act of 1937 was proper and in order. During the current year I have worked very diligently in an effort to obtain an amendment to the Railroad Retirement Act, which amendment would increase the amount of the retirement benefits due the individual persons receiving these benefits. This increase has long since been due. The present bill will grant an increase of these benefits by approximately 20 percent; and this increase can be given without impairing the retirement fund upon which so many faithful persons must depend. The figures show that the present balance in the railroad retirement fund is well over \$1,000,000,000 and that a fund of \$450,000,000 will be ample for the purposes of the Retirement Act. In the event the fund is reduced below \$450,000,000, the contributions to the fund automatically increase so as to guarantee it shall not sink beneath \$250,000,000. I am therefore heartily in favor of this legislation. In fact, I would have supported legislation increasing benefits beyond the 20 percent indicated by this bill but for the fact that persons in whose judgment I have utter confidence felt that we should not test the soundness of the railroad retirement fund at the present time. I am therefore complying with the judgment of those who feel that the present bill is a proper one at this time.

The cost of living has greatly increased during the last few years. It has reached the point where some increase in retirement benefits to the railroad people is imperative if they are to live in decency and self-respect. My earnest hope is that this increase will go far to alleviating some of the suffering which these people have sustained during these inflationary years and will give them some degree of comfort and satisfaction.

Mr. Speaker, I hope that this bill will pass both Houses and become the law of

the land prior to the time when this Congress adjourns and we Members return to our respective homes and our districts.

Mr. CROSSE. Mr. Speaker, I yield such time as he may desire to the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Speaker, I rise in support of this bill, H. R. 6766.

During this Eightieth Congress, a number of bills have been introduced to amend the Railroad Retirement Act so as to increase retirement benefits; to restore the lump-sum death-benefit pensions that were removed in 1946, and to make these pensions available to railroad men who are already retired, as well as those who will retire.

I understand that it was difficult to get agreement from labor and management on most of the recommended changes and therefore no bills were reported out by the committee. However, a bill has been introduced by the chairman of the Committee on Interstate and Foreign Commerce the gentleman from New Jersey [Mr. WOLVERTON], which includes many of the desired changes and which I understand is agreeable to both labor and management.

There are a large number of railroad men living in my congressional district and I am personally acquainted with many of them. These railroad men have long been the backbone of our Nation. They are solid, highly respected, loyal citizens. Through their labor they have made a tremendous contribution to the successful operation of our great transportation system and the economy of the Nation, which depends on this transportation system.

When the present Railroad Retirement Act was adopted, it gave the railroad men a fair pension upon the completion of their life's work. However, at today's high cost of living, this pension is woefully inadequate. It will buy about half of what it bought prior to 1940. This is certainly not a fair return to the railroad man for his years of faithful service to the American public. These men are not receiving the benefits which Congress intended them to have when it passed the Railroad Retirement Act.

H. R. 6766, which is scheduled to come before the House today is an attempt to correct this condition. It does not grant as much of an increase in retirement benefits as the railroad men deserve, but it is a step in the right direction, and I believe the best legislation that can be gotten before the adjournment of this Congress. Therefore, I strongly urge the Members of the House to approve this bill by an overwhelming majority.

Mr. CROSSE. Mr. Speaker, I yield such time as he may desire to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, I commend the committee for bringing out this legislation for consideration by the House today. With time running out on this session of Congress, I had become fearful that all of the much needed amendments to the Railroad Retirement Act might be caught in the last minute jam and fail of passage.

The meager annuities now being received by retired railroad workers are in

most cases insufficient to meet minimum subsistence requirements. The bill before us provides a 20 percent increase in these annuities which still leaves much to be desired but will nevertheless make a great deal of difference to retired railroad people.

It is gratifying also that this bill has restored to the Railroad Retirement System provision for lump sum settlement to the survivors of an employee in case of death. The absence of such a provision has been particularly onerous to many employees who made contributions to the fund but who were never able to participate in its benefits.

During the past year I have had numerous communications from railroad employees in my district, pointing out inadequacies in existing retirement legislation. There has at times been evidence of disagreement among the employees themselves, and I am glad to learn from the remarks made here on the floor that this bill has been approved by the representatives of the great majority of railroad employees. My recent correspondence indicates that many of the railroad employees in my district feel the need for other amendments to the present act which are not embodied in the bill under consideration. Although it may be desirable to provide additional benefits under the Railroad Retirement Act, I am grateful that we are today considering this measure and am confident that it will receive the overwhelming support of the membership of the House.

I believe that within the limitations imposed by the necessity for keeping the retirement fund actuarially sound, we should as promptly as possible broaden the benefits available to railroad employees to enable these people to maintain the highest possible standard of living after retirement.

Again let me congratulate the committee for this constructive step forward and let me urge a continued study of this problem so that further improvements may be made at the earliest practicable date. There should not be a single vote against this measure. I hope it will pass unanimously.

Mr. CROSSE. Mr. Speaker, I yield such time as he may desire to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Speaker, I rise to support this bill. For many weeks I have been corresponding with railroad employees in my district regarding legislation to provide increases in the annuities of retired railroad employees. I have received several hundred letters calling attention to the fact that living costs have increased and that these increased costs are felt by the retired railroad employee as much, if not actually more, than the active worker who is still on the job and drawing a pay check each and every pay day.

It is, of course, important that no law shall be passed which will tear down the retirement fund. It is important to preserve the soundness of the retirement fund. I have made careful inquiry into the question as to whether this bill will affect the soundness of the railroad retirement fund, and I am reliably informed that it will not adversely affect

it, but that the soundness of the retirement fund will be preserved, if this law is enacted.

There are three objectives which legislation of this kind should accomplish, namely, to increase the amount of the annuities, to avoid increasing taxes, and to preserve the soundness of the retirement fund. This bill will accomplish these three objectives. It will give much needed relief to retired railroad employees, who must depend upon their pensions for a living. It will hold out hope to those who are now working, and who have not yet reached retirement age, that when their day of retirement does come, they may look forward to a pension which will more adequately provide for their needs.

I take this opportunity to express my appreciation to the chairman of the Interstate and Foreign Commerce Committee, and to the members of that committee, for working diligently and hard upon this legislation, and my appreciation to them for bringing this bill to the floor today for consideration by the whole House.

A word of appreciation is most certainly in order for Representative ROBERT CROSSE for his untiring work in behalf of railroad-retirement legislation, not only this year, but in years gone by.

I support this bill with pleasure, and sincerely hope that there will not be a vote against it.

Mr. CROSSE. Mr. Speaker, I yield such time as he may desire to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, I heartily support this meritorious measure. It is significant that it comes to us with the support of both labor and management. Equally significant is the splendid backing given the measure from the committee and from both sides of the aisle. There should be no politics in our efforts to insure good working conditions, good pay, and adequate retirement programs for the Nation's workers.

Unquestionably a more liberal retirement program is needed by railroad workers. The provisions of this bill will help to alleviate their condition. I feel that more could and should be provided, but this is a step in the right direction. And step by step I hope that the Congress will rewrite in more liberal terms all of the measures which now affect aged or retired personnel. Altogether too many of these have been too long neglected.

Mr. CROSSE. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, when it comes to the consideration of legislation affecting the welfare of railroad employees I feel I can almost on faith follow the lead of my good friend from Ohio [Mr. CROSSE], who has championed their cause throughout the many years of my service in this Chamber; yea, even long before I came to Congress Bob CROSSE fought for and won many a battle in their behalf. I shall therefore vote for H. R. 6766 without further discussion of its merit. The only thing that could be offered to improve the bill would be an amendment to sweeten or

liberalize the benefits, but inasmuch as time before adjournment grows short this worthy bill might be jeopardized by lengthy debate. Let us pass it now as is and improve the law further in the next session.

Mr. CROSSEY. Mr. Speaker, I yield such time as he may desire to the gentleman from Georgia [Mr. WHEELER].

Mr. WHEELER. Mr. Speaker, I heartily endorse this legislation. It gives me great pleasure to be afforded the opportunity of supporting H. R. 6766, the purpose of which is to amend the Railroad Retirement Act of 1937 as amended and the Railroad Unemployment Insurance Act.

In the face of the current high cost of living this legislation is long overdue. There is no gainsaying the fact that thousands of people in this country are in dire need of the additional benefits provided by the bill which we now have under consideration. I take this opportunity to commend the committee which brought this legislation to the floor for action and to pay my respects to the gentleman from Ohio [Mr. CROSSEY], who is greatly responsible for the liberal provisions embodied in this bill.

I would much prefer to have been given the chance to support Mr. CROSSEY's original bill on the subject at hand but since H. R. 6766 grants at least part of the benefits proposed by Mr. CROSSEY, I am happy to support it as being much better than no legislation at all on the subject. The fact of the matter is that the bill under consideration grants much more liberal benefits than had been anticipated during this session of Congress.

I feel sure that there will be few voices raised against H. R. 6766 since the need for this legislation has been so clearly shown and since its immediate passage is justified.

Mr. CROSSEY. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on this bill in general at this point.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HOEVEN. Mr. Speaker, I want to congratulate the Committee on Interstate and Foreign Commerce for its foresight in unanimously reporting out H. R. 6766. The fact that it has the support of both management and labor is most significant. In my judgment it is legislation long overdue. The legislation has my wholehearted support and I am sure the enactment of this bill will please the loyal railroad workers of the Eighth Congressional District of Iowa.

Mr. McGARVEY. Mr. Speaker, it has been a real pleasure and honor to work and support the railroad employees' retirement bill and I thank the committee.

Mr. REES. Mr. Speaker, I am supporting H. R. 6766, amending the Railroad Retirement Act of 1937, as amended, and the Railroad Unemployment Insurance Act, as amended. I am assured by the sponsors of the bill that this measure has the approval of all of the representatives of the railway employees

and that it also has the approval of the employees themselves.

The bill in substance provides that all retirement annuities and pensions that are paid under the Railroad Retirement Act are increased by 20 percent. The measure further provides a guarantee that every employee who contributes to the system will obtain in benefits either for himself or his survivors or a designated beneficiary an amount equal to the contribution he makes together with an allowance in lieu of interest.

The amendments to the Unemployment Insurance Act substitute for the present flat 3-percent contribution rate a sliding scale under which the tax rate is automatically adjusted in accordance with the amount of reserves in the Railroad Unemployment Insurance Act.

I am informed that so long as the reserve is \$450,000,000 or more that the rate will be one-half of 1 percent and that the rate increases one-half of 1 percent for each \$50,000,000 by which the reserve is less than the sum of \$450,000.

Mr. Speaker, I believe that in view of the increased cost of living and considering that many railroad employees have retired when their salaries were not as high as they are at the present time, that an increase in retirement pay is necessary.

Furthermore, Mr. Speaker, this Congress has recently approved liberal increases for those who have retired from employment in the Government service. It is only fair that those faithful employees in the railway service should be entitled to similar consideration.

Mr. Speaker, there is another important matter with respect to this problem of retirement in which I have always been deeply interested and that is to see to it that those employees who have rendered long and faithful service and through no fault of their own become totally disabled before they reach the required age of service for retirement, be given proper protection. We ought, so far as we can, make sure that men disabled in service are not pushed aside because of technical or other reasons when they ought, as a matter of right, be allowed fair compensation. We forget too often that many of these employees are engaged in hazardous work and by reason thereof ought to be amply protected. We should deal with this problem of retirement and unemployment insurance in a realistic manner and try so far as we can to do the thing that is right for the thousands of deserving people employed in the railroad service of this country.

Mr. BOGGS of Delaware. Mr. Speaker, I wish to congratulate the distinguished gentleman from New Jersey, the Honorable CHARLES A. WOLVERTON, chairman of the House Interstate and Foreign Commerce Committee, upon the introduction of his bill, H. R. 6766, which grants to former railroad workers who are presently retired on pensions, and to railroad workers who will retire in the future, an increase in their retirement annuities of 20 percent. It also, among other things, restores the provision for

lump-sum death benefit payments which was in effect before the 1946 amendments to the Railroad Retirement Act.

Several cases have been brought to my attention of the inadequacies of the present benefits compared to present living costs. These cases are real, difficult hardship cases and involve aged and retired employees of the railroad industry. Existing funds, I understand, are ample to support the proposed increases. This bill does not involve an increase in taxation. I am advised that this bill will not endanger the financial stability of the railroad retirement system. From various angles which I have endeavored to study the proposal, it appears to be sound and meritorious.

Since the inception of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, there has been established and maintained a fine nonpartisan approach to this very important matter.

There have been many bills introduced which affect railroad retirement alone. I have endeavored to give a great amount of time and study to these bills and have urged the Committee on Interstate and Foreign Commerce to take up these bills for hearings and consideration. I am glad, therefore, that the distinguished and able chairman of the committee has introduced his own bill, which contains many of the features of the various other bills. I am also glad to learn that there is general agreement in the committee on this bill and that both the railroad industry and the railroad labor organizations are in favor of the measure.

In view of the above, I wish to express here the hope that this measure may receive speedy and favorable action by this Congress and that it will be passed by the House today.

Mr. CROSSEY. Mr. Speaker, I yield such time as he may desire to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, I am heartily in favor of this bill (H. R. 6766) for the reason that it will provide a substantial increase in the pensions of retired railroad employees. While it may be inadequate to meet the high cost of living of today it will afford these annuitants some measure of assistance which they are entitled to and so richly deserve.

The bill provides a flat 20-percent increase in pensions and annuities, and this increase applies to those who are now retired as well as to those who will retire in the future. The increase will become effective in the month following the enactment of the law without the necessity of any application therefor being made on the part of those affected. In addition, the bill before the House restores to the railroad retirement system a feature which was omitted by the 1946 amendments whereby railroad employees are guaranteed benefits, either to themselves or to survivors or designated beneficiaries, at least equal to the amount they have contributed, plus an allowance for interest.

The railroads, who alone pay the tax for unemployment insurance, are permitted to reduce the tax rate on a graduated scale so long as an ample balance

is maintained in the fund. This extends to the railroads substantially the same treatment accorded every other employer with respect to unemployment insurance under the several State and Federal social-security systems.

The pending bill, therefore, accomplishes a fourfold purpose. It increases the amount of the annuities; it avoids increasing taxes; it preserves the soundness of the retirement fund; and restores on an optional basis the provision for lump-sum death-benefit payments that was in effect before the present law was amended in 1946.

Numerous bills have been introduced during the present session to amend the Railroad Retirement and Unemployment Insurance Acts. Many of the measures sought by different means and in varying degrees to increase the benefits paid, while others provided adjustments of various kinds in the taxes and contributions collected. As an example, the Crosser bill (H. R. 5993), which was introduced at the request of the employees, provided a graduated increase in retirement annuities, ranging from 20 to 25 percent and averaging 20.4 percent, whereas the measure under consideration provides for a uniform increase in retirement benefits of 20 percent. I do not believe that this slight difference will be considered significant by any of the parties concerned in the bill. The Railroad Retirement Board has reported that its actuarial studies show that the enactment of this measure will not in its judgment jeopardize the soundness of the financing of the railroad retirement system.

The proposed legislation is the result of an agreement between railroad labor and railroad management. Some provisions, standing alone, management would not recommend; while others, standing alone, the employees would not approve. However, considering all of the provisions as a whole, the bill represents a fair solution of the problem, and embodies changes in the existing law that are urgently needed. It does not involve any other changes in the rights of employees, either with respect to retirement or unemployment rights which are now in effect.

The steady increase in the cost of living has diminished the living standards of all retired railroad employees and has inflicted severe hardships on many. These conditions will not be entirely remedied by the pending legislation, but there will be substantial relief. It is fortunate that labor and management were able to reach an agreement because it is doubtful whether otherwise it would have been possible to secure the enactment of any legislation in the short time that remains before adjournment of the Congress.

I shall vote for this bill with very great pleasure, and I trust that it will receive overwhelming approval.

Mr. WOLVERTON. Mr. Speaker, may I inquire how the time stands?

The SPEAKER. The gentleman from New Jersey has 7 minutes remaining, the gentleman from Ohio, 10.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the

gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, I rise at this time to support H. R. 6766, a bill to amend the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

It is my privilege to represent a district with a large railroad population principally because at Altoona, Pa., is located the Pennsylvania Railroad shops, the largest railroad shops in the world. In addition, the Baltimore & Ohio Railroad at DuBoise and the New York Central Railroad at Clearfield employ thousands of men. It is estimated that current railroad employment in my congressional district totals 32,698, with an estimated total potential retirement coverage of 81,745.

As a result, there are thousands of retired railroad employees who will benefit directly by this legislation. At the present time these thousands of retired employees are living under conditions, due to the high cost of living, that make it impossible for them to receive the bare necessities of life.

According to the Railroad Retirement Board, for the fiscal year of 1947 there were 240,026 persons on the retirement rolls whose average monthly benefits were \$61.10. Widows 65 years and over on the retirement rolls received a monthly payment of \$28.34, while dependent children averaged \$15.70 monthly, and dependent parents \$16.84 monthly.

These recipients of railroad-retirement benefits are faced with the high cost of living, which has practically doubled since the Railroad Retirement Act became effective in 1937. This increase in the cost of living is no fault of this particular group of retired railroad employees. There is hardly a day in the week that I do not receive pathetic letters from retired railroad employees or their survivors informing me of their dire circumstances.

Let me quote a few excerpts from some of these letters I have been receiving:

We find it hard to live on our small pension of \$50 monthly since the prices are so high. We do not like to ask our children for help because they have a hard time making ends meet. But we do want to live the few years we have left without worry and anxiety.

A wife 73 years of age, whose husband is 76 years of age and permanently disabled, writes me as follows:

The \$50 monthly pension is all we have in the way of income. My husband has been

bedfast since April 1946 and in need of medicine and medical attention. We are existing on one meal a day, which is very scanty, since \$50 monthly is all we have to depend upon to keep body and soul together.

Another retired employee writes:

I am 67 years old and worked 2 years over my time. Now I receive \$55 a month. How can I keep three people and buy coal, clothing, and food on \$55. We are hungry many times and have to accept food from our neighbors.

No doubt there are many of you who have received similar letters from retired railroad employees, emphasizing the need for an increase in present benefits.

H. R. 6766 provides that these retired employees will receive a 20-percent increase in benefits. In the case of a person receiving \$60 monthly the increase will mean an additional \$12 monthly. While it is true that this increase is a modest one, it will, at least, convey to these retired employees that Congress is conscious of their plight.

According to the Railroad Retirement Board, the total cost of the 20-percent increase provided in this bill for the fiscal year 1949 will be approximately \$48,000,000, with the cost increasing to about \$66,000,000 in 1952, with a gradual increase thereafter due to the increasing number of employees expected to retire.

It must be kept in mind that the funds necessary to pay railroad retirement benefits are raised through employer-employee contributions and that no money is appropriated for this purpose by the Government.

Over a period of years the cumulative balance in the Railroad Retirement Account has increased considerably. For an illustration, in 1941 and 1942 the balance was approximately \$95,000,000. By 1947 the fund had increased to approximately \$811,000,000 and as of March 1, 1948, it was approximately \$1,300,000,000.

This balance, in the opinion of the majority of the members of the Railroad Retirement Board, is adequate to support a 20-percent increase in present benefits and will not endanger the soundness of the fund, nor will it be necessary to increase pay-roll taxes.

At this point, I want to call attention to the following table of receipts and expenditures of the Railroad Retirement Account for the fiscal years 1942 to 1947, inclusive. The table is as follows:

Fiscal year	Receipts	Expenditures	Balance	Cumulative balance
1941-42	\$143,993,059	\$126,656,781	\$17,336,278	\$94,139,717
1942-43	220,577,849	130,863,977	89,713,872	183,863,589
1943-44	272,557,049	135,215,326	137,341,723	321,195,313
1944-45	324,057,493	142,527,642	181,529,851	502,725,164
1945-46	312,024,329	153,815,252	158,209,077	660,934,240
1946-47	322,420,274	173,101,153	149,319,121	\$10,253,361

NOTE.—Receipts consist of appropriations and interest.

You will observe that in the year 1941-42 the net balance which accrued to the fund was about \$17,500,000. In the period of 1944-45 the balance reached a peak of \$182,000,000, while in 1946-47 it dropped to \$150,000,000.

The fluctuation in the yearly net balance is due to the fluctuation in railroad employment. At the present time the cumulative balance, as previously mentioned, is \$1,300,000,000. Indications are that railroad employment will continue

at a moderately high level, which is assurance that the Railroad Retirement Fund will be kept in a healthy condition.

It is encouraging to me to know that this legislation has the endorsement of railway labor and railway management and I wish, at this time, to commend the House Interstate and Foreign Commerce Committee for taking favorable action in reporting this bill. Many of us who introduced similar bills made constant demands upon the committee for action and, at times, may have appeared too zealous.

However, the plight of the retired railroad employees motivated us and I am glad that our pleas have been heard and that the present legislation will receive the approval of Congress.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, the passage of this bill is necessary, and I believe certain.

It is a satisfaction for me to say I represent a district in which reside hundreds of railroad men. They have been my friends ever since I first ran for Congress.

Unlike some groups in organized labor, the railway brotherhoods do not make it a practice of crucifying Congressmen who do not always agree with them. They are generally fair and considerate to men who vote their convictions.

I have usually gone along with what the railroad employees in my section want. They are hard-working, honest citizens, and, in my opinion, deserve the best this Congress can give them.

Today we are voting to raise their retirement pensions 20 percent. Many people back home who have been writing me on this subject for years will be glad indeed of the action we are taking.

Retired railroad workers are faced with higher living costs just like the rest of us. Their families are in need, and we are fulfilling promises made in the past by approving their pension increase today.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I am glad that so many Members have indicated their support of this legislation. I remember that it was not always that this was the case. Two years ago we had a very long and hard fight over this kind of legislation. I at that time did all I could in favor of the Crosser bill and the Crosser amendments. I was a member of the Ways and Means Committee when the railroad retirement bill was first passed. I had a very active part in the writing of the first Railroad Retirement Act. I have helped to strengthen it and have supported any amendment in that direction.

In this present session of Congress I took a very active part in holding in the Ways and Means Committee a bill which would have reduced the fund out of which benefits would be paid to the railroad men when they became unemployed. The railroad employees were opposed to that legislation because they

wanted this fund held intact so as to guarantee that there would be a sufficient fund to meet the demands that might come should we find ourselves again in the midst of another serious depression. Those who were advised with reference to what we did in holding back that legislation appreciated our efforts very much. I am glad to support this pending measure.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Speaker, this bill was introduced by the gentleman from New Jersey, Representative CHARLES A. WOLVERTON, one of the best friends to the railway employees of this country in Congress. I favor its enactment. These amendments to the Railroad Retirement Act accomplish two fundamental purposes. By the provisions of section 1, together with the provisions of section 3, all retirement annuities and pensions payable under the Railroad Retirement Act are increased by 20 percent. In the second place, by the provisions of section 2 of the bill, there is restored to the railroad retirement system a provision which was in the act prior to the 1946 amendments, and which in effect, is a guaranty that each employee who contributes to the system will obtain in benefits, either for himself or to his survivors or to a designated beneficiary an amount at least equal to the contribution he makes, plus an allowance in the place of interest.

The amendments to the Unemployment Insurance Act substitute for the present flat 3-percent contribution rate, a sliding scale under which the tax rate is automatically adjusted in accordance with the amount of reserve in the railroad unemployment insurance account at the close of business on September 30 of each year. If the reserve is \$450,000,000 or more, the rate will be one-half percent; the rate thereafter increases one-half percent for each \$50,000,000 by which the reserve is less than that amount, and the rate will reach a 3-percent rate if the reserve should fall below \$250,000,000.

THERE IS A NECESSITY FOR THIS LEGISLATION

Various bills were introduced to accomplish the purpose reached by these amendments. In a conference between the railroad managements represented in the Association of American Railroads and the employees represented in the Railway Labor Executives Association, an agreement was reached by the representatives of the great majority of railroads and the representatives of the great majority of the employees on the provisions which are contained in this bill. The representatives of the railroads and the representatives of the railway employees were heard at length by the Committee on Interstate and Foreign Commerce. At these hearings it appeared that this bill had the support of the Brotherhood of Locomotive Engineers and the Brotherhood of Railroad Trainmen, who are not members of the Railway Labor Executives Association.

In order to secure the enactment of this measure it was necessary that the terms

of the measure be agreed upon by the railroads on the one hand, and the railway employees on the other. Taking the provisions as a whole, the bill is a fair solution of the problems sought to be settled by this measure. The bill contains provisions that will maintain the solvency of the fund from which the increased benefits provided by the act are to be paid.

I am happy to cast my vote in favor of the enactment of this measure.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Speaker, I rise in support of H. R. 6766, to amend the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

I believe this is a meritorious and worth-while bill which deserves immediate passage. Its provisions have been reached after careful consideration of the facts and conditions as presented by both management and labor. Moreover, the human factors involved received the serious attention they deserved.

This bill will provide a 20-percent across-the-board increase in the retirement benefits to our railroad employees and their survivors. We are all cognizant of the tremendous contribution the railroad workers have made to our national welfare.

I particularly like the changes which have been written into this bill over some of the other measures. The features providing for either a lump-sum payment or annuity upon retirement to these employees or their families are good. This increase has been sorely needed to meet the high cost of living which has pinched these folks the hardest who are living on a fixed income or pension.

I am glad to vote for this bill and urge its immediate passage.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I believe the chairman of our committee, the gentleman from New Jersey [Mr. WOLVERTON] is due a hearty vote of thanks on the part of all the Members of the House for his assistance in bringing out this splendid measure. We are all in favor of the bill.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Speaker, having lived close to the railroad men who did such a magnificent job in handling the commerce of the Nation, regardless of the time and effort during the recent war, and who are continuing to help give us the best system of transportation in the world, it is indeed a pleasure for me today to lift my voice in the support of H. R. 6766 which amends the Railroad Retirement Act and the Railroad Unemployment Insurance Act which will be of great benefit to the railroad employees generally.

I am very glad to note that real conference-table bargaining in the finest traditions of collective bargaining between railroad management and the officials of the employees has brought

about a unanimous agreement written into this act which will not only be of great benefit to the employees, but at the same time will be beneficial and fair to the management. It is a fine demonstration of mutual trust in helping to make free enterprise really work in the Nation. I compliment both the representatives of labor and the representatives of management for the manner in which they have handled this most complex problem.

So far as the Railroad Retirement Act is concerned, the bill provides in sections 1 and 3 for a 20-percent increase in pension and annuities. This 20-percent increase applies to those who are now retired, and to those who will retire in the future. The increase is effective in the month following the enactment of this law without the necessity of any application on the part of those affected. It is thought the increase in pension benefits is all that can safely be made at this time in order to make certain that the pension fund is kept in sound condition.

It is important to note that the Railroad Retirement Board which administers the act approves this bill and states in its report to the committee that it will not jeopardize or destroy the soundness of the fund.

In section 2 the bill restores on an optional basis the provision for lump-sum benefit payments that was in effect before the act was amended in 1946. This means that every employee who has contributed to the system will receive the benefits either to himself or to survivors, or his beneficiary, an amount equal to the amount paid in pay-roll taxes plus an allowance for interest. Mr. Speaker, as to the Unemployment Insurance Act, the bill substitutes for the present flat 3-percent tax, a sliding scale under which the tax is automatically adjusted in accordance with the amount of reserves in the railroad unemployment insurance account as of September 30 of each year. The rate of tax will range from a minimum of one-half to 1 percent when the balance in the fund is \$450,000,000 or more, to a maximum tax of 3 percent when the balance is less than \$250,000,000. As long as the reserve remains at \$450,000,000,000 or more the rate of tax would remain at one-half percent and the rate is then increased by graduated steps at one-half percent for each \$50,000,000 by which the reserve is less than that amount, again reaching the full 3-percent rate if the fund should fall below \$250,000,000.

The graduated scale of tax provided in this bill is adequate to insure against depletion of reserve and at the same time it will relieve the railroad of continued unnecessary payments of money which could be used in providing and improving service to the public. The fact that the representatives of railway labor have agreed to this bill is assurance that they are satisfied that the rates and payments required in the fund will be sufficient at all times to provide an ample margin of security.

Mr. Speaker, in this act we have arranged to increase by 20 percent the present and future retirement benefits due

to the fact there has been a considerable increase in the cost of living. It is clear that annuities which retired persons are now receiving are inadequate to cope with the higher cost of living. The same situation will doubtless exist as to the annuities of those employees who will retire in the future. This bill will benefit all of those coming under the act, not only for the present, but for the long-range future. We must keep the fund sound and we must increase benefits to compensate for the higher cost of living. That is what we are doing in this legislation. While it may not go all the way in meeting this additional cost, it goes a considerable distance and as far as the representatives of the railroad men and management think it is prudent to go at this time.

Mr. Speaker, it reestablishes the lump-sum death-benefit payment which was in the original act and was abolished by the amendments of 1946. This should never have been done. It will guarantee on an optional basis to every employee who has contributed to the retirement fund, or to survivors or a beneficiary in the event of no existing survivor, an amount equal to the amount the employee has paid in pay-roll taxes plus interest. This is a good provision and answers many complaints that have come since the amendments in 1946.

Mr. Speaker, I am glad to be able to support this legislation and I hope it may pass the House by unanimous vote.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT. of Missouri. Mr. Speaker, I rise in support of H. R. 6766, favorably reported to the House by the Interstate and Foreign Commerce Committee, of which I have the honor to be a member.

This bill provides an immediate 20-percent increase in all railroad retirement pensions and annuities and a lump-sum payment provision guaranteeing that every railroad worker, his widow or other survivors, will get back all that he paid into the fund, plus interest. This bill increases benefits without any increase in cost to the worker or to the railroads. At present, the retirement fund has a reserve of almost a billion dollars. We are here providing a sliding tax scale, requested by the carriers, but with modifications designed to assure that the fund will remain ample to pay the promised benefits to railroad workers who are unemployed or laid up by illness or injury.

This bill is supported by the Railway Labor Executives Association, representing some 20 rail unions and, in addition, by the Brotherhood of Locomotive Engineers and the Brotherhood of Railroad Trainmen, who are not members of the Railway Labor Executives Association. It is also supported by the American Association of American Railroads. I regard this as a real legislative achievement, that we can bring out a bill supported by all concerned. It was not an easy thing to do. Twenty-four bills to amend the Railroad Retirement Act of 1937 and the Railroad Unemployment Insurance Act were introduced in the

Eightieth Congress and referred to my committee. It was only after careful study of all of these measures, and hearings which we conducted, that we were able to report the pending measure, which I know will be adopted and become law this month. The bill contains some provisions which, standing alone, management would not recommend and others which, standing alone, the employees would not recommend. Nevertheless, by considering all the provisions as a unit, both management and employees are in agreement that the bill represents a fair solution to the immediate problems concerning this legislation and recommend that the bill be enacted.

It is clear that the annuities which retired persons are now receiving are inadequate to cope with the higher living costs. I have long supported and followed the operation of the railroad retirement system. I have always been in full accord with its purposes. But I am convinced that its benefits must be adequate to permit the retired or disabled employee to maintain himself in reasonable comfort and decency. In accomplishing such a purpose we must be careful that the amount of benefits promised by the retirement system must in nowise jeopardize the soundness of the fund, which is built up by the contributions of the workers and the railroads. The Railroad Retirement Board informs my committee that the increased benefits we seek to grant in this bill today will not hurt the fund or require an increase of tax rates.

Mr. Speaker, I want to take this opportunity to repeat that this is not the first time I have taken an interest in the problems of the railroad employees. I have done so for years. The general shops of three great railroads are in my congressional district. The Frisco shops are at Springfield and the M. K. & T. and Missouri Pacific shops are at Sedalia, Mo. In addition, there are hundreds of rail employees in my district not employed in the shops. As a member of the committee of Congress which handles all rail-labor legislation, I have made it a particular point to fight for their interests. When the Taft-Hartley Act was being considered by another committee, I was one of those who insisted, with success, that all rail labor be specifically exempted from provisions of that law. Also, I voted against the slave-labor draft bill in the Seventy-ninth Congress when the administration sought to force workers into the Army to break a strike. My friends in the rail unions know of that record. One of the evidences of their friendship and support I received in 1946 when the Railway Labor Executives Association, representing 20 railway-labor unions, supported me for Congress. This group speaks for one and a half million railroad workers. Following is a copy of the letter I received on August 1, 1946, from A. E. Lyon, executive secretary of the association:

Hon. MARION T. BENNETT,
Member of Congress,
Washington, D. C.

DEAR MR. CONGRESSMAN: This letter is to again express our thanks for your support

of the Crosser bill amending and liberalizing the Railroad Retirement Act and the Railroad Unemployment Insurance Act.

You were particularly helpful in signing the discharge petition and also supported the bill and voted against destructive amendments on July 3. We have noted with much appreciation that you again voted for the bill when it was considered on the floor of the House on July 27.

Your continuous aid during the long period when this bill was pending before the Congress warrants the gratitude of all railway workers. As you know, the bill has now been approved by the President, with the result that great numbers of railway workers and members of their families will obtain benefits to which they have long been entitled.

Respectfully yours,

A. E. LYON,
Executive Secretary.

Earlier today this House passed my bill, H. R. 6696, which I sponsored for the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees. This measure was favorably and unanimously reported by my committee after 3 days of hearings. I hope that it, too, will soon become law. If it does it will correct many of the deplorable conditions, the hazards, and lack of sanitation which impair the working conditions in these cars.

On June 5, 1948, Labor, the official weekly newspaper of 15 of the recognized standard railroad labor organizations, carried an article on its first page, with my picture, commenting on this measure. The article said, in part:

Credit for securing favorable action by the committee was given BENNETT by Hartman Barber, general representative of the clerks. "Once again, Congressman MARION T. BENNETT has shown his sympathy toward problems affecting railway workers, and in this instance he has been a sturdy advocate of correcting the unsafe and unsanitary conditions existing in express and baggage cars in which express messengers and train baggage men have to work," Barber said.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. POULSON].

Mr. POULSON. Mr. Speaker, I am very happy to support this legislation. I have many of the beneficiaries of it in my district.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Speaker, it is refreshing indeed to have this kind of legislation come to the floor with a unanimous report of the committee. It is a very creditable accomplishment of the Committee on Interstate and Foreign Commerce, and its leadership, to bring before the House of Representatives H. R. 6766, the Wolverton bill.

Briefly, the bill increases retirement benefits under the Railroad Retirement Act by 20 percent. This is the most important provision of the bill and will be of considerable help to retired railroad workers. It also sets up a sliding scale of payments to the retirement fund, based upon the amount of money in the reserve of the retirement fund. The Railroad Retirement Board joined with the labor and management of the railroads in endorsing the bill.

This legislation represents very considerable effort and complete success in reaching agreement between railroad labor and management and the board. It is refreshing to have such agreement consummated by legislative action.

The staff of the committee also deserves much credit for this work. The men who compose the committee staff worked ardently to bring about complete accord between those interested.

Its unanimous passage by the House of Representatives is a tribute to the wisdom of the bill. I have had many communications from people in the Sixth District of Iowa concerning this type of legislation. It is sincerely hoped that this bill is a step in the right direction to meet the needs of our railroad workers and to make the Railroad Retirement Act a more adequate law to meet the needs of a great industry.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. HUGH D. SCOTT, JR.]

Mr. HUGH D. SCOTT, JR. Mr. Speaker, it is a great tribute to management and to labor that they were able to get together on so effective and so important a piece of legislation as this is. I would like to pay high compliment to the distinguished chairman of this committee whose patient efforts contributed so greatly toward a constructive solution of a very difficult problem and resulted in such complete satisfaction to both labor and management. Past Congresses have tried and failed to come up with a solution. This Congress has shown the way to be progressive, but this is not enough in itself unless the legislative product is also effective. This piece of legislation is hailed as a success, thanks largely to the persuasiveness and effectiveness of the chairman of the Committee on Interstate and Foreign Commerce.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. HESELTON].

Mr. HESELTON. Mr. Speaker, I am confident that the action soon to be taken on this resolution will be an overwhelming, if not unanimous approval of the recommendation of the Committee on Interstate and Foreign Commerce.

That committee has made consistent efforts all this session to develop legislation which could result in such approval by all the Members of the House as being in the common interest of the railroad employees, the railroad industry, and the public. The committee report explains concisely and clearly the purposes of, and the necessity for this legislation. As stated in the report, it is noncontroversial, is urgently needed, and should be enacted at the earliest possible moment. That moment will be within the next few minutes, and I hope that the result here will have the immediate effect of clearly indicating the wisdom of prompt and favorable action elsewhere.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, I am glad to give my full support to this bill H. R.

6766. It is a deserved recognition of the rights of railroad labor. I commend the chairman of the committee the gentleman from New Jersey [Mr. WOLVERTON] and his associates on the committee for bringing in the bill and giving us an opportunity to enact it into law before we adjourn. It is fortunate that both railroad management and labor are in agreement on the measure.

The amendments to the Railroad Retirement Act are designed to accomplish two basic purposes. First, by the provisions of section 1, together with the provisions of section 3, all retirement annuities and pensions payable under the Railroad Retirement Act are increased by 20 percent. Secondly, by the provisions of section 2 of the bill, there is restored to the railroad retirement system a feature which was in the act prior to the 1946 amendments, and which in effect, is a guaranty that every employee who contributes to the system will obtain in benefits, either to himself or to survivors or a designated beneficiary, an amount at least equal to the contribution he makes, plus an allowance in lieu of interest.

The amendments to the Unemployment Insurance Act substitute for the present flat 3 percent contribution rate, a sliding scale under which the tax rate is automatically adjusted in accordance with the amount of reserves in the railroad unemployment insurance account as of the close of business of September 30 of each year. So long as the reserve is \$450,000,000 or more, the rate would be one-half percent; the rate then increases one-half percent for each \$50,000,000 by which the reserve is less than that amount, again reaching a 3-percent rate if the reserve should fall below \$250,000,000.

Mr. Speaker, I want particularly to commend our colleague the gentleman from Ohio [Mr. CROSSER] for the gallant fight he has carried on through the years for the rights of railroad labor and I am proud to have associated myself with him in support of this and the so-called Crosser bill of the last session. I hope this bill will receive unanimous support.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, I am glad to support this bill which corrects two of the injustices in the act of 2 years ago. First, it actually does something for the retired railroaders by increasing their pensions. Nothing was done for this group 2 years ago. Second, it puts the unemployment-insurance payments on a merit basis approximating the system applied to other employers, instead of singling out the railroads for discriminatory treatment.

As far as I can see, this bill not only satisfies the railroads and their employees, but is also in the public interest. Now and in the future we must remember that legislation and other Federal action affecting railroads must not only be satisfactory to the railroads and their workers, but must benefit the general public. Whatever we do to or for the railroads, or their employees, affects everybody. Whatever the railroads do to or

for their employees, and whatever the brotherhoods do to or for the railroads, affects everybody. We want the principal effect on the public, from any of these actions, to be beneficial.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Speaker, I commend the committee for bringing out this very excellent piece of legislation.

It seems to me imperative because of the inadequacy of present benefits compared to present living costs that this measure should become law before this session closes. The bill does not involve any increase in taxes or contributions. The amount of money existing in the retirement fund is ample to support the proposed increases. The need is undeniable and there can be no justifiable reason for failure to pass this legislation immediately. While I would have preferred to see my bill acted upon and passed because it comes closer to meeting the needs of the recipients, yet, inasmuch as time is of the essence and this particular bill has the united support of all factions, I trust the House will vote favorably upon it.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Maryland [Mr. BEALL].

Mr. BEALL. Mr. Speaker, I have been very much interested in the welfare of the railroad worker. I have recognized the need for improvement in the Railroad Retirement Act and have always supported legislation which would be beneficial to these workers. The annuities paid the retired railroad workers are based on living costs and wages which prevailed in the early thirties and certainly are not in line with the cost of living today. Under the provisions of H. R. 6766 not only the retired railroad workers but the widows, orphans, and aged parents of those who have died will definitely be benefited. Since being a Member of Congress I have worked to help this deserving group and I hope this legislation will be enacted into law.

While H. R. 6766 does not go as far in helping the retired railroad worker and his dependents as I would like, I do think it is a step in the right direction. I urge the Interstate and Foreign Commerce Committee to continue this work in order that the railroader may eventually receive the retirement compensation he has earned and so richly deserves.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. McMILLEN].

Mr. McMILLEN of Illinois. Mr. Speaker, I heartily approve of this legislation.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. ELLIS].

Mr. ELLIS. Mr. Speaker, it was my pleasure to appear before the House Committee on Interstate and Foreign Commerce in support of H. R. 6766.

As I understand it, the amendments to the Railroad Retirement Act are designed for two basic purposes. The first is that all retirement annuities and pen-

sions payable under the Railroad Retirement Act are increased by 20 percent.

While all of us agree that this increase is not an abundance, it will certainly be helpful in view of the present cost of living.

The amendments further provide for the restoration to the railroad system a feature which was in the act prior to the 1946 amendments, and which in effect, is a guarantee that every employee who contributes to the system will obtain in benefits, either to himself or to survivors or a designated beneficiary, an amount at least equal to the contribution he makes, plus an allowance in lieu of interest, which is a very desirable improvement.

I again congratulate the committee for its approach to this problem. While it is not all that some of us had hoped for, it is probably the best that could be worked out at this time and is a step in the right direction.

This action on the part of the committee, and I hope on the part of the Congress, indicates that we are ready and willing to correct existing inequities.

I shall support the measure.

Mr. CROSSER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, it is really a refreshing experience to sit here today and see such unanimity of opinion among Members on both sides of the aisle in support of the pending legislation, which indicates to me that men with fighting hearts like BOB CROSSER, ultimately bring results. As I noted this splendid exhibition of unanimity of thought and action in support of this bill my mind went back to 2 years ago when in the closing days of a session of the Congress a progressive measure of that time to help the employees of railroads was bitterly opposed and when it came back from the Senate the effort was made to prevent it coming up for further consideration.

My mind also went back to 1935 when the original bill was passed and to 1937 when certain amendments thereto were adopted.

I am pleased, Mr. Speaker, with this attitude of unanimous manifestation on legislation that in bygone Congresses should have received the same unanimous support. To the chairman of the committee and the other members I want to extend my congratulations, although unanimous action is many years delayed. We Democrats are very glad to welcome you Republicans into the fold so far as this bill is concerned, because it is Democratic legislation. It originated with the Democratic Party and has always been fought for on this side of the House. We have always fought for improvements in the laws relating to railroad employees. We are glad to see and receive converts.

While I congratulate the chairman and the members of the committee, I want to pay especial tribute to one of the greatest men I ever served with, a man who has suffered every minute for years, but who has performed his duty with courage and determination. To me he is at all times an inspiration. The

railroad employees of America owe a debt of gratitude which they can never repay, and should never forget, to one of the greatest and most courageous men I have ever known, the father of this legislation, our distinguished colleague the gentleman from Ohio [Mr. CROSSER].

Mr. CROSSER. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Speaker, the chairman has given a most comprehensive and accurate description of this legislation. I agree with him in support of it. I believe this bill deserves to be supported from the standpoint of the public interest.

We cannot afford to close our eyes to the great problem that Social Security presents to this country. That is true from the standpoint of benefit to employees; from the standpoint of the effect upon the employer; and primarily from the standpoint of the public who must pay the bill. That public is representative of the great masses of our people. The millions who may become beneficiaries of our social security programs are a part of that public to which I refer. That public also includes our whole population. The rights of the beneficiaries of social security must be, or should be granted consistently with the rights of that public. The benefits of one man must be the burden of others. There must be a proper balance running through our whole social security program.

As I look forward to the future, and the obligation of Congress to deal with this question, I regard it as one of the most important responsibilities Congress now faces. The proper performance of that trust calls for a very high degree of ability, patience, fairness, and courage. I trust that the future Congresses may deal with this problem with that high courage and ability and fidelity that the problem demands, not only in justice to the employees and the employer, but to the American people who after all are primarily concerned.

Mr. CROSSER. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Speaker, the provisions of this bill have been adequately explained by the Chairman, and also the distinguished gentleman from Ohio [Mr. CROSSER].

Early this year it was clearly apparent to those who were familiar with the circumstances that legislation amending the Railroad Retirement Act to provide for additional benefits to retired railroad employees was in order.

To that end perhaps 25 bills were introduced by Members of the House. I introduced one myself. Out of all of this legislation has come this bill on which all parties agree. I think it is a tribute to those who have developed this agreed program and a tribute to other Members of the House who introduced bills on their own that they have so willingly cooperated, in this effort, even though it necessarily meant the merging of their own bills in favor of a bill that could be reported and passed here in the closing days of this session.

This is meritorious legislation. I hope there will not be a vote against it on passage. Certainly the 20-percent increase in retirement benefits is fully justified by the increase in the cost of living.

Restoration of the lump-sum death benefit provision will correct a mistake that never should have been made in the amendments adopted in 1946.

The sliding-scale tax formula as it applies to the Unemployment Insurance Act appears fully justified by the facts.

While this bill cannot be considered as the final word insofar as amendments to the Railroad Retirement Act is concerned, it does in a rather large measure meet a situation that requires the attention of the Congress. It should receive unanimous support.

Mr. CROSSEY. Mr. Speaker, I yield 1 minute to the gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, not only am I in favor of this legislation, but I want to congratulate the gentleman from Ohio [Mr. CROSSEY] and the chairman of this committee and the Members for bringing this bill to the floor of the House.

Further, I endorse what the gentleman from Ohio [Mr. CROSSEY] has said about that great American, Henry George. In my opinion, his book, *Progress and Poverty*, should be required reading for every man in public life in America.

Mr. CROSSEY. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, as has already been said, this bill was unanimously reported from our Committee on Interstate and Foreign Commerce, and so far as I know has the full support of everyone interested.

It is easy to support legislation when everyone is in agreement. It is commendable that both railroad management and railroad employees will resolve their differences and reach full agreement on a matter of this kind, which is of so much importance to not only those directly affected but to the general public. This is reminiscent of the days when full accord was reached on railroad retirement and benefit for employees after some time in legislative channels and judicial proceedings.

No legislation can be expected to meet the needs of any given problem for all time to come. Conditions change from time to time, making it necessary to adjust any legislation to existing conditions. It is as true with railroad retirement and insurance legislation as it is with any other problems.

Some 3 years ago it became evident that some adjustments needed to be made, in matters of retirement and insurance of railroad employees. It was in 1945 when we first began consideration of the Crosseer amendments to the Retirement and Insurance Act. Extensive hearings were held, and long and sometimes very controversial consideration was given to those amendments.

I supported the Crosseer amendments and it was unfortunate that the differences at that time were so keen that

prevented mutual agreement and understanding. The bills were passed in 1946. The cost of living has continuously increased and experience has shown that this adjustment is not only desirable but necessary and justified.

This is another example, Mr. Speaker, that in consideration of problems that mean so much to so many equity and justice will finally prevail. This is another example that your Congress will continue to consider these problems from time to time making such adjustments to meet the conditions that arise.

Our committee has worked diligently in endeavoring to alleviate the conditions that exist among retired railroad employees.

This bill, H. R. 6766, amends the Railroad Retirement Act in two important ways.

In the first place, it provides a 20-percent increase for all retirement annuities and pensions payable under the Railroad Retirement Act.

In the second place, this bill restores to the railroad retirement system the provision that every employee who contributes to the program will obtain in benefits either to himself or to survivors or to a designated beneficiary an amount at least equal to the contribution he makes plus an allowance in lieu of interest. In other words, Mr. Speaker, this restores the lump sum payment to the beneficiary or survivors of the employee at death.

This bill also amends the Unemployment Insurance Act. It substitutes for the present flat 3-percent contribution rate, a sliding scale under which the tax rate is automatically adjusted in accordance with the amount of reserves in the railroad employment insurance account as of the close of business of September 30 of each year. So long as the reserve is \$450,000,000 or more, the rate would be one-half percent; the rate then increases one-half percent for each \$50,000,000 by which the reserve is less than that amount, again reaching a 3-percent rate if the reserve should fall below \$250,000,000.

There is a real necessity for this legislation. It is imperative that there be an increase in benefits to be paid to railroad annuitants. Everyone recognizes that the cost of living has continuously increased, diminishing the living standard of retired railroad employees and making it difficult for many of them to maintain an adequate livelihood. I am indeed happy to see the unanimity manifested here on this floor as it was in the committee after obtaining an agreement between the groups affected. It is my pleasure to have contributed what little I could to this problem as it was when the Crosseer amendments were before the Congress 2 years ago. I feel that this meritorious legislation will receive the unanimous approval of this Congress and this contribution to these people affected will be received with the deepest of appreciation and gratitude.

I should like to pay tribute to the chairman of our committee, the gentleman from New Jersey [Mr. WOLVERTON] in his efforts to bring this matter to a

successful conclusion. Certainly I should like to pay my tribute and respect to the gentleman from Ohio [Mr. CROSSEY]. Everyone knows that this lovable character who has a long record in this Congress is the father of social legislation and benefits for railroad employees. Mr. Crosseer introduced legislation several months ago to provide the adjustments for retired employees as carried in this bill, H. R. 6766. He introduced an identical bill, 6768, at the same time this bill was introduced after full agreement had been reached by the parties concerned.

Mr. Speaker, I want to also pay tribute to our distinguished and lovable friend from California [Mr. LEA], for the long and faithful service and fine leadership he has provided for our committee. The gentleman from California [Mr. LEA] has been in the Congress for more than 30 years, and served as chairman of our committee for many years. He is familiar with legislation affecting our transportation problems as well as other problems of vital importance to the public and our general welfare. He is leaving Congress at the end of this session. We will miss him. We wish him Godspeed and many more years of health and happiness. The pages of history will reveal that no finer or greater man, no harder worker, no one with greater sincerity and a nobler heart has ever served in the Congress.

Mr. WOLVERTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Speaker, in all the time I have been a member of the House Committee on Interstate and Foreign Commerce, it has never dealt in a partisan sense with any legislation of this character. True, there may have been differences of opinion, but I think the gentleman from New Jersey [Mr. WOLVERTON], the chairman of the committee, and the gentleman from California [Mr. LEA] in the many years he has served, as well as the gentleman from Ohio [Mr. CROSSEY], exemplify the feelings of that committee in its concern for railroad employees.

This bill is a needed improvement on present railroad retirement legislation. It is not all of the answer that I, individually, would like to have seen, but it is the best we can do at this time. I know I express the hope of all the members of the committee as well as my own hope that from time to time we shall review this and other legislation pertaining to railroad retirement. I hope that in the near future, further needed consideration will be given to this subject.

The SPEAKER. All time has expired. The question is, Shall the rules be suspended and the bill be passed?

Mr. WOLVERTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 381, nays 0, not voting 49, as follows:

[Roll No. 96]	YEAS—381	ANDERSEN,
Abbitt	Allen, Calif.	Allen, Ill.
Abernethy	Allen, Ill.	H. Carl
Albert	Allen, La.	Anderson, Calif.

Andresen, Evins Kunkel Rogers, Mass. Smathers Vail
 August H. Feighan Landis Rohrbough Smith, Kans. Van Zandt
 Andrews, Ala. Fellows Latham Rooney Smith, Va. Vinson
 Andrews, N. Y. Fenton Latham Russell Smith, Wis. Voris
 Angell Fernandez Lea Sabath Snyder Vursell
 Arends Fisher LeCompte Sadlak Somers Wadsworth
 Arnold Flanagan LeFevre Lemke Sanborn Stanley Welch
 Auchincloss Fletcher Lesinski Sartacher Stefan Welch
 Bakewell Fogarty Lewis, Ky. Sasscer Stevenson Wheeler
 Banta Folger Lewis, Ohio Schwabe, Mo. Stratton Whitaker
 Barrett Foote Lichtenwalter Schwabe, Okla. Sundstrom Whitten
 Bates, Ky. Forand Lodge Scoblick Taber Wigglesworth
 Bates, Mass. Fuller Love Scott, Hardie Talle Williams
 Battle Fulton Lucas Scott, Taylor Wilson, Ind.
 Beall Gallagher Lyle Hugh D., Jr. Teague Wilson, Tex.
 Beckworth Gamble Lynch Scrivner Thomas, Tex. Winstead
 Bender Garmatz McCormick Seely-Brown Thompson Wolcott
 Bennett, Mich. Gary McCormick Shafer Tibbott Wolverton
 Bennett, Mo. Gatherings Gavin McCown Short Wood
 Bishop Gavin Gearhart McCulloch Sikes Tollefson Woodruff
 Blackney Gearhart Gillette McDonough Simpson, Ill. Trimble Worley
 Bland Gillette Gillie McDowell Simpson, Pa. Twyman
 Blatnik Gillie McGarvey
 Boggs, Del. Goff McGregor
 Boggs, La. Goodwin McMahon
 Bolton Gordon McMillan, S. C. McMillan, Ill.
 Bonner Gore Gorski
 Boykin Gorski Gossett Mack
 Bradley Graham MacKinnon
 Bramblett Brooks Granger Grant, Ala. Macy
 Brehm Brooks Grant, Ind. Madden
 Brophy Brown, Ga. Gregory Maloney
 Brown, Ohio Griffiths Manasco
 Bryson Buchanan Gross Mansfield
 Buck Gwynne, Iowa Marcantonio
 Buffet Hagen Martin, Iowa
 Bulwinkle Hale Mathews
 Burke Hall Meade, Md.
 Burleson Edwin Arthur Merrow
 Busby Hall Meyer
 Butler Leonard W. Michener
 Byrne, N. Y. Halleck Miller, Conn.
 Byrnes, Wis. Hand Miller, Md.
 Camp Hardy Miller, Nebr.
 Canfield Harness, Ind.
 Cannon Harris
 Carroll Harrison
 Carson Hart
 Case, N. J. Harvey
 Case, S. Dak. Havener Morrison
 Chadwick Hardy
 Cheif Hébert
 Chenoweth Hefner
 Chiperfield Hendrick
 Church Herter
 Clason Heselton
 Clevenger Hess
 Coffin Hill
 Cole, Kans. Hinshaw
 Cole, Mo. Hobbs
 Cole, N. Y. Hoeven
 Colmer Hoffman
 Combs Holmes
 Cooley Hope
 Cooper Horan
 Corbett Huber
 Cotton Hull
 Cox Hobbs
 Cravens Isacson
 Crawford Jackson, Wash.
 Crosser Jarman
 Crow Jenison
 Cunningham Jenkins, Ohio
 Curtis Jenkins, Pa.
 Dague Jennings
 Davis, Ga. Jennings
 Davis, Tenn. Jensen
 Davis, Wis. Johnson, Ill.
 Dawson, Ill. Johnson, Ind.
 Dawson, Utah Jones, Ala.
 Deane Jones, N. C.
 Delaney Jones, Wash.
 Devitt Jonkman
 D'Ewart Judd
 Dingell Karsten, Mo.
 Dirksen Kean
 Dolliver Kearney
 Domengeaux Kearns
 Dondero Keating
 Donohue Keefe
 Doughton Kelley
 Douglas Kennedy
 Durham Keogh
 Eaton Kerr
 Ellis Kersten, Wis.
 Ellsworth Kilburn
 Elsaesser Kilday
 Elston Kirwan
 Engel, Mich. Klein
 Engle, Calif. Knutson

Rogers, Mass. Smathers Vail
 Rohrbough Smith, Kans. Van Zandt
 Rooney Smith, Va. Vinson
 Russell Smith, Wis. Voris
 Sabath Snyder Vursell
 Sadlak Somers Wadsworth
 Sadowski Spence Walter
 Sanborn Stanley Welch
 Sartacher Stefan Welch
 Sasscer Stevenson Wheeler
 Schwabe, Mo. Stratton Whitaker
 Schwabe, Okla. Sundstrom Whitten
 Scoblick Taber Wigglesworth
 Scott, Hardie Talle Williams
 Scott, Taylor Wilson, Ind.
 Hugh D., Jr. Teague Wilson, Tex.
 Scrivner Thomas, Tex. Winstead
 Seely-Brown Thompson Wolcott
 Shafer Tibbott Wolverton
 Short Tollefson Wood
 Sikes Towe Woodruff
 Simpson, Ill. Trimble Worley
 Simpson, Pa. Twyman
 NAYS—0

NOT VOTING—49

Barden Jackson, Calif. Powell
 Bell Johnson, Calif. Regan
 Bloom Johnson, Okla. Rich
 Buckley Johnson, Tex. Robertson
 Celler Kee Ross
 Chapman Kefauver St. George
 Clark King Sheppard
 Clippinger Lane Smith, Maine
 Coudert Larcade Smith, Ohio
 Courtney Ludlow Stigler
 Dorn Lusk Stockman
 Eberhardt Meade, Ky. Thomas, N. J.
 Elliott Miller, Calif. West
 Fallon O'Toole Whittington
 Harless, Ariz. Peden Youngblood
 Hartley Phillips, Tenn.
 Holifield Ploeser

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Youngblood with Mr. Buckley.
 Mrs. Smith of Maine with Mr. Peden.
 Mr. Rich with Mr. Miller of California.
 Mr. Ploeser with Mr. King.
 Mr. Hartley with Mr. Sheppard.
 Mr. Jackson of California with Mr. Stigler.
 Mr. Coudert with Mr. Kefauver.
 Mr. Thomas of New Jersey with Mrs. Lusk.
 Mr. Smith of Ohio with Mr. O'Toole.
 Mr. Phillips of Tennessee with Mr. Lane.
 Mr. Ross with Mr. Larcade.
 Mr. Meade of Kentucky with Mr. Holifield.
 Mr. Stockman with Mr. Celler.
 Mr. Clippinger with Mr. Eberhardt.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPLEMENTAL INDEPENDENT OFFICES APPROPRIATION BILL, 1949

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 651, Rept. No. 2249), which was referred to the House Calendar and ordered to be printed:

Resolved, That during the consideration of the bill (H. R. 6829) making supplemental appropriations for the executive office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived, and it shall be in order to consider without the intervention of any point of order any amendment offered by direction of the Committee on Appropriations.

ESTABLISHING THE FRANCIS SCOTT KEY NATIONAL MONUMENT

Mr. ALLEN of Illinois, from the Committee on Rules reported the following privileged resolution (H. Res. 652, Rept. No. 2250), which was referred to the House Calendar and ordered to be printed.

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution, House Joint Resolution 150, to provide for the restoration and preservation of the Francis Scott Key Mansion, to establish the Francis Scott Key National Monument, and for other purposes. That after general debate, which shall be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Lands, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

WORLD HEALTH ORGANIZATION

Mr. JUDD. Mr. Speaker, I call up the conference report on the joint resolution (S. J. Res. 98) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 98) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the President is hereby authorized to accept membership for the United States in the World Health Organization (hereinafter referred to as the Organization), the constitution of which was adopted in New York on July 22, 1946, by the International Health Conference for the establishment of an International Health Organization, and deposited in the archives of the United Nations.

"SEC. 2. The President shall designate from time to time to attend a specified session or specified sessions of the World Health Assembly of the Organization not to exceed three delegates of the United States and such number of alternates as he may determine consistent with the rules of procedure of the World Health Assembly. One of the delegates shall be designated as the chief delegate. Whenever the United States becomes entitled to designate a person to serve on the Executive Board of the Organization, under article 24 of the constitution of the Organization, the President shall designate a representative of the United States, by and with the advice and consent of the Senate, and may designate not to exceed one alternate to attend sessions of the Executive Board. Such representative must be a graduate of a recognized medical school and have spent not less than three years in active practice as a physician or surgeon. Such representative shall be entitled to receive compensation at a rate not to exceed \$12,000 per annum and any such alternate shall be entitled to receive compensation at a rate not to exceed \$10,000 per annum for such period or periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is thus designated shall be entitled to receive such compensation: *Provided*, That no person shall serve as such representative, delegate, or alternate until such person has been investigated as to loyalty and security by the Federal Bureau of Investigation.

"SEC. 3. There is hereby authorized to be appropriated annually to the Department of State—

"(a) such sums, not to exceed \$1,920,000 per annum, as may be necessary for the payment by the United States of its share of the expenses of the Organization, including those incurred by the Interim Commission, as apportioned by the Health Assembly in accordance with Article 56 of the Constitution of the Organization; and

"(b) such additional sums, not to exceed \$83,000 for the fiscal year beginning July 1, 1947, as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization, including—

"(1) salaries of the representative and alternate provided for in section 2 hereof, and appropriate staff, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost of living allowances to persons temporarily stationed abroad; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and

"(2) such other expenses as the Secretary of State deems necessary to participation by the United States in the activities of the Organization: *Provided*, That the provisions of section 6 of the Act of July 30, 1946, Public Law 565, Seventy-ninth Congress, and regulations thereunder, applicable to expenses incurred pursuant to that Act shall be applicable to any expenses incurred pursuant to this paragraph (b) (2).

"SEC. 4. In adopting this joint resolution the Congress does so with the understanding that, in the absence of any provision in the World Health Organization Constitution for withdrawal from the Organization, the United States reserves its right to withdraw from the Organization on a one-year notice: *Provided, however*, That the financial obligations of the United States to the Organization shall be met in full for the Organization's current fiscal year.

"SEC. 5. In adopting this joint resolution, the Congress does so with the understanding that nothing in the Constitution of the World Health Organization in any manner commits the United States to enact any specific legislative program regarding any matters referred to in said Constitution."

And the House agree to the same.

FRANCES P. BOLTON,
WALTER H. JUDD,
WIRT COURNEY,

Managers on the Part of the House.

A. H. VANDENBERG,
H. C. LODGE, JR.,
TOM CONNALLY,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 98) providing for membership and participation by the United States in the World Health Organization and authorizing an appropriation therefor, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate joint resolution after the resolving clause and inserted a substitute amendment. The conferees have agreed to a substitute for both the Senate joint resolution and the House amendment. The substitute agreed to substantially follows the House amendment. Except for clarifying, clerical, and minor changes, the differences between the House amendment and the substitute agreed to in conference are explained below.

The House amendment provided that the representative of the United States on the Executive Board of the World Health Organization must be a graduate of a recognized medical school and have spent not less than 10 years in active practice as a physician or surgeon. There was no corresponding provision in the Senate joint resolution. The conference substitute retains the House provision, with the 10-year requirement reduced to 3 years. In this connection it will be noted that the Senate conferees accepted the House provision requiring the representative to be designated by and with the advice and consent of the Senate.

The House amendment provided that no citizen of or resident in the United States shall participate in any session, conference, or meeting, or other work of the World Health Organization or of any subordinate committee or organization thereof, without the consent of the Secretary of State. The conference substitute omits this provision. However, the House provision requiring investigation as to loyalty and security by the Federal Bureau of Investigation has been retained.

The Senate joint resolution authorized the appropriation annually of such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization and such additional sums as may be necessary to pay the expenses incident to participation by the United States in the activities of the Organization. The House amendment authorized an annual appropriation of not to exceed \$1,920,000 for expenses of the Organization and further provided that "the annual United States quota of contribution to the total budget of the Organization shall not be greater in proportion than the United States quota of contribution to the total budget of the United Nations" and authorized additional sums for United States participation in the activities of the Organization. The conference substitute retains the House provision putting a ceiling of \$1,920,000 per annum on the United States share of the expenses and all other

provisions of section 3 authorizing appropriations, except the requirement quoted above as to quota of contribution.

The Senate conferees also agreed to the House provision (sec. 5) making clear that nothing in the constitution of the World Health Organization "in any manner commits the United States to enact any specific legislative program regarding any matters referred to in said constitution."

FRANCES P. BOLTON,
WALTER H. JUDD,
WIRT COURNEY,

Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LANDIS asked and was given permission to extend his remarks in the RECORD.

Mr. FOGARTY asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. KLEIN asked and was given permission to extend his remarks in the RECORD in two instances and include extraneous matter.

Mr. FULTON asked and was given permission to extend his remarks in the RECORD and include an editorial from the June 7 issue of Steel Magazine.

SPECIAL ORDER GRANTED

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

The SPEAKER. Under the order of the House entered on yesterday, it is in order to consider today bills from the Committee on the District of Columbia.

CERTAIN PROPERTIES ABUTTING EASTERN AVENUE IN THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, on the Private Calendar that was called today there appeared the bill (S. 2040) for the relief of the owners of certain properties abutting Eastern Avenue in the District of Columbia. The amounts that were stated in the bill were correct but the total is not correct. I ask unanimous consent that the total in that bill be corrected to correspond with the amounts set opposite the names of the claimants.

The SPEAKER. Without objection, the Clerk will be authorized to correct the amount in the engrossment of the bill.

There was no objection.

REGULATING LIFE INSURANCE IN THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (S. 612) to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended, and to repeal section 36 of said chapter III of said act, as amended, so as to permit certain addi-

tional investments, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 36 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended, is hereby repealed, and that section 35 of said chapter III of said act, as amended, is amended to read as follows:

"SEC. 35. Investments of funds of domestic companies: A domestic company shall invest its funds only in—

"(1) Bonds, notes, or other evidences of indebtedness of the United States, any State, Territory or possession of the United States, the District of Columbia, the Dominion of Canada, any province of the Dominion of Canada, or of any administration, agency, authority, or instrumentality of any of the political units enumerated.

"(2) Bonds, notes, or other evidences of indebtedness guaranteed or insured as to principal and interest by the United States, any State, Territory or possession of the United States, the District of Columbia, the Dominion of Canada, any Province of the Dominion of Canada, or by an administration, agency, authority, or instrumentality of any of the political units enumerated.

"(3) Bonds, notes, or other evidences of indebtedness issued, guaranteed, or insured as to principal and interest by a city, county, drainage district, road district, school district, tax district, town, township, village or other civil administration, agency, authority, instrumentality or subdivision of a State, Territory or possession of the United States, or the District of Columbia, or of the Dominion of Canada, or any province thereof, provided such obligations are authorized by law and are (a) direct and general obligations of the issuing, guaranteeing, or insuring governmental unit, administration, agency, authority, district, subdivision, or instrumentality; or (b) payable from designated revenues pledged to the payment of the principal and interest thereof.

"(4) Legally authorized bonds, debentures, notes, collateral trust certificates, and other such evidences of indebtedness, and share certificates, which have been or may be issued by (a) the Federal home-loan bank; (b) the Home Owners' Loan Corporation; (c) any Federal savings and loan association; (d) the Reconstruction Finance Corporation; (e) the Federal Farm Loan Board; (f) any Federal land bank; (g) the Federal Intermediate Credit Bank; (h) any housing authority organized under the public housing laws of the District of Columbia or any State of the United States, or in notes, bonds, or loans secured by mortgage or deed of trust insured under the provisions of the National Housing Act, as amended, or guaranteed or insured pursuant to the provisions of title III of an act of Congress of the United States of June 22, 1944, cited as the 'Servicemen's Readjustment Act of 1944,' as heretofore or hereafter amended, or by any entity, corporation, or agency which has been or which may be created by or authorized by any act which has been enacted, or which may hereafter be enacted by the Congress of the United States, or any amendment thereto, which has for its purpose the relief of, refinancing of, or assistance to owners of mortgaged or encumbered homes, farms, or other real estate.

"(5) (a) Bonds, notes, or loans secured by first lien on real estate in the United States or Dominion of Canada worth at least 40 percent more than the amount loaned thereon: *Provided*, That this limitation shall not apply to any of the classes of securities

mentioned in subsection (4) of this section, if guaranteed or insured in whole or in part as therein provided; but nothing in this section shall be deemed to prohibit a company from renewing or extending a loan for the original amount where there has been a shrinkage in the value of such real estate nor to prohibit a company from accepting, as part payment for real estate sold by it, a lien thereon for more than the percentage herein specified of the purchase price of such real estate. For the purpose of this section real estate shall not be deemed to be encumbered by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, water, or timber rights, rights-of-way, joint driveways, sewer rights, rights of walls, nor by reason of building restrictions or other restrictive covenants, nor when such real estate is subject to lease in whole or in part whereby rents or profits are reserved to the owner.

"(b) Bonds, notes, or loans secured by first lien on leasehold estates in improved real property located in the United States or Dominion of Canada, where such real property is unencumbered except by rentals to accrue therefrom to the owner of the fee, and where there is no condition or right of reentry or forfeiture under which such lien can be cut off, subordinated or otherwise disturbed, so long as the lessee is not in default, provided the value of such leasehold, with improvements thereon shall be at least 50 percent more than the amount loaned thereon: *Provided*, That this limitation shall not apply to any of the classes of securities mentioned in subsection (4) of this section, if guaranteed or insured in whole or in part as therein provided. Such loan shall be completely amortized during the unexpired portion of the lease or leasehold estate securing its payment.

"(c) Loans or advances by a company for the purpose of making repairs, alterations, additions, or improvements to homes or other buildings on improved real estate upon which real estate or upon a leasehold estate in said real estate such company then holds a first lien to secure a loan previously made: *Provided*, That no such loan or advance shall be made in a sum in excess of \$2,000: *And provided further*, That the amount of such loan or advance when added to the balance due on the original indebtedness shall not exceed the amount originally secured by the first lien.

"(d) Ground rents in the District of Columbia or any State of the United States: *Provided*, That in the case of unexpired redeemable ground rents the premiums paid, if any, shall be amortized over the period between the date of acquisition and earliest redemption date, or charged off at any time prior to redemption date; and in the case of expired redeemable ground rents the premiums paid, if any, shall be charged off at the time of acquisition. Redeemable ground rents purchased at a discount shall be carried at an amount not greater than the cost of acquisition.

"(6) Notes, bonds, or trust certificates secured by any transportation equipment leased or sold to a common carrier, domiciled within the United States or the Dominion of Canada, with gross revenues exceeding \$1,000,000 in the fiscal year immediately preceding purchase, which notes, bonds, or trust certificates provide a right to receive determined rental, purchase, or other fixed obligatory payments adequate to retire the obligations within 20 years from date of issue and also provide (a) for the vesting of title to such equipment, free from encumbrance in a corporate trustee or (b) for the creation of a first lien on such equipment, provided at the date of purchase such notes, bonds, or trust certificates are not in default as to principal or interest.

"(7) Bonds and other evidences of indebtedness of any solvent corporation created

under the laws of the United States or any State thereof, or the District of Columbia, or the Dominion of Canada, or any province thereof: *Provided*, That (1) no company shall invest an amount in excess of 2 percent of its admitted assets in any one issue of such obligations or any one corporation; (2) the net earnings of the issuing corporation available for its fixed charges for a period of five fiscal years next preceding the date of acquisition by such insurance company shall have averaged yearly, and during the last year of said 5-year period shall have been not less than one and one-half times its annual fixed charges at the time of the investment, or, if a new issue, as shown by the pro forma statement of the corporation; and (3) there shall have been no defaults in interest thereon, or on any such obligations of such corporation which are of equal or higher priority with those purchased, during the period of 5 years next preceding the date of acquisition, or, if outstanding for less than 5 years, at any time since said obligations were issued. The term 'net earnings available for fixed charges' as used herein, shall mean the net income after deducting all operating and maintenance expenses and taxes other than Federal, State, and District of Columbia income taxes, but nonrecurring items of income and expense may be eliminated. The term 'fixed charges' as used herein shall include interest on all of the fixed interest-bearing debt of the corporation outstanding and maturing in more than 1 year, as of the date of acquisition, and in case of investment in contingent interest obligations, said term shall also include maximum annual contingent interest as of said date. The earnings of all predecessor, merged, consolidated, or purchased companies may be included through the use of consolidated or pro forma statements provided the fixed charges of all such companies are also included.

"(8) Bank certificates of deposit and bankers' acceptances, and other bills of exchange of the kind and maturities made eligible by law for purchase in the open market by Federal Reserve banks.

"(9) Preferred stock of any solvent corporation (other than its own) created under the laws of the United States, or of any State thereof, or the District of Columbia, or the Dominion of Canada, or any Province thereof, where such corporation has not failed in any one of the three fiscal years next preceding such investment, to have earned a sum applicable to dividends on such preferred stock equal at least to three times the amount of dividends due in that year, or where in case of issuance of new preferred stock such earnings applicable to dividends are equal to at least three times the amount of pro forma annual dividend requirements after giving effect to such new financing, and where the bonds and other evidences of indebtedness, if any, of such corporation are eligible as investments under the provisions of subsection (7) of this section, and where the total investment in any one issue of such preferred stock of any one corporation does not exceed 1 percent of the investing company's admitted assets.

"(10) Common stocks of any solvent corporation (other than its own) created under the laws of the United States, or of any State thereof, or the District of Columbia, or the Dominion of Canada, or any Province thereof, which shall have paid common dividends in cash for not less than 5 years next preceding the purchase of such stocks, and where the bonds and other evidences of indebtedness, if any, and the preferred stock, if any, of such corporation are eligible as investments under the provisions of subsections (7) and (9), respectively, of this section, and where the total investment in the common stock of any one corporation does not exceed 1 percent of the investing company's admitted assets.

"(11) Loans upon the pledge of any of the securities aforesaid.

"(12) A life-insurance company may also purchase for its own benefit any policy of life insurance or other obligation of the company and claims of the holders thereof, and may lend to the holders of its life-insurance policies sums not exceeding in any case the reserve value of the policy at the time the loan is made, and for the payment of any such loan the policy and all amounts payable thereunder shall be pledged.

"(13) A company doing business in a foreign country may invest the funds required to meet its obligations in such country and in conformity to the laws thereof in the same kind of securities in such foreign country that such company is allowed by law to invest in the United States.

"(14) A life-insurance company may also acquire, hold, and convey real estate for the purposes and in the manner following:

"(a) the building in which it has its principal office and the land on which it stands;

"(b) such as shall be requisite for its convenient accommodation in the transaction of its business;

"(c) such as shall have been acquired for the accommodation of its business;

"(d) such as shall have been conveyed to it in satisfaction of debts, previously contracted, in the course of its dealings;

"(e) such as it shall have purchased at trustee sale or sales on judgments, decrees, or mortgages obtained or made for such debts; and

"(f) such as it may purchase or hold for the production of income. It may improve or otherwise develop in any manner such real estate and the improvements thereon, and may own, maintain, manage, collect, and receive income from, and sell or convey the same. No company may, in any period of 12 consecutive months, invest in or agree to pay for real estate, including improvements thereon, under the authority of this item (f) an aggregate amount in excess of 2 percent of its admitted assets as shown in its most recent annual statement; nor shall the total value of real estate and improvements thereon acquired or held by a company for the production of income under the provisions of this item (f) at any time exceed 5 percent of its said admitted assets. No investment shall be made by any company pursuant to this item (f) if such company then owns real estate having a total value in excess of 10 percent of its said admitted assets or if such investment will cause such company's aggregate investments in real estate owned by it to exceed 10 percent of its said admitted assets: *Provided*, That for the purpose of applying said 10 percent limitation real estate shall include all real estate then owned by the company and such real estate as it may have owned and sold on contract, to the extent of the balance unpaid on such contract of sale; or if the balance unpaid on account of real estate owned and sold by a company is secured by mortgage or other instrument, there shall be included as real estate the amount, if any, by which the balance unpaid exceeds 75 percent of the value of such real estate. A company may, subject to the limitations and conditions of this item (f), elect to consider property acquired as specified in items (c), (d), and (e) as real estate for the production of income as defined in this item (f). Such election shall be duly authorized and recorded by the board of directors or by a committee thereof charged with the duty of supervising loans or investments.

"All such real estate specified in items (c), (d), and (e) of this subsection (14), which shall not be necessary for its accommodation in the convenient transaction of its business, and which it has not elected to hold for the production of income, shall be sold by the company and disposed of within 5 years after it shall have acquired the title to the same, or within 5 years after the same shall have ceased to be necessary for

the accommodation of its business, unless the company file with the Superintendent an application for extension of time, supported by such evidence as may be required by the Superintendent, establishing to his satisfaction that an extension would be to the advantage of the company and that the interests of the company would be affected adversely by a forced sale thereof, in which event the time for the sale may be extended to such time as the Superintendent shall direct.

"No loan or investment, except loans on the security of life-insurance policies, shall be made by any such company, unless the same shall have been authorized or be approved by the board of directors or by a committee thereof charged with the duty of supervising loans or investments.

"No such company shall subscribe to or participate in any underwriting of the purchase or sale of securities or property, jointly with any other corporation, firm, or person, or enter into any agreement to withhold from sale any of its securities or property; but the disposition of its assets shall at all times be within the control of the company.

"Nothing in this act shall prohibit a company from accepting in good faith, to protect its interests, securities or property, other than herein referred to, in repayment of or to secure debts due or to become due the company."

With the following committee amendments:

Page 6, line 10, after the word "or", insert "equipment."

Line 15, after the word "or", insert "equipment."

Page 11, line 3, strike out "may" and insert "shall."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATING BARBERS IN DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 4635) to amend section 11 of an act entitled "An act to regulate barbers in the District of Columbia, and for other purposes," and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 11 of an act entitled "An act to regulate barbers in the District of Columbia, and for other purposes", approved June 7, 1938 (sec. 2-1111 D. C. Code, 1940 edition), is hereby amended to read as follows:

"Sec. 11. All fees and charges payable under the provisions of this act shall be paid to the secretary-treasurer of the Board. The Board is hereby authorized to collect the following fees and charges and to refund any such fee or charge or portion thereof erroneously paid or collected under this act:

"(a) For the examination of an applicant for a certificate as a registered barber, \$20.

"(b) For the issuance of a certificate as a registered barber, \$5.

"(c) For the issuance of a renewal of a certificate as a registered barber, \$10.

"(d) For the restoration of an expired certificate as a registered barber, \$15.

"(e) For the examination of an applicant for a certificate as a registered barber apprentice, \$15.

"(f) For the issuance of a certificate as a registered barber apprentice, \$5.

"(g) For the issuance of a renewal of a certificate as a registered barber apprentice, \$5.

"(h) For the restoration of an expired certificate as a registered barber apprentice, \$10.

"(i) For registration of a private barber school or college, \$50.

"(j) For annual renewal of registration of a private barber school or college, \$25.

"(k) All students in a private barber school or college shall register with the Board and shall pay a fee of \$2 for a certificate of registration as a student.

"(l) Any registered barber or apprentice whose certificate has been lost or destroyed shall, upon satisfying the Board of such loss or destruction and upon payment of a fee of \$2, be given a duplicate certificate."

Sec. 2. This act shall take effect 30 days after the date of its enactment.

Mr. DIRKSEN. Mr. Speaker, the purpose of this bill is to increase the fee for inspection of barber shops so as to make that wholly special service self-sustaining. The necessity for this arises by reason of the acts of 1945 and 1946.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOSPITAL LIENS

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6297) to amend the act entitled "An act to establish a lien for moneys due hospitals for service rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens," approved June 30, 1939, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the bill (S. 2643) to amend the act entitled "An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens," approved June 30, 1939, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens", approved June 30, 1939, is amended by inserting after the word "institution" a comma and the following: "and any agency of the United States or the District of Columbia".

Sec. 2. Section 3 of such act is amended by inserting after the word "institution" a comma and the following: "and any agency of the United States or the District of Columbia".

Sec. 3. Section 4 of such act is amended by inserting after the word "body" a comma and the following: "and of any agency of the United States or the District of Columbia".

Sec. 4. Section 5 of such act is amended by inserting after the word "institution" the words "or agency."

Mr. DIRKSEN. Mr. Speaker, the purpose of this bill is to make possible the imposition of a lien against any claim or against moneys recovered by a patient in a tort claim owed to a hospital where hospital services have been rendered, and there is no other way to secure the payment for such service.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

SAMUEL O. BURDETTE

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6327) to provide for the issuance of a license to practice chiropractic in the District of Columbia to Samuel O. Burdette, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any limitation relating to the time within which an application for a license must be filed, the Commission on Licensure to Practice the Healing Art in the District of Columbia is authorized and directed to issue a license to practice chiropractic in the District of Columbia to Samuel O. Burdette in accordance with the provisions of the act of Congress entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929, and on condition that the said Samuel O. Burdette shall be found by said Commission to be otherwise qualified to practice under the provisions of said act.

Mr. DIRKSEN. Mr. Speaker, the purpose of the bill is to make possible the issuance of a license to a qualified practitioner of the chiropractic art who was outside of the District of Columbia at the time the time limit was set for such qualification. This is in line with the practice of the Committee on the District of Columbia in permitting those who were absent for good cause or reason to receive a license after qualifying to practice their specialty.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATING THE PRACTICE OF THE HEALING ART IN THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6524) to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That so much of section 25 of the act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929, as reads: "An applicant who desires to obtain a license

without examination, by virtue of a license issued to him by a State, Territory, or other jurisdiction forming a part of the United States, or by a foreign country, shall submit proof, satisfactory to the Commission, that he is not less than 21 years of age and is of good moral character;" is amended so as to read: "An applicant who desires to obtain a license without examination, by virtue of a license issued to him by a State, Territory, or other jurisdiction forming a part of the United States, or by a foreign country, or by virtue of a certificate or diploma issued by a national examining board, shall submit proof, satisfactory to the Commission, that he is not less than 21 years of age, of good moral character, and a citizen of the United States;"

SEC. 2. So much of section 26 of said act as reads: "Each applicant for a license to practice the healing art, to be issued after examination, shall submit with his application proof satisfactory to the Commission that he is not less than 21 years of age; that he is of good moral character;" is amended so as to read: "Each applicant for a license to practice the healing art, to be issued after examination, shall submit with his application proof satisfactory to the Commission that he is not less than 21 years of age; that he is of good moral character; a citizen of the United States;"

Mr. DIRKSEN. Mr. Speaker, heretofore the applicant could qualify for a professional license to practice the healing art in the District of Columbia without being a citizen of the United States. Most of the jurisdictions of the country today require, among other things, that the applicant be a citizen. This brings it in line with other jurisdictions and merely adds to existing law by requiring citizenship as a qualification.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INSANITY PROCEEDINGS IN THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6598) to amend section 2 of the act entitled "An act to provide for insanity proceedings in the District of Columbia," approved August 9, 1939, and I ask unanimous consent for its consideration in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 2 of the act entitled "An act to provide for insanity proceedings in the District of Columbia," approved August 9, 1939, is amended to read:

"SEC. 2. Upon the filing with the court of a verified petition as hereinabove provided, accompanied by the affidavits of two or more responsible residents of the District of Columbia setting forth that they believe the person therein named to be insane or of unsound mind, the length of time they have known such person, that they believe such person to be incapable of managing his own affairs, and that such person is not fit to be at large or go unrestrained, and that if such person be permitted to remain at liberty the rights of persons and property will be jeopardized or the preservation of public peace imperiled or the commission of crime rendered probable, and that such person is a fit subject for treatment by reason of his

or her mental condition, the court, or any judge thereof in vacation, may, in its or his discretion, issue an attachment for the immediate apprehension and detention, for preliminary examination, of such person in St. Elizabeths Hospital and, unless found by the staff of St. Elizabeths Hospital to be of sound mind, therein for a period not exceeding 30 days. Any person so apprehended and detained shall be given an examination within 5 days of his admission into St. Elizabeths Hospital by the staff of St. Elizabeths Hospital. The superintendent of St. Elizabeths Hospital is hereby authorized to receive and detain such persons, at the expense of the District of Columbia."

SEC. 2. The fourth paragraph of section 2 of said act is hereby amended to read:

"If as a result of examination, the staff of Gallinger Municipal Hospital or St. Elizabeths Hospital shall find that any person detained in Gallinger Municipal Hospital or St. Elizabeths Hospital pursuant to the provisions of this section is of sound mind, he shall be discharged forthwith by said Gallinger Municipal Hospital or St. Elizabeths Hospital, and the petition, if any, shall be dismissed."

Mr. DIRKSEN. Mr. Speaker, I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Mr. Speaker, this bill merely permits transfer directly to St. Elizabeths Hospital of those psychopathic cases who now must go through Gallinger. It helps to bypass Gallinger Hospital. I think it is better for the patients; it is cheaper for the District of Columbia, and in the interest of the District of Columbia and of the patient who must eventually go to St. Elizabeths Hospital.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASE IN SALARIES OF METROPOLITAN POLICE, UNITED STATES PARK POLICE, WHITE HOUSE POLICE, AND FIRE DEPARTMENT OF THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 5047) to grant a cost-of-living increase in the salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the annual basic salary of (1) any officer or member of the Metropolitan Police, the United States Park Police, the White House Police, or the Fire Department of the District of Columbia, whose rate of compensation was increased by the act entitled "An act to provide for an adjustment of salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia, to conform with the increased cost of living in the District of Columbia", approved July 14, 1945, as amended; and (2) any pilot or marine engineer of the Fire Department of the District of Columbia whose rate of compensation was increased by the act entitled "An act to amend an act entitled 'An Act

to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia," approved July 3, 1945, is hereby increased by \$800.

(b) The additional compensation in lieu of overtime pay and night pay differential provided for in section 2 of such act of July 14, 1945, shall be computed as though this act had not been enacted.

Sec. 2. This act shall take effect as of January 1, 1947.

With the following committee amendment:

Page 2, line 10, strike out "\$800" and insert "\$500."

Page 2, line 15, strike out "January" and insert "July."

Mr. DIRKSEN. Mr. Speaker, the purpose of this bill is to increase the salaries of police, firemen, and members of the Metropolitan Police and Fire Departments in the District of Columbia by \$500 from July 1948. However, there is an understanding in the committee that in the event that the amount that may be provided by way of salary increase for Federal employees should be larger or smaller, or there should be no increase at all, then, of course, this bill would be modified in accordance with that understanding. Since no action has been taken in the Senate, there will be opportunity to adjust it in line with whatever action is taken.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASED PENSIONS FOR WIDOWS AND CHILDREN OF DECEASED MEMBERS AND RETIRED MEMBERS OF POLICE DEPARTMENT AND FIRE DEPARTMENT

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6295) to provide increased pensions for widows and children of deceased members and retired members of the Police Department and of the Fire Department of the District of Columbia; and I ask for its consideration in the House in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 12 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916 (39 Stat. 718), as amended, is amended by striking out from the fourth paragraph the following language:

"In case of the death of any member of the Police Department or the Fire Department of the District of Columbia, before or after retirement from the service thereof, leaving a widow, or a child or children under 16 years of age, the widow shall be entitled to receive relief from the said policemen and firemen's relief fund, District of Columbia, in an amount not exceeding \$60 per month, and each child under the age of 16 years in an amount not exceeding \$10 per month;" and substituting in lieu thereof the following language:

"If any member of the Police Department or the Fire Department of the District of Columbia shall die as the sole and exclusive result of injury sustained through violence or external force within 1 year from the time such injury was sustained, and such injury was sustained, in the case of a member of the Police Department, while actually performing his duty as such member in making or attempting to make an arrest, or in the prevention of the commission of a crime about to be committed in his presence, or in the rescue of persons, or in responding to an emergency call, or in doing any other act which exposes such member to extraordinary hazard and which must be performed without regard to his personal safety, and such member leaves a widow, or child or children under 16 years of age, the widow shall be entitled to receive relief in an amount not exceeding \$125 per month, and each child under the age of 16 years shall be entitled to receive relief in an amount not exceeding \$25 per month; and when any other member of the Police Department or the Fire Department of the District of Columbia shall die, before or after retirement from the service thereof, leaving a widow, or a child or children under 16 years of age, the widow shall be entitled to receive relief in an amount not exceeding \$100 per month, and each child under the age of 16 years shall be entitled to receive relief in an amount not exceeding \$25 per month."

Sec. 2. All widows and children of deceased members of the Police Department or of the Fire Department of the District of Columbia receiving relief under the provisions of section 12 of the act of Congress, approved September 1, 1916 (39 Stat. 718), as amended, shall be entitled to receive relief to the same extent and in the same manner as is provided by the fourth paragraph of said section as amended by the first section of this act: *Provided*, That no relief shall be increased under the authority of this section for any period prior to the effective date of this act.

Sec. 3. Section 5 of the act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia," approved July 1, 1930 (39 Stat. 839), be, and the same hereby is, amended by striking out therefrom the figures "3½" and substituting in lieu thereof the figure "5."

Sec. 4. This act shall take effect on the first day of the second month following the date of approval of this act.

With the following committee amendment:

Page 1, line 8, after the word "amended", strike out the balance of the line and all of line 9, and insert "as follows the first sentence thereof is hereby amended to read as follows."

Page 2, line 3, strike out all of lines 3 to 12, both inclusive.

Page 3, line 7, strike out the word "sixteen" and insert "eighteen."

Page 3, line 10, strike out the word "sixteen" and insert "eighteen."

Page 3, line 15, strike out "sixteen" and insert the word "eighteen."

Page 3, line 18, strike out the word "sixteen" and insert the word "eighteen."

Page 3, line 19, after the word "month", insert *Provided*, That upon the remarriage of any widow granted relief under the provisions of this act such relief shall cease, and relief granted to or for any child or children under the age of 18 years shall cease upon their reaching that age: *Provided further*,

That no widow, child, or children of any deceased member of the said Police Department or Fire Department resulting from any marriage contracted subsequent to the date of retirement of such member shall be entitled to any relief under the provisions of this act."

Page 4, line 14, after the word "act", insert *Provided*, That no relief shall be increased under the authority of this section for any period prior to the effective date of this act. Any child or children of a deceased member of the Police Department or of the Fire Department of the District of Columbia which child or children had attained the age of 16 years but had not attained the age of 18 years on the effective date of this act shall be entitled to receive relief as provided by the fourth paragraph of said section 12, as amended by the first section of this act, until the attainment of the age of 18 years: *Provided*, That no relief shall be granted under the authority of this section for any period prior to the effective date of this act."

Page 5, line 2, strike out "39" and insert "46."

Mr. DIRKSEN. Mr. Speaker, this bill was introduced by the very distinguished gentleman from Maryland [Mr. BEALL], who is a member of the House District of Columbia Committee. Under existing law, the retirement amount that is available would be \$60 a month and \$10 per month for each child under the age of 16. That is quite out of line with the general retirement scale that prevails both in and out of the Federal Government.

This bill is designed to bring it more nearly into line with what is paid under the general retirement system. The employees' contribution is raised from 3½ percent to 5 percent. The added benefits will increase the cost to the District by about \$10,000 a year. At the present time there is a deficit of \$140,000. This bill is designed to bring this system more nearly in line with the general system.

The SPEAKER. The question is on the amendments.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1949

Mr. HORAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6430) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1949, and for other purposes, with amendments of the Senate thereto, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none and appoints the following conferees: MESSRS. HORAN, STEFAN, CHURCH, STOCKMAN, ANDREWS of Alabama, BATES of Kentucky, and FOGARTY.

COST OF POLICE AND FIRE DETAILS AT THEATERS, ETC.

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6452) to amend section 7 of the act entitled "An act making

appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 20 (a) of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended, be amended by adding thereto an additional paragraph to read as follows:

"When, in the opinion of the Chief Engineer of the Fire Department of the District of Columbia, it is necessary to post firemen at, on, and about the licensed premises for the protection of the public safety, in addition to the license fee provided for above, such owners or managers shall pay a further monthly permit fee, to be determined monthly by the said Chief Engineer, based upon a reasonable estimate of the number of hours to be spent by firemen at, on, and about the licensed premises, such fee to be payable in advance on the first day of the month for which the permit is sought. The firemen so assigned shall be charged for by the hour at the wage rate of the firemen so assigned in effect on the first day of the month for which the permit is sought."

SEC. 2. That paragraph 20 (c) of section 7 of said act be amended by striking out the period at the end of the paragraph, inserting a colon, and adding the following words: "Provided further, That when, in the opinion of the Major and Superintendent of Police and the Chief Engineer of the Fire Department of the District of Columbia, or either of them, it is necessary to post policemen or firemen, or both, at, on, and about the licensed premises for the protection of the public safety, in addition to the license fee provided for above, such owners or managers shall pay a further monthly permit fee, to be determined monthly by the said Major and Superintendent and Chief Engineer, or either of them, based upon a reasonable estimate of the number of hours to be spent by policemen and firemen at, on, and about the licensed premises, this fee to be payable in advance on the first day of the month for which the permit is sought. Policemen and firemen so assigned shall be charged for by the hour at the basic daily wage rate of the policemen and firemen so assigned in effect the first day of the month for which the permit is sought."

SEC. 3. That paragraph 23 (a) of section 7 of said act be amended by adding thereto a new paragraph, to read as follows:

"When, in the opinion of the Major and Superintendent of Police and Chief Engineer of the Fire Department of the District of Columbia, or either of them, it is necessary to post policemen or firemen, or both, at, on, and about the licensed premises for the protection of the public safety, in addition to the license fee provided for above, such owners or managers shall pay a further monthly permit fee, to be determined monthly by the said Major and Superintendent and Chief Engineer, or either of them, based upon a reasonable estimate of the number of hours to be spent by policemen and firemen, or either of them, at, on, and about the licensed premises, such fee to be payable in advance on the first day of the month for which the permit is sought. Policemen and firemen so assigned shall be charged for by the hour at the basic hourly wage rate of the policemen and firemen so assigned in effect on the

first day of the month for which the permit is sought."

Mr. DIRKSEN. Mr. Speaker, under existing law in the District of Columbia, the fees imposed for safety purposes and for the assignment of police and firemen are inequitable in the sense that they bear no real relationship to the amount of space that is involved and the hazards that exist. So this bill is designed to correct existing law so as to make those fees more nearly commensurate with the kind of service that is rendered by the police and firemen of the District of Columbia.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIABILITY FOR CAUSING DEATH BY WRONGFUL ACT

Mr. DIRKSEN. Mr. Speaker, I call up the bill (S. 1265) to amend sections 1301 and 1303 of the Code of Law for the District of Columbia, relating to liability for causing death by wrongful act, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That section 1301 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, is amended to read as follows:

"SEC. 1301. Liability: Whenever by an injury done or happening within the limits of the District of Columbia the death of a person shall be caused by the wrongful act, neglect, or default, of any person or corporation, and the act, neglect, or default is such as would, if death had not ensued, have entitled the party injured, or if the person injured be a married woman, have entitled her husband, either separately or by joining with the wife, to maintain an action and recover damages, the person who or corporation, which would have been liable if death had not ensued shall be liable to an action for damages for such death, notwithstanding the death of the person injured, even though the death shall have been caused under circumstances which constitute a felony; and such damages shall be assessed with reference to the injury resulting from such act, neglect, or default causing such death, to the spouse and next of kin of such deceased person, and shall also include the reasonable expenses of last illness and burial: Provided, That if there be a surviving spouse the jury shall allocate the portion of its verdict payable to the spouse and next of kin, respectively, according to the finding of damage to said spouse and next of kin: Provided further, That if in a particular case the verdict is deemed excessive the trial justice or the United States Court of Appeals for the District of Columbia, on appeal of the cause, may order a reduction of the verdict: And provided further, That no action shall be maintained under this chapter in any case when the party injured by such wrongful act, neglect, or default has recovered damages therefor during the life of such party."

SEC. 2. Section 1303 of such act is amended to read as follows:

"SEC. 1303. Distribution of damages: The damages recovered in such action, except the amount specified by the verdict or judgment covering the reasonable expenses of last illness and burial, shall not be appropriated

to the payment of the debts or liabilities of such deceased person, but shall inure to the benefit of his or her family and be distributed to the spouse and next of kin according to the allocation made by the verdict or judgment, or in the absence of such allocation, according to the provisions of the statute of distribution in force in said District of Columbia."

The SPEAKER. The Chair recognizes the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Speaker, this act changes existing law in that it removes the limitation for recovery for death by wrongful act what is known as the old common law Lord Campbell Act, and the existing limitation of \$10,000. The limit has been taken off. There is now no limit upon it. It also gives the right of both the trial and the appellate court to reduce the amount of damages awarded by jury and also leaves it up to the jury instead of the probate court to make the allocations of damages awarded by the jury.

The bill was ordered to be read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSIBILITY OF CERTAIN TESTIMONY

Mr. O'HARA. Mr. Speaker, I call up the bill (S. 1266) to amend section 1064 of the act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, relating to admissibility of testimony by a party to a transaction when the other party is incapable of testifying, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1064 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, is amended to read as follows:

"SEC. 1964. Testimony of surviving party: In any civil action against a person who, from any cause, is legally incapable of testifying, or against the committee, trustee, executor, administrator, heir, legatee, devisee, assignee, or other representative of a deceased person or of the person so incapable of testifying, no judgment or decree shall be rendered in favor of the plaintiff founded on the uncorroborated testimony of the plaintiff or of the agent, servant, or employee of the plaintiff as to any transaction with or action, declaration or admission of the deceased or incapable person; and in any such action, if the plaintiff or any agent, servant, or employee of the plaintiff testifies as to any transaction with or action, declaration, or admission of the deceased or incapable person, no entry, memorandum, or declaration, oral or written, by the deceased or incapable person, made while he was capable and upon his personal knowledge, shall be excluded as hearsay."

Mr. O'HARA. Mr. Speaker, this is a bill designed merely for the preservation of testimony.

An amendment will be offered due to the incorrect designation of the section and I ask that this be considered.

THE SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 6, strike out "1964" and insert in lieu thereof "1964."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERSONAL INJURY ACTIONS

MR. O'HARA. Mr. Speaker, I call up the bill (S. 1442) to amend sections 235 and 327 of the Code of Laws of the District of Columbia and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

THE SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 235 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, is hereby amended to read as follows:

"Sec. 235. On the death of any person in whose favor or against whom a right of action may have accrued for any cause prior to his death, said right of action shall survive in favor of or against the legal representative of the deceased: *Provided, however,* That in tort actions, the said right of action shall be limited to damages for physical injury and pain and suffering resulting therefrom."

Sec. 2. Section 327 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, as amended, is hereby amended to read as follows:

"Sec. 327. Executors and administrators shall have full power and authority to commence and prosecute any personal action at law or in equity which the testator or intestate might have commenced and prosecuted: *Provided, however,* That in tort actions, the said right of action shall be limited to damages for personal injury and pain and suffering resulting therefrom; and they shall also be liable to be sued in the District Court of the United States for the District of Columbia in any action at law or in equity, except as aforesaid, which might have been maintained against the deceased; and they shall be entitled to or answerable for costs in the same manner as the deceased would have been and shall be allowed for the same in their accounts, unless it shall appear that there were not probable grounds for instituting or defending the suits in which judgments or decrees shall have been given against them."

MR. O'HARA. Mr. Speaker, this provides for the survivorship of tort action. Originally the act as passed by the Senate included the right to recover for pain and suffering. The committee struck out and eliminated the right of recovery for pain and suffering.

The Clerk read the committee amendments, as follows:

Page 2, line 2, strike out "and" and insert "except for."

Page 2, line 12, strike out "and" and insert "except for."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed,

and a motion to reconsider was laid on the table.

RECORDING AND RELEASING OF LIENS ON CERTIFICATES OF TITLE FOR MOTOR VEHICLES AND TRAILERS

MR. O'HARA. Mr. Speaker, I call up the bill (S. 2406) to amend the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes" approved July 2, 1940, as amended.

The Clerk read the title of the bill.

THE SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 12 of the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940 (54 Stat. 739), as amended, is amended to read as follows:

"Sec. 12. The fee for recording liens or assignments of liens upon a certificate shall be the sum of \$1 for each lien or assignment of lien on each motor vehicle or trailer contained in the instrument, which fee shall include the charge for recording the release of such lien."

Sec. 2. Notwithstanding the provisions of section 12 of the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended by the first section of this act, there shall be a fee of 50 cents for recording the release of a lien which is recorded under the provisions of such act of July 2, 1940, as amended, prior to the date of enactment of this act and no assignment of which is recorded under the provisions of such act of July 2, 1940, as amended, after the date of enactment of this act.

MR. O'HARA. Mr. Speaker, this act provides for the payment of \$1 for the filing of liens, which also includes payment for the release. Heretofore, under existing law, there was a payment of 50 cents for the recording of liens and 50 cents for the recording of the release. The Commissioners have recommended passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISSUANCE WITHOUT EXAMINATION OF LICENSES TO CERTAIN PERSONS TO ENGAGE IN BUSINESS

MR. O'HARA. Mr. Speaker, I call up the bill (H. R. 6106) to amend the act of December 20, 1914, to provide for the issuance, without examination, of licenses to certain persons to engage in business, and ask unanimous consent for its consideration in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

THE SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the sixth paragraph of section 1 (b) of the Act entitled "An act to grant additional powers to the Commissioners of the District of Columbia, and for other purposes," approved Decem-

ber 20, 1944, is hereby amended by inserting before the period at the end thereof a colon and the following: "Provided further, That any person engaged in any of the businesses herein enumerated during the 5-year period immediately preceding the date of enactment of this proviso shall be entitled to a license therefor without examination, upon application therefor."

With the following committee amendment:

Page 1, strike out lines 8 to 11 and lines 1 and 2 on page 2 and insert the following: "following: 'Provided further, That any person (1) who throughout the 5-year period immediately preceding July 1, 1946, was engaged in the business of installing, maintaining, or repairing apparatus, equipment, fixtures, appliances, or wiring, using or conducting electric current, and (2) who devoted at least one-half of the time he engaged in such business during such period to work performed in the District of Columbia shall, upon application therefor made within 6 months after the date of enactment of this proviso, be entitled, without examination, to a license to continue to engage in substantially the same character of work as he carried on during such period: And provided further, That any person (1) who, during the 10-year period immediately preceding July 1, 1946, was engaged for an aggregate period of at least 5 years in the business of installing, maintaining, or repairing apparatus, equipment, fixtures, appliances, or wiring, using or conducting electric current; (2) who devoted at least one-half of the time he was engaged in such business during such aggregate period to work performed in the District of Columbia; (3) who left such business to serve on active duty in the armed forces of the United States; and (4) who has been released from such active duty under honorable conditions, shall, upon application therefor made within 6 months after the date of enactment of this proviso or within 6 months after the date of such release from active duty, whichever date is the later, be entitled, without examination, to a license to continue to engage in substantially the same character of work as he carried on during such aggregate period'."

MR. O'HARA. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. O'HARA to the committee amendment: On page 3, at the end of line 6, strike the period, insert a colon and add the following: "And, provided further, That any person (1) who is licensed in any other jurisdiction to engage in the business of installing, maintaining, or repairing apparatus, fixtures, appliances, or wiring, used in conducting electric current, and (2) who has engaged in such business in such other jurisdiction for not less than 5 years immediately preceding his application for license in the District of Columbia, shall, upon application therefor, be entitled without examination to a license to engage in work of substantially the same character as that in which he is licensed to engage in such other jurisdiction, if such other jurisdiction through reciprocity accords equal rights to persons licensed in the District of Columbia who wish to engage in such work in such other jurisdictions."

MR. O'HARA. Mr. Speaker, I may say this is necessary because of the passage of the act of 1944 affecting electricians and because of the fact so many of them were in the service. Consideration had not been given to that fact. The passage of this act is therefore necessary to protect the rights of those who had prac-

ticed as electricians in the District prior to the war.

The SPEAKER. The question is on the amendment to the committee amendment offered by the gentleman from Minnesota.

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALCOHOLIC BEVERAGE CONTROL

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6451) to amend the District of Columbia Alcoholic Beverage Control Act to provide for the better control of the alcoholic-beverage industry in the District of Columbia, and ask unanimous consent for its consideration in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CRAWFORD. Mr. Speaker, reserving the right to object, will the gentleman explain this bill to the House? I have been trying to get a report on the bill and am unable to get one. I am informed that there are no reports available.

Mr. DIRKSEN. I think that is correct. I think it was probably filed too late to have the report come from the Government Printing Office.

The SPEAKER. The Chair would suggest that the gentleman withdraw it temporarily.

Mr. DIRKSEN. I withdraw it temporarily, Mr. Speaker.

ADDITIONAL REVENUE FOR THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 6759) to provide additional revenue for the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. KLEIN. Mr. Speaker, reserving the right to object, may I ask the chairman whether those of us who oppose the bill will have an opportunity to speak in opposition to it?

Mr. DIRKSEN. The gentleman could be recognized notwithstanding the fact that it is being considered in the House as in Committee of the Whole, but if the gentleman prefers an allocation of time, I could move that the House resolve itself into the Committee of the Whole House on the State of the Union and then have limited debate on the bill.

Mr. KLEIN. I think that that might be better, Mr. Speaker. I object.

Mr. DIRKSEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 6759) to provide additional revenue for the District of Columbia; and pending that motion, Mr. Speaker, I ask unanimous consent that

general debate be limited to 30 minutes, the time to be equally divided and controlled by the gentleman from South Carolina [Mr. McMILLAN] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. McMILLAN of South Carolina. Mr. Speaker, reserving the right to object, I wonder if we could not have 30 minutes on each side.

Mr. DIRKSEN. Mr. Speaker, if the gentleman will yield, this is done in the expedition of time. I just conferred with the gentleman from Massachusetts [Mr. BATES] who labored so long on this matter. Suppose we agree on 40 minutes, 20 minutes on a side. That will give everybody an opportunity to be heard.

Mr. HARRIS. Mr. Speaker, further reserving the right to object, I recognize there are several who want to speak on the bill, and in expediting the business before the House today it seems to me that those who want to speak should get time under the 5-minute rule, as well as in general debate, as the gentleman from Illinois suggests.

Mr. DIRKSEN. Yes, there will be opportunity in Committee of the Whole under the 5-minute rule for all Members to express themselves on this legislation.

Mr. HARRIS. The gentleman suggests 40 minutes, with 20 minutes on a side?

Mr. DIRKSEN. Yes.

Mr. EBERHARTER. Mr. Speaker, further reserving the right to object, I am wondering whether the gentleman in charge of the bill will agree not to move to close the debate at the end of one speaker using 5 minutes. This is very important legislation. I do not think we should be confined to 20 minutes, that is, those opposing the measure and those favoring it.

Mr. DIRKSEN. I may say that the gentleman from Illinois will endeavor to be rather generous in the matter. This is imperative legislation, incidentally, and it must be passed by this Congress, because it involves the balancing of the budget for the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 6759, with Mr. CRAWFORD in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. BATES]. Incidentally, may I say that almost since the first of the year he has worked most diligently in connection with the sessions of the joint committee of the House and Senate in preparing a revenue bill for the District of Columbia. It has indeed been a labor of love, and he has done a master-

ful piece of work. I now pay great testimony to the work he has done for the District and his interest in the pending bill.

Mr. BATES of Massachusetts. Mr. Chairman, the bill before us today carries the so-called combination sales tax, compensating use tax, excise tax, and revision of the income and franchise taxes in the District of Columbia.

May I say at the outset that I realize full well the controversial features of this legislation. I realize also the importance of it from the standpoint of meeting the revenue requirements of the District of Columbia. For 12 years I have been a member of the Fiscal Affairs Committee of the House Committee on the District of Columbia, and for the past 2 years chairman of the committee. Over a period of many months last year we went very thoroughly into a complete analysis of the entire financial structure of the District of Columbia.

May I say without any feeling of vanity on my part that for 30 years I have given a great deal of my time and effort to the problems of municipal finance, administration, and taxation. I realize full well the problems confronting the District of Columbia, as I have the problems confronting the cities in other parts of the country in which I have been interested down through that period of time. May I say that during that period I have never been so concerned with a problem confronting any community as I am at the present time with the problem confronting the District of Columbia.

We have in mind, of course, the tremendous increase in the cost of Government in the District, going from \$42,000,000 in 1937 to a budget this year of over \$100,000,000. We know that the Senate Committee on Appropriations for the District of Columbia recently approved a bill for a little over \$99,000,000, which is \$3,000,000 more even than the last year. We know that as a result of the pay-as-you-go policy here in the District, where we do not owe any money from the standpoint of municipal debt, tremendous sums of money are being expended for capital outlay projects from the current revenues of the year.

We have not borrowed any money for a long period of time. We have now reached the point in our municipal requirements that we must find some way to develop revenue so that these obligations can be met, and all necessary improvements carried forward. Today we are recommending a sales tax provision. For 30 years I have been opposed to a sales tax. For 10 years I have been one who has spearheaded the opposition to a sales tax in the District of Columbia. I opposed it last year, the year before, and every year before that, and along with the gentleman from Illinois [Mr. DIRKSEN] back in 1939 when the income tax and the sales tax was proposed, we recommended the income tax instead of the sales tax. Down through this period of years, because we have been unable to develop what might well be called an equitable income-tax system for the District of Columbia, we are forced to the position that we are now in. Let me give you a typical illustration of what we are

up against here. Last year when conditions got so bad that we had to find additional revenue, the question before us then was whether or not we were going to comply with the recommendations of the District Commissioners and adopt a sales tax. They were in opposition to any increase in the real estate tax. I took the position then, and I still think that position is correct today, that the real estate tax at that time was extremely low from the standpoint of comparable rates in other cities of the country. The result was that we inaugurated for the first time in 11 or 12 years an increase in the tax rate from \$1.75 a thousand dollars to \$2 per thousand dollars. In addition, the Board of Assessors here in the District revalued the District and put a 20 percent increase on the assessed valuation of the properties here, so that the net increase in the tax bill within the District of Columbia last year was approximately 30 percent over and above what it was the year before.

In other words, let us assume that a man was paying a thousand dollars in taxes a year ago. Under the bill that passed a year ago he is paying approximately \$1,333. We are up against a situation with the possibilities of a Federal increase in salary which will reflect itself automatically in the District in the wages of all municipal employees; we are up against the possibility of adding seven or eight million dollars or more to our already heavy tax burden in the District of Columbia. In addition to that, we are utilizing all available funds from the sales of securities, as well as funds available in cash that will not be used during the fiscal year 1949, as a basis for adjusting the whole tax structure so that there will be no increase necessary in any sort of revenue to balance the 1949 budget if the recommendation of the Committee on Appropriations of the Senate is adopted. I see no reason why it should not be adopted. We are up against the situation this year that if the salary increases go through for the Federal Government, and as I say that will reflect itself in the cost of the District government, we will have to find at least seven or eight million dollars by some means to meet those obligations. For this reason, unless you want another substantial increase in the tax bill on property over and above the 30 percent that we gave them last year, we see no other way in which we can raise this money other than through a sales tax and a compensating use tax, which we are suggesting today.

Mr. CARROLL. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. CARROLL. Do I understand that there was an increase in the real-estate tax in the last year?

Mr. BATES of Massachusetts. For the first time in 11 years, I might say to the gentleman from Colorado, I recommended to the committee, and the committee adopted the recommendation, which was approved by the House and Senate and signed by the President, a bill to increase the tax rate from \$1.75 a thousand dollars to \$2 per thousand dollars. In addition to that, the Board of

Assessors revalued the whole city, placing an increased value in the assessed valuation of 20 percent on residential and commercial property in the District.

Mr. CARROLL. Can the gentleman tell me how much revenue that tax increase yielded to the District?

Mr. BATES of Massachusetts. Altogether, about \$5,000,000.

Mr. CARROLL. In addition to that increase, do we need this sales tax also?

Mr. BATES of Massachusetts. In order to balance the budget this year, which is \$3,000,000 more than a year ago, according to the bill that has been approved by the Senate District Committee on Appropriations, we are utilizing funds which are now free cash to the amount of \$1,600,000, plus the sale of securities of \$4,300,000. In other words, we will balance the budget if the Federal salary increase does not go through. In that event as the committee report shows the effective date the bill will become law will be July 1, 1949. We have an understanding within the committee and the Senate committee on that matter.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HAND. To what extent do we now assess property in the District of Columbia? That is, about what proportion of its full and true value is it assessed?

Mr. BATES of Massachusetts. In an examination we made a year ago, I had a spot-check made by Assessor Dent of a few hundred sales in the District of Columbia between 1945 and 1947, the selling price and the assessed value on each of those properties. The result of that was that the myth that has always existed that property was assessed far in excess of its real value was completely exploded. According to the figures given to me by the chairman of the Board of Assessors, in regard to apartment houses they were assessed at 79 percent of their sales value; in the case of business property, about 76 percent; and residence property about 62 percent.

Mr. HAND. In view of the fact that that runs between 65 and 75 percent of the true value, is the gentleman not of the opinion that the \$2 rate is still a reasonable rate compared to most tax rates?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HORAN. I wonder if the gentleman would tell the committee the difficulties of the limitation of taxable real estate in the District of Columbia, which renders rather difficult the hope of raising sufficient revenues from the real estate in the District of Columbia proper.

Mr. BATES of Massachusetts. Of course, we can well understand the large amount of property owned in the District of Columbia by the Federal Government. On the other hand, perhaps with the exception of New York City and Chicago, we have the highest per capita value in the District of Columbia of any

city in the country. Nevertheless, I do not want it to be understood that the District of Columbia is in any financial distress. It is in one of the most favorable financial conditions of any city in the country. But we cannot meet the additional costs in the District of Columbia which will add approximately, together with the deficiencies which we will run across next year, \$15,000,000 or \$16,000,000. If we add that to the tax burden on real and personal property, in addition to the 30 percent we added last year, it will mean that in 2 years we will just increase the tax burden on the property owners of the District of Columbia 100 percent. I am not willing to become a party to that proposition.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. GRANGER. Would the gentleman say that the tax levy and the assessment of property in the District of Columbia is comparable to other cities in the country?

Mr. BATES of Massachusetts. I just answered that question. I think, relatively speaking, that the tax levy is relatively low in the District of Columbia.

Mr. GRANGER. And what about the assessed valuation?

Mr. BATES of Massachusetts. I just said a moment ago that it represents from 62 to 79 percent of the actual value, an average of about 70 percent.

Mr. GRANGER. How does that compare with other cities?

Mr. BATES of Massachusetts. Generally speaking, I believe the comparison is fair with most large cities.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. DIRKSEN. Mr. Chairman, I yield the gentleman one additional minute.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I gladly yield to the distinguished gentleman from California.

Mr. WELCH. Is it not a fact that the tax rate in the District of Columbia or the city of Washington has the lowest tax rate of any large city in the United States?

Mr. BATES of Massachusetts. The only exception is the city of Los Angeles. That city has an adjusted rate lower than the District. One other is the city of Milwaukee.

Mr. WELCH. Oh, no. We cannot accept the city of Los Angeles.

Mr. BATES of Massachusetts. Those are the only ones that have a lower adjusted tax rate.

Mr. WELCH. The city of Los Angeles tax rate is over \$5 on the hundred. In San Francisco, the city in which I reside, the tax rate is \$5.50 per \$100. Washington is absolutely the lowest taxed city in the United States.

Mr. BATES of Massachusetts. I disagree with the gentleman on the adjusted rate. According to my records San Francisco and Los Angeles have a higher rate but a 50-percent assessment to full value.

Mr. BRADLEY. How does the tax apply to hotel accommodations?

Mr. BATES of Massachusetts. There is no relationship to hotel accommodations.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield.

Mr. HINSHAW. I wish to say that the tax paid in Washington is commensurate to similar taxes in my home territory.

Mr. BATES of Massachusetts. I think the gentleman will find that is so although in his State they have the sales tax.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman, I regret that the gentleman from Massachusetts [Mr. BATES] has finally yielded to the pressure and influence of the tax evaders here in the District of Columbia after all these years. I know the pressure was great. He states that there has been an increase in the real-estate tax of 25 percent. Meanwhile, property values have gone up from 100 to 500 percent and revenues from business property as well as residential have increased from 100 to 300 and 400 percent.

I feel that the sales-tax provision in this bill is manifestly unfair, unjust, and unwarranted. It is another effort to place the burden upon those who can least afford to bear it. If the committee had familiarized themselves with the real facts they would not have permitted themselves to be bludgeoned and influenced by the real-estate lobbyists and big tax evaders in the District of Columbia. They would easily find that the real-estate tax could be increased not only the 25 percent it has been in the last 11 years, but by an additional 25 or 50 percent. That would give the District the revenue it needs.

How about the personal-property tax? We have in this District thousands of people who because they can evade the tax at home in the various States, come down here to the District of Columbia. If the personal-property-tax law here were rigidly and decently enforced and an additional fair increase in the real-estate tax were imposed, the District would derive all the money it requires, and a sales tax would not be necessary.

I have communications from many many consumers and other organizations representing the people of this city who, I think, are entitled to our consideration in preference to the real property owners of the District.

I am of the opinion that the sales tax is unjustifiable, as I stated; and I hope that we will not deviate from the position we have taken and considered many times when we have refused to be influenced by the tax evaders here.

The consumer today is paying tremendous prices for everything outside of the exceptions that are in this bill, clothing, shoes, everything they are obliged to buy, especially those with large families; and these big property owners, these rich, wealthy people who own this property here naturally do not consume very much because their families are

small, but to the wage earners, the workers, whose families as a rule are much larger, four, five, and six to a family, it will mean hundreds of dollars a year to them in this additional tax because under the provisions of the bill instead of a 2 percent tax it will be 4 percent. Consequently, I hope the House will refuse to vote favorably on this, will vote down section 2 in this bill and stop imposing additional burdens on those who can least afford them. That is my position. I have lived in the city of Washington for many years and I know some of the properties that could be acquired for three, four, and five thousand dollars that today are worth \$25,000 and \$50,000.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SABATH. I yield.

Mr. COOLEY. Does the gentleman know when the property in the District was revalued?

Mr. SABATH. It was revalued last year, as I understand, and they added 25 percent on the so-called revaluation; but I know that the tax on real estate in the city is lower than in any other large city in the United States. I know the figures will bear me out.

Mr. COOLEY. The gentleman's remarks indicate that the District does not have a personal property tax. Is that correct?

Mr. SABATH. Yes there is, but very little tax is collected.

Mr. BATES of Massachusetts. Mr. Chairman, if the gentleman will yield, of course they have a personal property tax in the District of Columbia.

Mr. SABATH. I repeat they have it but they do not collect it. They should be able to collect enough personal property taxes so that this unfair, burdensome tax on persons of low income would not be necessary.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 5 minutes to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, I arise in opposition to the proposal to impose a sales tax on the residents of the District of Columbia. I do this because the sales tax means that the low-income groups are the ones which will be forced to pay the most under this sort of revenue raising measure. A 2 percent retail sales tax would consume more than 1 percent of the total income of the poorest families and less than one-third of 1 percent of the total income of the richest families.

The result of the sales tax would be to drive the low-income families further into debt and to impose it would literally take food out of the mouths of such families and make their means of livelihood that much harder to achieve. This tax will hit larger families much harder than the small families because the larger units will have to spend more of their incomes on items which would be liable under this measure. Furthermore, the burden on the low income levels is increased by the relative importance of a-fraction-of-a-cent tax on

small purchases. There is no arguing the fact that the imposition of a sales tax would impose a real burden on the groups who can least afford it.

In 1944, one-fourth of our urban families spent for living expenses more than they received in income. It is easy to imagine what the effect of a sales tax would be on the families in the District of Columbia when one considers the cost of living in the District is the highest in the country. Furthermore, in every low-income family virtually all expenses are for necessities so that a sales tax, even though it exempts food and medicine, would be a tax on necessities. The sales tax is unsound economically and unjust socially and places too much of the burden of taxation on the people who need help the most.

Mr. Chairman, this Congress has repeatedly refused to do anything about passing legislation which would help to control the high cost of living and bring to a halt the spiral of inflation. I think that it is high time for this Congress to consider the facts of life as they affect the people of this country. Instead of imposing a sales tax, they should enact legislation which would halt the upward spiral of prices.

If this body passes a sales tax today, it is my belief that at the next session, it will try to impose a sales tax on the country because of the fact that this year and the next, we will have to pay the cost of the Government by means of deficit spending. I am opposed to this type of spending because I feel that we should be able to maintain our expenses in line with our income. The country must realize that because of the Republican majority in this Congress refusing to do anything about the high cost of living, while at the same time imposing a tax-reduction measure and bringing into being a sales tax on the District of Columbia, it is failing in its duty to take care of the real needs of the people of our country as a whole.

Mr. Chairman, I want to register as emphatically as I know how my opposition to a sales tax now being considered for the reasons stated above. It will place the greatest burden on the low-income families and it will also create a situation which will be very difficult for merchants to administer and which will allow the possibility of graft and corruption to take place in the compiling, assessment, and collection of this iniquitous tax.

Mr. DIRKSEN. Mr. Chairman, I yield 4 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, there are several tenets which apply and determine as to the justice of any tax. It should be levied according to ability to pay. Many people stop there. It should also be levied according to the benefits received or damages done. Benefits to be received cause the need for taxes. It should take no more out of the common persons than is necessary to run the Government.

After listening to the last two speakers I feel there is another tenet that applies here; namely, it should always be levied against the other fellow.

Mr. Chairman, I am chairman of the Subcommittee on Appropriations which considers the District of Columbia appropriations, and I want you to know that we labor long and hard to see that we get 100 cents out of the taxpayers' dollar. We appropriate for a municipality and a State all in one.

We need a guiding standard for the levying of taxes around the Nation.

In the first place, in the income-tax field the Federal Government already usurps the total possibilities to such a great extent that this House was persuaded not more than 2 months ago to pass a reduction in the income tax over the President's veto. I feel that sales taxes should be reserved for State governments. Twenty-eight States wisely use this revenue possibility. The District of Columbia is at once a State as well as the city of Washington, the Nation's Capital. Property taxes are and should be a local matter, because only the people living in the locality can judge and gage the effect of property taxes upon the security of the taxpayers and the property owners of a district. Quite properly that is the situation here in the District. Here in the District of Columbia—and get this—only one person in eight pays any taxes. There are about 150,000 parcels of land, many of those parcels owned by one person, and so we figure there are about 100,000 people who own property here. There are about 88,000 who pay an income tax in the District, and they are the same people who own the property. So, it is easy to see that only one person in eight pays any taxes in the District. If this America of ours is so fine, it is certainly fine enough to be supported by every individual privileged to live here. Taxes will never be popular, but if you want justice in government, if you want those who derive the benefits of our great democracy to be protected, and benefit from its privileges, do not deny them the right of paying their full and just portion of that cost.

I happen to be against the income-tax provision in this bill, although I am not opposed to the bill. Why? Because the people that it is proposed to tax here are already taxed to a full extent for the Federal Government. They can move out of the District. I submit that the high hopes held for this source of revenue are rather apt to become abortive. On the other hand, the only way we can protect the District of Columbia from the great burdens placed upon our Fire Department, our Police Department, upon St. Elizabeths, and our other hospitals here in the District from the great hordes of people who come here to see their Nation's Capital, and sometimes become stranded, is by the imposition of a sales tax so that they may pay a part of the cost of supporting the Nation's Capital. If we do not do this, if we do not pass a sales tax, we will have to resort to other sources of revenue, and I submit the property taxes will not prove sufficient, because the area that is taxable is decreasing every year as we increase the Federal holdings, and I submit that the income tax is abortive, because we already have used up all the possibilities there.

Mr. AUCHINCLOSS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Chairman, I do not agree with the Committee on the necessity of a sales tax and increased income taxes for the District of Columbia. The only justification for these increased taxes would be if all other legitimate methods of financing had been exhausted and I submit that this has not been done.

By what process of reasoning is the payment of capital projects out of current income justified? When capital outlays for projects which will have a useful life of 20 to 25 years, or even less, are involved they should be paid out of borrowed funds, the loan to be amortized over a reasonable period of time. Thus those who enjoy the use of these improvements will participate in their payment and the burden will not be borne in toto by the taxpayer of today.

A study of the current District budget reveals that there is a total of \$17,909,583 devoted to the payment of capital expenditures. Of this amount \$5,023,283 is for schools, \$5,250,000 for streets and bridges; \$5,858,000 for sewer and water improvements; these capital items total \$16,131,283 which should be raised by the sale of school and utility bonds. It has long been an accepted principle of public finance to pay operating expenses out of current revenues and to finance capital outlays by borrowing. Of course, the amount of the public debt must be limited and kept within the ability of the city to pay but the borrowing of money by a municipality should not be condemned per se.

In the home-rule bill under the consideration of the House, the District of Columbia would be permitted to borrow up to 3 percent of the assessed valuation of the land in the District—exclusive of Federal-owned property—for the purpose of capital improvements. This would amount to about \$48,000,000 under present circumstances. I should say, however, that the act would not permit any borrowings without the authority of Congress and the consent of the people of the District. In this way much needed capital improvements could be undertaken without in any way increasing the taxpayers' burden.

Bonds and evidences of indebtedness of the District of Columbia would find a very ready market among the investors of the country and I venture the opinion that the demand would be so great that the securities would sell at a low interest rate and undoubtedly command a premium. Under all these circumstances it is difficult for me to understand why the committee, which has worked so hard on this budget problem, did not come up with its obvious solution.

I am not proposing an amendment to the bill to provide for the sale of bonds because it involves a number of different considerations such as a description of the property, the life of the improvement, the authority for the issue, and other legal and technical matters which can-

not be handled in a hasty manner. I do urge the Congress, however, to approve home rule for the District in order that such matters, and many others affecting the lives of the people who live here, may be cleared by an elected District city council and then submitted to the Congress for its approval. No one can dispute the right of taxpayers to have a voice in how their money is spent, but that is the sad and un-American state of affairs in our Nation's Capital today.

Mr. DEVITT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DEVITT. Mr. Chairman, I find myself in the unfortunate position of arguing against this bill which would provide a means of increasing tax revenue for the District of Columbia and at the same time arguing for increased salaries for Federal employees. Normally it would be an untenable position, but I believe I can justify such a stand in this particular case.

I cannot support a revenue bill, be it for the District of Columbia or for the United States as a whole, which is based upon a sales tax. It is not a good system of taxation. It is especially repulsive when it is wrapped into a bill which virtually eliminates income-tax payments for the bulk of District of Columbia residents. The entire system of taxation in this country has been based upon the time-tested theory of "ability to pay." I recognize full well that the "ability to pay" plan has at times been stretched to the breaking point and that, if it falls into unscrupulous hands, it could be turned into a totalitarian weapon in this country.

I do not understand how we can justify a District of Columbia tax system different from the rest of the Federal tax program. We have a few excise taxes which are in effect sales taxes, but it is generally known that we permitted most of these because of the war emergency. The District of Columbia must work out a different tax program to meet its requirements.

Just as serious a problem in the District of Columbia today is what this Congress intends to do about pay increases for Federal workers. It is for that cause that I earnestly request the leadership of my party to take immediate action—to make an immediate decision.

I have supported previously introduced bills which would raise Federal employees \$800 annually. Since that time two bills have been approved by the House committee and now await action by the Rules Committee of this body. H. R. 5667 would raise postal workers \$585 a year. It affects 479,850 employees and would cost \$268,000,000. H. R. 5472 would increase the pay for 900,000 other Federal workers by \$468 a year. It will cost the Government \$421,000,000. They are sound and just compromises. I believe we will be neglecting our duty as Representatives of the people of this Nation if we go home without assuring an adequate pay adjustment for the servants of the people.

We sit in the Halls of Congress and criticize labor and business for not bargaining properly across the table. Some of us sharply criticize labor for its methods. Some of us condemn business. Both views are often expressed in this body, especially when a national emergency faces the country because of a breakdown in negotiations.

But here we are in the role of representing the employers and we sit by without giving careful and proper consideration to the most vital problem affecting the men and women who work for the American people. Private business has found it necessary to freely grant several major pay adjustments in the past 2 years. The Federal Government has not granted a pay increase to its workers during that period. Private business has made an adjustment to offset the rising cost of living. The Federal Government has not. I cannot emphasize too vigorously my belief that we cannot pass by these two compromise bills which would help the Federal worker over the rough spots in the next few years.

We who condemn representatives of private employers for inaction had better remember that we are the employers in this instance. We who condemn labor unions for demanding too much and using ruthless methods had better remember that we forbid the Federal employees to even consider such tactics or pressure in order to bring about consideration of their case. We have a moral responsibility which we cannot escape nor should we want to.

The sales tax proposed in this bill will force the average workingman to pay more in taxes for the operation of his Government. I cannot approve such legislation especially at the same time that we neglect to offset the loss in income which has been suffered by that some workingman because of a 23-percent cost-of-living increase since he was granted his last pay raise.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. KLEIN].

SALES TAX NOT NECESSARY

Mr. KLEIN. Mr. Chairman, at the outset I want to commend the chairman of the subcommittee, the gentleman from Massachusetts [Mr. BATES] who has labored so well and so long on this problem. I served with him on the subcommittee on fiscal affairs and I know the job, and I know there is no doubt that he is convinced that the only way we can get the income necessary for the District of Columbia government is through a sales tax.

However, I respectfully differ with him. I think we all agree that the District needs additional revenue, but it seems to me we have not exhausted every means of getting additional revenue. There are other ways. I think the best way is to have a real income tax, which we do not have in the District at the present time. I think the gentleman from Massachusetts would agree with me. Unfortunately, the Congress took that question up last year, and in the rush to

adjourn it was defeated. However, I believe that if the Members really had an opportunity to give it full thought they would probably agree with me that the best way, the fairest way to raise any revenue anywhere is by means of an income tax based on the income of the individual and his ability to pay. The firmest policy of good taxation is based on that. The man who makes more money should pay more taxes, and the fellow who makes only a little should not pay much.

SALES TAX IS NOT FAIR

The sales tax falls on the people least able to pay. From the figures we have seen, it takes over \$3,600 to support a man, his wife, and two children in the District of Columbia. The cost of living here is one of the highest in the country. Why should we want to have a sales tax here which would fall so heavily on the people who can barely make ends meet now?

I have introduced a bill, H. R. 6711, which would provide, in my opinion, an adequate public income through an equitable income tax. It is too easy at the present time for the people of Washington to evade an income tax. That is why only about \$2,500,000 to \$3,000,000 is obtained by the District from income taxes. All a person living here has to do to evade the payment of an income tax in the District is simply to make a statement that he is not domiciled here, that he is domiciled somewhere else, in his home State.

BROADEN BASE, RAISE RATES

I have obtained figures from New York State, my own State, and we find that very few of the New Yorkers who live here in Washington and work for the Government pay income taxes in New York. They evade paying taxes in New York because they claim they pay them here, and they evade paying taxes here because they claim they pay them in New York. The same thing applies in regard to many, many other States. Therefore, if we had a good income-tax law such as I have proposed, broadening the base and increasing the rates, we would get more than enough to take care of this need.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I appreciate all the gentleman has said, and I am thoroughly in accord with him. The gentleman knows, as a member of the committee, that last year we did try to get such a tax through the Congress, but we failed. This year we eliminated all the brackets under the income-tax law below \$8,000, and we retained the higher brackets, even though there was a great deal of influence brought to bear on the committee to wipe out the income tax altogether. The Commissioners, as the gentleman recalls, a few weeks ago recommended the elimination of the income tax. I did not see fit to recommend that, and neither did the committee. So we are eliminating all the brackets under \$8,000, because we know that under the sales-tax provision the people in the lower-income brackets have to pay the bill.

Mr. KLEIN. May I also point out that the Federal contribution should be higher? There are many other ways to raise the needed revenue.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. HUBER].

Mr. HUBER. Mr. Chairman, I am satisfied that this Congress would not be enacting legislation of this type in an election year for their own district. Because of that, I see no reason why we should impose this vicious sales-tax measure on the voteless and defenseless DP's of the District, who are without a vote.

It has been said that the tourists of the country who come into Washington would pay a great share of this expense. The tourists may pay some of it, those who are financially able, but there are thousands of school children throughout the country who save their pennies in anticipation of visiting Washington each year. There is no reason why they should be gouged.

We recently reduced taxes for citizens throughout the country, and we have not yet enacted a pay-raise bill for Federal employees. The supporters of this bill are preparing to take away a great percentage of the earnings of the small-income workers who are living in the District of Columbia.

My State of Ohio in 1932 enacted a sales tax solely as an emergency measure. But it is still on the books. I think you will find that is true of most of the other States that have a sales tax. Why enact a sales tax? Now, during this most prosperous period of our existence, if we have gotten along all the years that the District of Columbia has existed without a sales tax, I see no reason why other methods cannot be devised that will not call on the low-income worker to pay an unreasonable share of the taxes. There is no question about it—it is the person in the low-income bracket percentage-wise who will be paying the District's bills more than anybody else.

Mr. DIRKSEN. Mr. Chairman, I yield the balance of the time to the gentleman from North Carolina [Mr. DEANE].

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield an additional minute to the gentleman.

Mr. DEANE. Mr. Chairman, I rise in support of H. R. 6759, but I do so with this reservation.

There are Members of Congress, while appreciating the urgent need for needed and additional revenue for the District of Columbia, who are hesitant to support a sales tax here in the District of Columbia for two reasons.

First. That their vote might be looked upon as a precedent for supporting next year some type of sales tax for the Nation.

Second. They come from States that do not have a sales tax.

In supporting this legislation, I want it understood that even though I consider the Nation's financial condition in a deplorable condition, and can be expected to grow worse in view of what I consider an unwise tax cut, I would not support a national sales tax.

It is difficult to discuss any budget or method of taxation for the District of Columbia without taking into consideration the budget requirements of this Nation. You are familiar with our own housekeeping problems.

The Congress started out with the determination to cut the President's budget by \$2,500,000,000, yet as of June 1, it increased budget estimates more than it reduced them.

The House and Senate have completed action on only one regular appropriation bill for fiscal 1949, but the House Appropriations Committee has reported 11 bills. While reductions have been made, not all of which have stood up in subsequent action, totaling \$575,000,000.

The Congress has also acted on four deficiency and supplemental bills. All of these have cleared conference; the result shows there has been a net increase of \$1,218,000,000. This means an actual net increase on all appropriations of \$643,000,000 over the President's budget estimate.

This 1949 budget, coupled up with a national public debt of around \$253,000,000,000, the Congress without any question must come to grips with new tax laws next year or else we become a "receivership" Congress.

My reason for inserting these views on the national budget requirements is to emphasize the position felt by many that a vote for a District of Columbia sales tax is not a vote for a national sales tax.

We have ample precedent for supporting this measure.

The following States have a sales tax and certain States have both a sales tax and a use tax. The use tax, as you understand, represents a tax designed to prevent the evasion of a sales tax by levying a tax on the use and consumption of commodities purchased outside the State and brought into the State for use and consumption:

State	Rate	Sales tax	Use tax
Alabama	2 percent	X	X
Arizona	do	X	
Arkansas	do	X	
California	2½ percent	X	X
Colorado	2 percent	X	X
Connecticut	1 percent	X	X
Illinois	2 percent	X	
Indiana	½ percent	X	
Iowa	2 percent	X	X
Kansas	do	X	X
Louisiana	1 percent	X	X
Maryland	2 percent	X	X
Michigan	3 percent	X	X
Mississippi	2 percent	X	X
Missouri	do	X	
New Mexico	do	X	X
North Carolina	3 percent	X	X
North Dakota	2 percent	X	X
Ohio	3 percent	X	X
Oklahoma	2 percent	X	X
Rhode Island	1 percent	X	X
South Dakota	2 percent	X	X
Tennessee	do	X	X
Utah	do	X	X
Washington	3 percent plus ½ of 1 percent	X	
West Virginia	2 percent plus ½ of 1 percent	X	
Wyoming	2 percent	X	X

States which have had but do not now have sales tax: Georgia, Idaho, Kentucky, New Jersey, Oregon, Pennsylvania, Vermont.

States which have not continuously used sales tax but are now levying sales tax: Maryland, New York, Louisiana.

Comparing the District of Columbia with other States in population, there are today 13 States with a total population less than the District of Columbia. These States are: Arizona, Delaware, Idaho, Montana, Nevada, New Hampshire, New Mexico, North Dakota, Rhode Island, South Dakota, Utah, Vermont, and Wyoming.

NEEDS OF THE DISTRICT

New school buildings, athletic facilities, equipment; institutional needs, hospitals and health centers; child day-care centers.

Available income

Total assessed valuation	\$1,572,527,504
Rate	\$2 per \$100
Producing	31,450,585
Personal income: Other sources	72,389,000
Federal contribution	12,000,000
Total revenue (approximately)	98,136,800

DISCUSSION OF SALES TAX

The two principal reasons for opposing the sales tax are:

First. The tax is a regressive one and falls heaviest upon the little man.

Second. It is burdensome upon the merchants who must collect the tax for the State.

I grant that a sales tax alone would bear heavier upon those of lower income. In fact the use of a sales tax without an income tax would be a tragic injustice in taxation, but the distribution of the tax burden depends upon the whole tax structure and not upon one tax alone.

When a sales tax is used in connection with a fair progressive income tax with reasonable exemptions, the arguments against the sales tax lose their force.

The various exemptions provided for in the legislation before us are placed there because the committee is interested in our low-income groups. Conservatively speaking, I would judge that 35 to 45 percent of all retail sales are exempt. For the low-income groups a larger percent of purchases than the above figure is exempt.

What will the impact be upon a family with an income of only \$2,000? A reasonable assumption would be that they would spend approximately \$60 for coal, \$300 for clothing, and \$240 for household equipment and supplies. The sales tax on this budget would not be more than \$15. This I contend is not a heavy tax.

The second argument is that the tax is burdensome upon the merchants. It is true that merchants have some clerical expense in connection with the sales tax; however, many items that are exempted in this legislation certainly will reduce the work load upon any merchant. In addition, merchants under this legislation are given a special discount for acting as collectors of the sales tax. I submit this virtually will cover any cost actually involved in the collection process.

GENERAL STATEMENT

The main arguments for and against a sales tax advocated prior to the adoption of this tax in our various States essentially were not the two arguments which I have just submitted.

The major question facing these States and today the District of Columbia is: Can our State units of the Government maintain the same standard of service in Government without a sales tax and at the same time maintain a tax program that will not retard the over-all progress of any State? The choice facing the people of the District of Columbia and the Congress must be made, in my opinion, between the use of a sales tax or a reduction in the amount of Government services.

After making a careful study of the income derived by the District of Columbia, I am satisfied myself that the District cannot maintain its present standard of service, not to mention the urgent needed capital improvements, without the use of a sales or use tax.

OPERATION OF SALES TAX IN MY STATE OF NORTH CAROLINA

North Carolina first enacted the sales tax in 1933. The rate is 3 percent. North Carolina has a population of approximately 3,718,000 as compared with 861,000 in Washington. For the year 1945-46 North Carolina collected from sales taxes \$26,554,843. The State has received \$15,766,088 as an average for the 13-year period which included the depression years.

From the standpoint of spending money, Washington enjoys a most liquid position both for good and in depression years. It is my belief that the income derived from a sales tax in the District of Columbia would produce some eight to ten million dollars, almost the equivalent of the Federal contribution.

The District of Columbia today, in my opinion, compares with my own State back in 1933. In 1933 North Carolina had a general fund deficit of \$14,000,000. This deficit and the general fund indebtedness totaled \$51,000,000. Today that deficit and indebtedness have been paid off fully and the State has set aside \$50,000,000 for capital outlay expenditures, has \$30,000,000 in a postwar fund and a current surplus of around \$40,000,000.

North Carolina has made tremendous progress in its educational program and it has been due to the fact that it had the money to pay for the job to be done. Today, with approximately \$50,000,000 available for capital expenditures, with \$30,000,000 in a postwar fund and with a surplus of about forty million, we are in a position to move forward not only in education but other governmental services.

What I would desire for North Carolina, I likewise desire not only for the other States within our Union, but the District of Columbia, the orphan child of the National Congress.

Mr. McMILLAN of South Carolina. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY. Mr. Chairman, I would like to speak in opposition to the committee's sales tax, even though I have great respect for the distinguished gentleman from Massachusetts. I take it that this chart fairly proves that the sales tax would put the main burden on the people who cannot afford to pay it.

I say further that Washington is in much better shape than most cities of its size and that it can afford to increase the income tax in place of a sales tax, which is an act of desperation.

If we take the 3-percent sales tax, that means that a person with less than \$1,000 income will have to pay 4.5 percent of his income. As this goes on up, it means that a man with \$15,000 will pay less than five-tenths of 1 percent of their income in this sales tax. If you put on a 2-percent sales tax, exclusive of food, it means that people with less than \$5,000 income will pay more than 1 percent of their income in this tax, but people with incomes of \$15,000 will pay less than five-tenths of 1 percent. With the present income tax, you will find that people with \$2,000 incomes do not have to pay anything, while people with \$15,000 incomes have to pay slightly over 1 percent of their income.

We suggest in Mr. KLEIN's bill that we increase the income tax and exclude the sales tax. So that means that with Mr. Klein's bill an increase in the income tax will take place, which will mean that people with \$2,000 income would not pay anything, and people with \$15,000 income would pay slightly over 3 percent of their income—the people most able to pay.

It seems to me this is an admirable compromise and that this will bring in plenty of income, and it will place the burden on the people most able to pay and yet not much of a burden.

So I hope the bill offered by the gentleman from New York [Mr. KLEIN] will be the bill that is passed by this House.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

All time has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc. That this act divided into titles sections may be cited as the "District of Columbia Sales and Compensating Use Tax Act of 1948."

TITLE I—SALES TAX

SEC. 1. Definitions: When used in this title the following terms shall mean or include:

(a) "Person": Includes an individual, partnership, society, association, joint-stock company, corporation, estate, receiver, trustee, assignee, referee, or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of individuals.

(b) "Vendor": Includes a person selling property or rendering services upon the receipts from which a tax is imposed under section 2 of this title.

(c) "Purchaser": Includes a person who purchases property or to whom are rendered services, receipts from which are taxable under section 2 of this title.

(d) "Receipt": The amount of the sale price of any property or the charge for any service specified in section 2 of this title, valued in money, whether received in money or otherwise, including all receipts, cash, credits, and property of any kind or nature, and also any amount for which credit is allowed by the vendor to the purchaser, without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor, transportation or service cost, interest or discount paid, taxes paid, or any other expense whatsoever.

(e) "Sale" or "selling": Any transfer of title or possession or both, exchange or bar-

ter, license to use, license to consume, conditional or otherwise, in any manner or by any means whatsoever for a consideration, or any agreement therefor, and shall include the rendering of any service specified in section 2 of this title.

(f) "Tangible personal property": Corporal personal property of any nature.

(g) "Retail sale" or "sale at retail": A sale to any person for any purpose other than for resale in the form of tangible personal property. A "sale or purchase at retail of tangible personal property" shall also be deemed to include the sale of the services of producing, fabricating, processing, printing, or imprinting tangible personal property, to a person who directly or indirectly furnishes the tangible personal property, not purchased by him for resale, upon which such services are performed; other than the rendering of services in connection with the repair, alteration, or reconditioning of tangible personal property on behalf of the owner thereof to refit it for the use for which it was originally produced.

(h) "Semipublic institution": Those charitable, educational, and religious institutions which are supported principally by public subscriptions or endowment or by appropriation made by the Congress of the United States and are not organized or operated for private gain.

(i) "Return": Includes any return filed or required to be filed as herein provided.

(j) "District": The District of Columbia.

(k) "Commissioners": The Commissioners of the District or their duly authorized representatives.

(l) "Assessor": The Assessor of the District or his duly authorized representatives.

(m) "Collector": The Collector of Taxes of the District or his duly authorized representatives.

(n) "Food": Cereals and cereal products; milk and milk products; candy and confectionery; ice cream and ice-cream products; meat and meat products; fish and fish products; eggs and egg products; vegetables and vegetable products; fruits, fruit products, and fruit juices; flavoring extracts, condiments, spices and salt; sugar and sugar products; coffee and coffee substitutes; tea; cocoa and cocoa products; and ice when used for household consumption. "Food" shall not include spirituous or malt liquors; beer, soft drinks; and sodas and beverages such as are ordinarily dispensed at bars and soda fountains or in connection therewith, other than coffee, coffee substitutes, tea, and coca.

SEC. 2. Imposition of tax: Beginning 60 days after approval of this act but not prior to July 1, 1948, for the privilege of selling certain tangible personal property at retail as defined in this title and for the privilege of dispensing certain services as defined in this title, there is hereby imposed and there shall be paid a tax upon the amount of receipts from every sale of tangible personal property sold at retail in the District, including services rendered in connection therewith, computed as follows:

(a) On each sale where the price is from 14 cents to 50 cents, both inclusive, 1 cent;

(b) On each sale where the price is from 51 cents to \$1, both inclusive, 2 cents;

(c) On each 50 cents of price or fraction thereof in excess of \$1, 1 cent.

The tax imposed by this section shall be paid by the purchaser.

SEC. 3. Exemptions: Receipts from sales of the following and services rendered in connection therewith shall be exempt from the taxes imposed by this title:

(a) Sales to the United States or the District or any instrumentality thereof.

(b) Sales to a State or any of its political subdivisions if such State grants a similar exemption to the District. As used in this subsection, the term "State" means the sev-

eral States, Territories, and possessions of the United States.

(c) Sales to a semipublic institution.

(d) Sales of food for human consumption in the home or residence. It is not intended by this subsection to exempt from the tax sales of food for human consumption in restaurants, cafes, hotel dining rooms, taverns, night clubs, and similar establishments.

(e) Sales of drugs and medicines.

(f) Sales of motor-vehicle fuels upon the sale of which a tax is imposed by the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924, as amended or as may be hereafter amended.

(g) Sales of tickets for admission to places of amusement and sports.

(h) Sales of gas and electricity and services rendered incident thereto: *Provided*, That the receipts from such sales and services are subject to a gross-receipt tax in force in the District during or for the period of time covered by any return required to be filed by the provisions of this title.

(i) Sales of transportation and telephone and telegraph service.

(j) Sales of property purchased by a utility or public-service company for use or consumption in furnishing a commodity or service: *Provided*, That the receipts from furnishing such commodity or service are subject to a gross-receipts tax in force in the District during or for the period of time covered by any return required to be filed by the provisions of this title.

(k) Sales of newspapers and magazines.

(l) Casual and isolated sales by a vendor who is not regularly engaged in the business of selling tangible personal property.

(m) Sales of livestock, poultry, seeds, feeds for livestock, fertilizer, lime, and land plaster used for agricultural purposes.

(n) Sales of advertising space and sales of radio advertising.

(o) Sales of food or beverages of any nature if made in any car composing a part of any train or in any aircraft or boat operating within the District in the course of interstate commerce.

(p) Sales of goods made pursuant to bona fide contracts entered into before the date of approval of this act: *Provided*, That there is a contract in writing signed by the buyer and seller which imposes an unconditional liability on the part of the buyer to purchase goods covered thereby, and an unconditional liability on the part of the seller to deliver a definite quantity of such goods at the contract price.

(q) Sales of natural or artificial gas, oil, electricity, solid fuel, or steam, to any purchaser for use in manufacturing, assembling, processing, or refining.

(r) Sales which the States would be without power to tax under the limitations of the Constitution of the United States.

(s) Sales of motor vehicles and trailers.

SEC. 4. Upon each taxable sale or service the tax to be collected shall be stated and charged separately from the sale price or charge for service and shown separately on any record thereof, at the time when the sale is made or evidence of sale issued or employed by the vendor and shall be paid by the purchaser to the vendor as trustee for and on account of the District, and the vendor shall be liable for the collection thereof and for the tax. The vendor shall be personally liable for the tax collected or required to be collected under this title, and the vendor shall have the same right in respect to collecting the tax from the purchaser, or in respect to nonpayment of the tax by the purchaser, as if the tax were a part of the purchase price of the property or service and payable at the time of the sale: *Provided*, however, That the Collector shall be joined as a party plaintiff in any action or proceeding brought by the vendor to collect the tax.

SEC. 5. The tax imposed by this title shall be paid upon all sales made and services rendered beginning 60 days after approval of this act but not prior to July 1, 1948, although made or rendered under a contract dated prior thereto. Where a service is billed on either a monthly or other term basis, the payment of such bill for such month or other period of time shall be a receipt subject to the tax herein imposed. The Commissioners may provide by regulation that the tax upon receipts from sales on the installment plan may be paid in full at the time the agreement therefor is made or on the account of each installment and upon the date when such installment is due. The Commissioners may provide by regulation for the exclusion of amounts representing sales where the contract of sales has been canceled, or the property returned, or the receipt has been ascertained to be worthless or, in case the tax has been paid upon such receipt, for a credit or refund of the amount of the tax upon such receipt upon application therefor as provided in section 13 of this title.

SEC. 6. Presumptions: For the purpose of the proper administration of this title and to prevent evasion of the tax hereby imposed, it shall be presumed that all receipts for property and services mentioned in this title are subject to tax until the contrary is established, and the burden of proving that a receipt is not taxable hereunder shall be upon the vendor or the purchaser. Unless the vendor shall have taken from the purchaser a certificate signed by and bearing the name and address of the purchaser and the number of his registration certificate to the effect that the property or service was purchased for resale, the sale shall be deemed to be a taxable sale at retail.

SEC. 7. No person engaged in the business of selling property or services the receipts from which are subject to tax under this title shall advertise or hold out to the public in any manner directly or indirectly that the tax imposed by this title is not considered as an element in the price to the purchaser.

SEC. 8. Collection of tax from purchaser: The tax shall be paid by the purchaser to the vendor as trustee for and on account of the District, and the vendor shall be liable for the collection thereof for and on account of the District.

SEC. 9. Every vendor shall keep records of receipts and of the tax payable thereon in such form as the Commissioners may by regulation require. Such records shall be offered for inspection and examination at any time upon demand by the Assessor and shall be preserved for a period of 3 years.

SEC. 10. Returns: (a) Every vendor shall file with the Assessor a return of his receipts and of the taxes payable thereon for monthly, quarterly, or other periods as the Commissioners may by regulation prescribe, or as the Assessor may require as provided in subsection (b) of this section.

(b) Such returns shall be filed within 20 days from the expiration of the period covered thereby. The assessor may permit or require returns to be made by other periods and upon such dates as he may specify: *Provided*, That the receipts during any year shall be included in returns covering such year and no other. If the Assessor deems it necessary in order to insure the payment of the tax imposed by this title, he may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section, and upon such dates as he may specify.

(c) The form of returns shall be prescribed by the Assessor and shall contain such information as he may deem necessary for the proper administration of this title. The Assessor may require amended returns to be filed within 20 days after notice and to contain the information specified in the notice.

SEC. 11. Payment of tax: (a) At the time of filing a return of receipts each vendor

shall pay to the Collector the taxes imposed by this title upon the receipts required to be included in such return, as well as all other moneys collected by the vendor acting or purporting to act under the provisions of this title even though it be judicially determined that the tax collected is invalidly imposed. All the taxes for the period for which a return is required to be filed shall be due from the vendor and payable to the Collector on the date limited for the filing of the return for such period, without regard to whether a return is filed or whether the return which is filed shows correctly the amount of receipts and the taxes due thereon.

(b) The vendor shall be entitled to apply and credit against the amount of tax payable by him an amount equal to 3 percent of the gross tax to be remitted by him to the Collector in payment for the vendor's expense in the collection and remittance of said tax: *Provided*, however, That the credit allowed by this subsection shall be denied to any vendor who shall fail or refuse to file his return within the time prescribed by regulation or as required by the Assessor as provided in section 10 of this title.

SEC. 12. Determination of tax: If a return required by this title is not filed, or if a return when filed is incorrect or insufficient, the amount of tax due shall be determined by the Assessor from such information as may be obtainable. Notice of such determination shall be given to the person liable for the collection of the tax from the purchaser and payment thereof to the Collector. Such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within 30 days after the giving of notice of such determination, shall apply in writing to the Assessor for a hearing, or unless the Assessor of his own motion shall redetermine the same. After such hearing or redetermination the Assessor shall give notice of his final determination to the person against whom the tax is assessed.

SEC. 13. Refunds: (a) Except as to any tax finally determined as provided in section 12, where any tax has been erroneously or illegally collected the tax shall be refunded if application is filed with the Assessor for such refund within 1 year from the payment thereof. For like cause and within the same period a refund may be made upon the certificates of the Assessor and the Collector. Whenever a refund is made upon the certificates of the Assessor and the Collector, the Assessor and Collector shall state their reasons therefor in writing. Such application may be made by the person upon whom such tax was imposed and who has actually paid the tax. Such application may also be made by a vendor who has collected and paid such tax to the Collector: *Provided*, That the application is made within 1 year of the payment by the purchaser to the vendor, but no actual refund of moneys shall be made to such vendor until he shall first establish to the satisfaction of the Assessor, under such regulations as the Commissioners may prescribe, that the vendor has repaid to the purchaser the amount for which the application for refund is made. In lieu of any refund required to be made, a credit may be allowed therefor on payment due from the applicant.

(b) Application for a refund or credit made as herein provided shall be deemed an application for a revision of any tax, penalty, or interest complained of and the Assessor may receive evidence with respect thereto. After making his determination of whether any refund shall be made, the Assessor shall give notice thereof to the applicant.

SEC. 14. Any person aggrieved by a final determination of tax as provided in section 12 or denial of an application for refund of any tax under section 13 may, within 90 days from the date of the final determination of the tax or from the date of the

denial of an application for refund, as the case may be, appeal to the Board of Tax Appeals for the District of Columbia in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of the act entitled "An act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, as amended, and as the same may hereafter be amended. The remedy provided in this section shall not be deemed to take away from the taxpayer any remedy which he might have under any other provision of law, but no suit by the taxpayer for the recovery of any part of any tax shall be instituted in any court if the taxpayer has elected to file an appeal with respect to such tax with the Board of Tax Appeals for the District of Columbia.

SEC. 15. The taxes imposed by this title and penalties and interest thereon may be collected by the Collector in the manner provided by law for the collection of taxes due the District on personal property in force at the time of such collection; and liens for the taxes imposed by this title and penalties thereon may be acquired in the same manner that liens for personal property taxes are required. If the Assessor believes that the collection of any tax imposed by this act will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties, the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the Collector for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful.

SEC. 16. Whenever there is made a sale, transfer, or assignment in bulk of any part or the whole of a stock of merchandise or of fixtures, or of merchandise and of fixtures, pertaining to the conducting of the business of the seller, transferor, or assignor, otherwise than in the ordinary course of trade and in the regular prosecution of said business, the purchaser, transferee, or assignee shall at least 5 days before taking possession of such merchandise, fixtures, or merchandise and fixtures, or paying therefor, notify the Assessor by registered mail of the proposed sale and of the price terms, and conditions thereof, whether or not the seller, transferor, or assignor has represented to or informed the purchaser, transferee, or assignee that he owes any tax pursuant to this title or whether he has complied with section 1 of the act entitled "An Act to Prevent the Fraudulent Sale of Merchandise in the District of Columbia", approved April 28, 1904, or whether or not he has knowledge that such taxes are owing, or whether any such taxes are in fact owing.

SEC. 17. Whenever the purchaser, transferee, or assignee shall fail to give the notice to the Assessor as required by the preceding section, or whenever the Assessor shall inform the purchaser, transferee, or assignee that a possible claim for such tax or taxes exists, any sums of money, property, or choses in action, or other consideration, which the purchaser, transferee, or assignee is required to transfer over to the seller, transferor, or assignor shall be subject to a first priority right and lien for any such taxes theretofore or thereafter determined to be due from the seller, transferor, or assignor to the District, and the purchaser, transferee, or assignee is forbidden to transfer to the seller, transferor, or assignor any such sums of money, property or choses in action to the extent of the amount of the District's claim. For failure to comply with the provisions of this subdivision, the purchaser, transferee, or assignee shall be personally liable for the payment to the District of any such taxes theretofore or thereafter deter-

mined to be due to the District from the seller, transferor, or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this title.

SEC. 18. Regulations: In addition to the powers granted to the Commissioners in this title, they are hereby authorized and empowered to make, adopt, and amend rules and regulations appropriate to the carrying out of this title and the purposes thereof.

SEC. 19. In addition to the powers granted to the Assessor in this title, he is hereby authorized and empowered—

(a) To extend for cause shown the time of filing any return for a period not exceeding 30 days; and for cause shown, to remit penalties and interest in whole or in part except as provided in section 22 of this title; and to compromise disputed claims in connection with the taxes hereby imposed.

(b) To request information from the Bureau of Internal Revenue of the Treasury Department of the United States relative to any person for the purpose of assessing taxes imposed by this title; and said Bureau of Internal Revenue is authorized and required to supply such information as may be requested by the Assessor relative to any person for the purpose herein provided.

(c) To prescribe methods for determining the receipts from sales made or services rendered and for the allocation of such receipts into taxable and nontaxable receipts.

(d) To require any vendor selling to persons within the District to keep detailed records of the nature and value of personal property sold for use within the District, and to furnish such information upon request to the Assessor.

(e) To assess, determine, revise, and readjust the taxes imposed under this title.

SEC. 20. The Assessor, for the purpose of ascertaining the correctness of any return filed as required by this title, or for the purpose of making a return where none has been made, is authorized to examine any books, papers, records, or memoranda, of any person bearing upon the matters required to be included in the return and may summon any person to appear before him and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return and to give testimony or answer interrogatories under oath respecting the same, and the Assessor, or his duly authorized representative, shall have power to administer oaths to such person or persons. Such summons may be served by any member of the Metropolitan Police Department. If any person, having been personally summoned, shall neglect or refuse to obey the summons issued as herein provided, then in that event the Assessor, or the Deputy Assessor, may report that fact to the District Court of the United States for the District of Columbia, or one of the Justices thereof, and said court or any Justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpoenas of that court. Any person in custody or control of any books, papers, records, or memoranda bearing upon the matters required to be included in such returns, who shall refuse to permit the examination by the Assessor or any person designated by him of any such books, papers, records, or memoranda, or who shall obstruct or hinder the Assessor or any person designated by him in the examination of any books, papers, records, or memoranda, shall upon conviction thereof be fined not more than \$500.

SEC. 21. Registration: (a) On or before the sixtieth day after approval of this act but not prior to July 1, 1948, or in the case of vendors commencing business after July 1, 1948, or opening new places of business after such date, within 10 days after such commencement or opening, every vendor and every person purchasing tangible personal property for resale shall file with the As-

ssessor a certificate of registration in a form prescribed by the Assessor. The Assessor shall within 5 days after such registration issue without charge to each vendor or person who purchases for resale a certificate of authority empowering such vendor to collect the tax from the purchaser. Duplicates of such certificate shall be obtained from the Assessor for each additional place of business of such vendor. Each certificate or duplicate shall state the place of business to which it is applicable. Such certificates of authority shall be prominently displayed to the public in the places of business of the vendor. A vendor who has no regular place of doing business shall attach such certificate to his cart, stand, truck, or other merchandising device. Such certificates shall be nonassignable and nontransferable and shall be surrendered, within 3 days to the Assessor upon the vendor's ceasing to do business at the place named.

(b) A vendor shall refuse to accept a certificate that any property or service upon which a tax is imposed by this title is purchased for resale and shall collect the tax imposed by this title unless the purchaser shall have filed a certificate of registration and received a certificate of authority to collect the tax imposed by this title: *Provided, however,* That the payment of the tax by such purchaser shall not relieve the purchaser of the duty herein imposed upon such purchaser to collect the tax upon any resale made by him; but such purchaser who shall file a certificate of registration and receive a certificate of authority to collect the tax may, upon application therefor, receive a refund of the taxes paid by him upon property and services thereafter resold by him and upon the receipts from which he shall have collected and paid over to the Collector the tax herein imposed.

SEC. 22. Penalties and interest: (a) Any person failing to file a return or to pay or pay over any tax to the Collector within the time required by this title shall be subject to a penalty of 5 percent of the amount of tax due, plus interest at the rate of 1 percent of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due; but the Assessor, if satisfied that the delay was excusable, may waive all or any part of such penalty in excess of interest at the rate of 6 percent per year. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this title. Unpaid penalties and interest may be collected in the same manner as the tax imposed by this title.

(b) The certificate of the Collector or Assessor, as the case may be, to the effect that a tax has not been paid, that a return or registration certificate has not been filed, or that information has not been supplied pursuant to the provisions of this title, shall be presumptive evidence thereof: *Provided,* That the presumptions created by this subsection shall not be applicable in criminal prosecutions.

SEC. 23. Returns to be secret: (a) Except to any official of the District, having a right thereto in his official capacity, it shall be unlawful for any officer or employee of the District to divulge or make known in any manner the amount of receipts or any particulars relating thereto or the computation thereof set forth or disclosed in any return required to be filed under this title, and neither the original nor a copy of any such return desired for use in litigation in court shall be furnished where neither the District nor the United States is interested in the result of such litigation, whether or not the request is contained in an order of the court: *Provided, however,* That nothing herein contained shall be construed to prevent the furnishing to a taxpayer a copy of his return upon the payment of a fee of \$2.

(b) Nothing contained in section 23 (a) of this title shall be construed to prohibit the publication of notices authorized in section

27 of this title, or the publication of statistics so classified as to prevent the identification of particular returns or reports and the items thereof, or the publication of delinquent lists showing the names of persons, vendors, or purchasers who have failed to pay the taxes imposed by this title within the time prescribed herein, together with any relevant information which in the opinion of the Assessor may assist in the collection of such delinquent taxes.

(c) Nothing contained in section 23 (a) of this title shall be construed to prohibit the Assessor, in his discretion, from divulging or making known any information contained in any report, application, or return required under the provisions of this title other than such information as may be contained therein relating to the amount of receipts or tax thereon or any particulars relating thereto or the computation thereof.

(d) Any violation of the provisions of this section shall be a misdemeanor and shall be punishable by a fine not exceeding \$1,000 or imprisonment for 6 months, or both, in the discretion of the court.

(e) All reports, applications, and returns received by the Assessor under the provisions of this act shall be preserved for 3 years, and thereafter until the Assessor orders them to be destroyed.

SEC. 24. Penalty for failure to file returns, and so forth: (a) Any person required to file a return or report or perform any act under the provisions of this title who shall fail or neglect to file such return or report or perform such act within the time required shall, upon conviction thereof, be fined not more than \$300 for each and every failure or neglect, and each and every day that such failure or neglect continues shall constitute a separate and distinct offense. The penalty provided herein shall be in addition to the other penalties provided in this title.

(b) Any person required to file a return or report or perform any act under the provisions of this title who willfully fails or refuses to file such return or report or perform such act within the time required shall, upon conviction thereof, be fined not more than \$5,000 or imprisoned for not more than 1 year, or both, for each and every failure or refusal. The penalty provided herein shall be in addition to the other penalties provided in this title.

SEC. 25. Assessment, reassessment, false and incorrect returns: The Assessor shall determine, redetermine, assess, or reassess, any tax imposed by this title, except in cases where the tax is correct as computed in any return filed with the Assessor, within 3 years after the filing of any return, except as follows:

(a) In the case of a false return, or a failure to file a return, or failure to include taxable receipts in any return filed, whether in good faith or otherwise, the tax may be assessed at any time.

(b) In the case of an incorrect return which has not been prepared as required by this title and by the return and instructions, rules, or regulations applicable thereto, the receipts reported shall be assessed or reassessed within 5 years after the filing of such return.

SEC. 26. Prosecutions: All prosecutions under this title shall be brought in the Municipal Court for the District of Columbia on information by the Corporation Counsel of the District in the name of the District of Columbia.

SEC. 27. Notices: Any notice authorized or required under the provisions of this title may be given by mailing the same to the person for whom it is intended in an envelope, postage prepaid, addressed to such person at the address given in the last return filed by him pursuant to the provisions of this title or, if no return has been filed, then to the last address of such person. If the address of any person is unknown, such

notice may be published in one or more of the daily newspapers in the District of Columbia for three successive days. The cost of any such advertisement in newspapers shall be added to the tax. The proof of mailing of any notice required or authorized in this title shall be presumptive evidence of the receipt of such notice by the person to whom addressed. The proof of publishing any notice required in this title in one or more of the daily newspapers in the District shall be conclusive notice to the person for whom such notice is intended.

Sec. 28. Extensions of time: Where, before the expiration of the period prescribed herein for the assessment or redetermination of an additional tax, a taxpayer has consented in writing that such period be extended, the amount of such tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

Sec. 29. If any provision of this title, or the application thereof to any person or circumstances, is held invalid, the remainder of this title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

TITLE II—COMPENSATING USE TAX

SECTION 1. Definitions: (a) When used in this title the following terms shall mean or include:

(1) "Use": The exercise of any right or power over tangible personal property by the purchaser thereof and includes but is not limited to the receipt, storage, or any keeping or retention for any length of time, withdrawal from storage, any installation, any affixation to real or personal property, or any consumption of such property.

(2) "Sale" or "purchase": Any transfer of title or possession or both, exchange or barter, rental, lease, or license to use or consume, conditional or otherwise, in any manner or by any means whatsoever for a consideration, or any agreement therefor.

(3) "Vendor": Every person making sales of tangible personal property in the District: *Provided, however,* That when in the opinion of the Assessor it is necessary for the efficient administration of this title to regard any salesman, representative, peddler, or canvasser as the agent of the dealer, distributor, supervisor, or employer under whom he operates or from whom he obtains the tangible personal property sold by him, the Assessor may, in his discretion, treat and regard such agent as the vendor jointly responsible with his principal, employer, or supervisor for the collection and payment over of the tax.

(4) "Purchase at retail": A purchase by any person for any purpose other than for resale in the form of tangible personal property.

(5) "Tangible personal property": Corporate personal property of any nature.

(b) The definitions of "person," "retail sale" or "sale at retail", "return", "District", "Commissioners", "Assessor", and "Collector", as defined in section 1 or title I of this act, are hereby incorporated in and made applicable to this title.

Sec. 2. Imposition of tax: Beginning 60 days after approval of this act but not prior to July 1, 1948, there is hereby imposed and there shall be paid by every person a tax on the use within the District of any tangible personal property purchased at retail. The tax imposed by this section shall be paid by the purchaser and shall be computed as follows:

- (a) On each sale where the price is from 14 cents to 50 cents, both inclusive, 1 cent;
- (b) On each sale where the price is from 51 cents to \$1, both inclusive, 2 cents;
- (c) On each 50 cents of price or fraction thereof in excess of \$1, 1 cent.

Sec. 3. Exemptions: The provisions of this title shall not apply—

(a) In respect to the use of property used by the purchaser in the District prior to the date on which the tax is imposed by this act.

(b) In respect to property which is in transit through the District, or which is stored and not used in the District but is so stored solely for the purpose of awaiting further transit through the District.

(c) In respect to the use of property if the sale thereof has already been or will be subject to tax under title I of this act.

(d) In respect of the use of property purchased at retail, upon the sale of which the purchaser would be exempt from the taxes imposed under title I of this act.

(e) In respect to the use by any one person of property purchased from a vendor not maintaining a place of business in the District where the aggregate value of such property subject to the tax imposed by this title is less than \$25 in value during any quarterly period.

(f) In respect to the use of property which is converted into or becomes an ingredient or constituent part of, or is transformed or wrought into, attached to or sold with, a product or commodity produced or manufactured for sale by the purchaser.

(g) In respect to the use of property by any person who comes into the District on or after the date on which the tax is imposed by this act and establishes a temporary or permanent residence in the District, or engages in any trade or business or commercial activity in the District, if such property was purchased at retail by such person not less than 1 year prior thereto.

(h) In respect to the use of property if the sale or purchase thereof has been taxed by a taxing jurisdiction other than the District, and if such tax was paid by the person who brings such property into the District: *Provided,* That this section shall not apply to any sales or excise tax imposed or paid for Federal revenue purposes: *And provided further,* That if a tax on the sale or purchase of property is imposed by and paid to any taxing jurisdiction other than the District is less than the tax imposed by this title, the difference between such taxes shall not be exempted under this section.

Sec. 4. Vendor to collect tax from purchaser; unlawful to advertise tax will be assumed or absorbed: (a) Every vendor maintaining a place of business in the District and making sales of tangible personal property the use of which is taxable under this title, and every other vendor who, upon application to the Assessor, has been expressly authorized to collect the tax, shall at the time of making such sales, or if the use is not then taxable hereunder, at the time such use becomes taxable hereunder, collect the tax from the purchaser. The tax to be collected shall be stated and charged separately from the sale price and shown separately on any record thereof, at the time when the sale is made or evidence of sale issued or employed by the vendor, and shall be paid by the purchaser to the vendor as trustee for and on account of the District, and the vendor shall be liable for the collection thereof and for the tax. The vendor shall be personally liable for the tax collected or required to be collected under this title, and the vendor shall have the same right in respect to collecting the tax from the purchaser, or in respect to nonpayment of the tax by the purchaser, as if the tax were a part of the purchase price of the property and payable at the time of the sale: *Provided,* That the Collector shall be joined as a party in an action or proceeding to collect the tax. No vendor shall advertise or hold out to the public in any manner, directly or indirectly, that the tax imposed by this title is not considered an element in the price to the purchaser.

(b) Where the vendor has not collected a tax imposed by this title, such tax shall be payable by the purchaser directly to the Collector, and it shall be the duty of the purchaser to file a return thereof and pay the tax imposed thereon as provided in sections 7 and 8 of this title.

(c) For the purpose of the proper administration of this title and to prevent evasion of the tax hereby imposed, it shall be presumed that the use of tangible personal property is subject to tax until the contrary is established, and the burden of proving that the use is not taxable shall be upon the vendor or the purchaser. Unless the vendor shall have taken from the purchaser a certificate signed by and bearing the name and address of the purchaser and the number of his registration certificate to the effect that the property was purchased for resale, the sale shall be deemed a retail sale.

Sec. 5. Collection of Tax From Purchaser: The Commissioners shall by regulation prescribe a method or methods of collecting from purchasers the tax in respect to any property the use of which is subject to tax under this title.

Sec. 6. Records To Be Kept: Every person shall keep records of sales and of the tax payable in connection therewith and also records of purchases in such form as the Commissioners may by regulation require. Such records shall be offered for inspection and examination at any time upon demand by the Assessor, and shall be preserved for a period of 3 years.

Sec. 7. Returns: (a) Every vendor engaged in a trade or business, or commercial activity, in the District who is required or authorized to collect the tax imposed by this title shall file with the Assessor a return within the time prescribed by regulation or as required by the Assessor as provided in section 10 of title I of this act.

(b) Every person purchasing tangible personal property, the use of which is subject to the tax imposed by this title, and who has not paid the tax due hereunder to a vendor required or authorized to collect the tax, shall file with the Assessor a return within the time prescribed by regulation or as required by the Assessor as provided in section 10 of title I of this act, showing the value of the tangible personal property purchased by such person, the use of which became subject to the tax imposed by this title during the respective periods and with respect to which the tax was not paid to a vendor required or authorized hereunder to collect the tax.

(c) The provisions of section 10 (b) and (c) of title I are hereby incorporated in and made applicable to this title.

Sec. 8. Payment of tax: At the time of filing the return the vendor or purchaser, as the case may be, shall pay to the Collector the taxes imposed by this title as well as all other moneys collected by the vendor acting or purporting to act under the provisions of this title even though it be judicially determined that the tax collected is invalidly imposed. All the taxes for the period for which a return is required to be filed shall be due from the vendor or purchaser, as the case may be, and payable to the Collector on the date limited for the filing of the return for such period, without regard to whether a return is filed or whether the return which is filed correctly shows the amount of receipts and the taxes due thereon.

Sec. 9. Registration: (a) On or before the sixtieth day after approval of this act but not prior to July 1, 1948, or in the case of vendors commencing business or opening new places of business after such date, within 10 days after such commencement or opening, every vendor selling tangible personal property for use within the District and maintaining a place of business in the District shall file with the Assessor a certificate of regis-

tion in a form prescribed by the Assessor. A vendor selling tangible personal property for use within the District who is engaged in a trade or business, or commercial activity, in the District but who does not maintain a place of business in the District shall likewise file a certificate of registration with the Assessor. The Assessor shall within 5 days after such registration issue without charge to each such vendor a certificate of authority empowering such vendor to collect the tax from the purchaser and duplicates thereof for each additional place of business of such vendor. Each certificate or duplicate shall state the place of business to which it is applicable. Such certificates of authority shall be prominently displayed in the places of business of the vendor. A vendor who has no regular place of doing business shall attach such certificate to his cart, stand, truck, or other merchandising device. Such certificates shall be nonassignable and non-transferable and shall be surrendered within 3 days to the Assessor upon the vendor's ceasing to do business at the place therein named. Vendors and persons who have filed certificates of registration pursuant to, and have complied with, the provisions of section 21 (a) of title I shall not be required to comply with this subsection.

(b) The provisions of section 21 (b) of title I are hereby incorporated in and made applicable to this title.

SEC. 10. The provisions of sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, and 29 of title I of this act are hereby incorporated in and made applicable to this title.

SEC. 11. There is hereby authorized to be appropriated, out of the revenues of the District of Columbia, not to exceed the sum of \$20,000 for the employment of persons specially qualified in the field of sales-tax law in connection with the administration of this act. Such sum shall be available for expenditure for personal services without regard to section 3709 of the Revised Statutes and to the civil-service laws and to the Classification Act of 1923, as amended.

TITLE III—EXCISE TAX UPON ISSUANCE OF TITLES TO MOTOR VEHICLES

An act known as the "District of Columbia Traffic Act, 1925," approved March 3, 1925, as amended, is hereby further amended by adding to section 6 thereof the following subsection:

"(j) In addition to the fees and charges levied under other provisions of this act, there is hereby levied and imposed an excise tax for the issuance of every certificate of title for a motor vehicle in the District at the rate of 2 percent of the fair market value of such motor vehicle at the time such certificate is issued. The tax so levied and imposed shall constitute a lien upon each such certificate of title until paid; and no certificate of title so issued shall be delivered or furnished to the person entitled thereto until the tax has been paid in full. The Director of Vehicles and Traffic may require every applicant for a certificate of title to supply such information as he deems necessary as to the time of purchase, the purchase price, and other information relative to the determination of the fair market value of any motor vehicle for which a certificate of title is required and issued. The issuance of certificates of title for motor vehicles owned by the United States and the government of the District of Columbia shall be exempt from the tax imposed by this subsection.

TITLE IV—AMENDMENTS TO ARTICLE I OF THE DISTRICT OF COLUMBIA REVENUE ACT OF 1947

Article I of the District of Columbia Revenue Act of 1947, approved July 16, 1947, as amended, is further amended as follows:

SEC. 1. Paragraph lettered (s) of section 4 of title I of article I of said act is amended to read as follows:

"(s) The word 'resident' means every individual domiciled within the District on the last day of the taxable year, and every other individual who maintains a place of abode within the District for more than 7 months of the taxable year, whether domiciled in the District or not. The word 'resident' shall not include any elective officer of the Government of the United States or any officer of the executive branch of such Government whose appointment to the office held by him was by the President of the United States and subject to confirmation by the Senate of the United States and whose tenure of office is at the pleasure of the President of the United States, unless such officers are domiciled within the District on the last day of the taxable year."

SEC. 2. Paragraph lettered (u) of section 4 of title I of article I of said act is amended by adding thereto the following new subparagraph:

"(9) The spouse of the taxpayer, if living with the taxpayer on the last day of the taxable year."

SEC. 3. Subsections (a) and (b) of section 2 of title V of article I of said act are amended to read as follows:

"(a) Residents and nonresidents: Every nonresident of the District receiving income subject to tax under this article and every resident of the District, except fiduciaries, when—

"(1) his gross income for the taxable year exceeds \$8,000; or

"(2) his gross sales or gross receipts from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, exceeds \$8,000, regardless of the amount of his gross income; or

"(3) the combined gross income for the taxable year of husband and wife living together exceeds \$8,000 and each spouse has a gross income in excess of \$500, or the gross sales or gross receipts received or accrued by such husband and wife from any trade or business, other than an unincorporated business subject to tax under title VIII of this article, in the aggregate exceeds \$8,000. In such cases a separate return shall be filed by each spouse showing his respective portion of such gross income, gross sales or gross receipts, as the case may be, and no joint return of income or computation thereof by them shall be required or permitted under this article except such returns as are required under section 2 (c), 2 (f), and 2 (g) of this title."

"(b) Fiduciaries: Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) for—

"(1) every individual for whom he acts having a gross income for the taxable year of \$8,000 or over, regardless of the amount of the individual's net income;

"(2) every estate for which he acts, the gross income of which for the taxable year is \$8,000 or over, regardless of the amount of the net income of the estate; and

"(3) every trust for which he acts, the net income of which for the taxable year is \$100 or over."

SEC. 4. Section 2 of title VI of article I of said act is hereby amended to read as follows:

"SEC. 2. Personal exemptions and credit for dependents: There shall be allowed to residents the following credits against net income:

"(a) An exemption of \$8,000 for the taxpayer.

"(b) An exemption of \$500 for each dependent, as defined in this article, whose gross income for the calendar year in which

the taxable year of the taxpayer begins is less than \$500.

"(c) Beginning with the first taxable year to which this article is applicable and in succeeding taxable years, the amount allowed under subsection (a) of this section shall be prorated to the day of death in the final return of a decedent dying before the end of the taxable year, and as of the date of death the personal exemption is terminated and not extended over the remainder of the taxable year.

"(d) In the case of a return made for a fractional part of a year, the personal exemption and credits for dependents shall be reduced, respectively, to amounts which bear the same ratio to the full credits provided as the number of months in the period for which the return is made bears to 12 months."

SEC. 5. Section 3 of title VI of article I of said act is amended to read as follows:

"SEC. 3. Imposition and rate of tax: There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

"Two percent on the first \$7,000 of taxable income.

"Two and one-half percent on the next \$5,000 of taxable income.

"Three percent on the taxable income in excess of \$12,000."

SEC. 6. Section 4 of title VI of article I of said act is repealed.

SEC. 7. Section 5 of title IX of article I of said act is amended by adding thereto the following new subsections:

"(d) There shall be allowed to an estate the same exemption as is allowed residents under the provisions of section 2 (a) of title VI of this article.

"(e) There shall be allowed to a trust a credit against net income of \$100."

SEC. 8. The amendments made by this title shall apply to taxable years beginning after the 31st day of December 1948.

TITLE V—FURTHER AMENDMENTS TO ARTICLE I OF THE DISTRICT OF COLUMBIA REVENUE ACT OF 1947

Article I of the District of Columbia Revenue Act of 1947, approved July 16, 1947, as amended, is further amended as follows:

SEC. 1. Section 2 of title III of article I of said act is amended by adding thereto the following new subsection:

"(c) Adjusted gross income: The words 'adjusted gross income' as used in this article mean gross income less deductions allowed under section 3 (a) of this title: *Provided, however*, That such deductions were directly incurred in carrying on a trade or business: *And provided further*, That in determining adjusted gross income, no deductions shall be allowed for charitable contributions, alimony payments, medical and dental expenses, an optional standard deduction, losses of property not connected with trade or business, or for an allowance for salaries or compensation for personal services of the person or persons liable for the tax."

SEC. 2. Section 3 (a) (1) of title III of article I of said act is amended to read as follows:

"(1) Expenses: All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, traveling expenses (including the entire amount expended for meals and lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity."

SEC. 3. Section 3 (a) (4) (C) of title III of article I of said act is amended to read as follows:

"(C) of property not connected with a trade or business, if such losses arise from fires, storms, shipwrecks, thefts, or other casualty: *Provided, however,* That no such loss shall be allowed as a deduction under this subsection if such loss is claimed as a deduction for inheritance—or estate—tax purposes: *And provided further,* That this subsection shall not be construed to permit the deduction of a loss of any capital asset as defined in this article."

SEC. 4. Section 3 (a) (8) of title III of article I of said act is amended to read as follows:

"(8) Charitable contributions.—Contributions or gifts, actually paid within the taxable year to or for the use of any religious, charitable, scientific, literary, military, or educational institution, the activities of which are carried on to a substantial extent in the District, and no part of the net income of which inures to the benefit of any private shareholder or individual: *Provided,* That such deduction shall be allowed only in an amount which in the aggregate of all such deductions does not exceed 15 percent of the adjusted gross income."

SEC. 5. Section 3 (a) (9) of title III of article I of said act is amended to read as follows:

"(9) Medical, dental, and so forth, expenses of individuals—Expenses in the case of residents, paid by the taxpayer during the taxable year, not compensated for by insurance or otherwise, for the medical care of the taxpayer, his spouse, or dependents as defined in this article. The term 'medical care,' as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of diseases, or for the purpose of effecting healthier function of the body (including amounts paid for accident or health insurance): *Provided, however,* That a taxpayer may deduct only such expenses as exceed 5 percent of his adjusted gross income: *And provided further,* That the maximum deduction for the taxable year shall not exceed \$1,250."

SEC. 6. Section 3 (a) (13) of title III of article I of said act is amended to read as follows:

"(13) In lieu of the foregoing deductions, any resident may irrevocably elect to deduct for the taxable year an optional standard deduction of \$500: *Provided, however,* That the option provided in this subsection shall not be permitted on any return filed for any period less than a full calendar or fiscal year."

SEC. 7. Section 3 (a) of title III of article I of said act is amended by adding thereto a new subsection to read as follows:

"(15) Reasonable Allowance for Salaries.—A reasonable allowance for salaries or other compensation for personal services actually rendered: *Provided, however,* That in the case of an unincorporated business the aggregate deduction for services rendered by the individual owners or members actively engaged in the conduct of the unincorporated business shall in no event exceed 20 percent of the net income of such business computed without benefit of this deduction: *Provided further,* That nothing herein contained shall be construed to exempt any salary or other compensation for personal services from taxation as a part of the taxable income of the person receiving the same."

SEC. 8. Section 4 of title IV of article I of said act is amended to read as follows:

"Sec. 4. Installment sales: If a person reports any portion of his income from installment sales for Federal income-tax purposes under section 44 of the Federal Internal Revenue Code and as the same may hereafter be amended, and if such income is subject to tax under this article, he may report such income under this article in the same manner and upon the same basis as the same was reported by him for Federal income-tax pur-

poses, if such method of reporting is accepted and approved by the Commissioner of Internal Revenue."

SEC. 9. Section 10 (a) (4) of title III of article I of said act is amended to read as follows:

"(4) For the purposes of subsections (a) (1), (a) (2), and (a) (3), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day."

SEC. 10. The proviso to section 11 of title XII of article I of said act is amended to read as follows: "Provided, That if it shall be determined by the Assessor, the Board of Tax Appeals for the District of Columbia, or any court that any part of any tax which was assessed as a deficiency under the provisions of section 5 of this title was an overpayment, interest shall be allowed and paid upon such overpayment of tax at the rate of 4 percent per annum from the date such overpayment was paid until the date of refund, and in addition thereto any interest upon such overpayment which was paid by the taxpayer shall be refunded."

SEC. 11. Section 1 of title XIV of article I of said act is amended by striking out the period at the end of the paragraph, inserting a colon, and the following: "Provided, however, That any unincorporated business having a gross income for the taxable year of \$10,000 or less shall not be required to obtain the license provided for in this title."

SEC. 12. The provisions of this title shall be effective with respect to taxable years or portions thereof beginning after December 31, 1947.

TITLE VI—SEPARABILITY CLAUSE

If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of the act, and the application of such provision to the other persons or circumstances, shall not be affected thereby.

Mr. DIRKSEN (interrupting the reading of the bill). Mr. Chairman, I would like to ask the gentleman from South Carolina whether or not I might ask unanimous consent to consider the bill as read and that it be open for amendment at any point.

Mr. McMILLAN of South Carolina. That is agreeable to me.

Mr. DIRKSEN. I make that request, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I move to strike out the last word.

First, let me remind the members of the Committee of the Whole this afternoon that what is envisioned here is not only a bill or a tax program designed to meet the needs at present, but to meet future needs. We must have a tax fabric that is elastic, that is expansive, that will take care of the growing needs of the District of Columbia.

When I came to Congress, I think the population of the District of Columbia was, roughly, about 500,000. It has grown nearly 400,000. It has nearly doubled its population in that time.

There have been ever so many demands for all sorts of services and municipal functions in that time. Of course, they cost money. I have seen the District budget, in that tenure here, go from somewhere around \$50,000,000 to \$100,000,000. The budget for fiscal 1949 is \$100,000,000. So the question is, Where

do you get the money? Obviously, we must follow a good fiscal pattern and keep the District budget in balance, for if we fail to do that we would certainly be poor fiscal stewards of the affairs of the United States Capital.

So, here is a \$100,000,000 budget confronting us. What do you do for revenue? Well, we have a gasoline tax. We have an intangible personal-property tax. We have a real-estate tax, we have an income tax. As a matter of fact, the gentleman from Massachusetts [Mr. BATES] and I, back in 1938, sponsored the income tax, and we fought on the floor of this House hour after hour and hour after hour to get the thing on the books. We sought, you remember, not so long ago to exclude some of the provisions so that more people would be covered by the Income Tax Act. The House said no. When our good friend and associate from Minnesota [Mr. O'HARAL] offered his amendment on domicile, that was the end of the effort. So there are thousands of people whom we could not blanket under the Income Tax Act. Many of you Members sitting here in this Chamber at the present moment said that to us. Now you come here and attack the proposal before us because it is regressive and it places the greatest burden upon a certain group. You say: "Increase the real-estate tax." As a matter of fact when you increase the real-estate tax what do you do to every Government worker, to every poor family who buys a house under a first mortgage and a second trust who must pay the insurance and must pay the taxes? Every time you do it you are making it harder for the very people you seek to benefit.

Here is a tax that is easy of administration. It is a tax that yields well. They have it in 28 States of the Union and there has been no great fuss about it. Long ago I fought the sales tax. You remember long ago when the balanced-tax program came in recommended by the Pond committee some 8 or 10 years ago. Delegation after delegation came to my office. I said: "No; I will not stand for a sales tax." But it was a balanced-tax program. You cannot put the entire burden upon real estate. Let me say with respect to the observation that is made here that you should increase the burden on real estate, that whenever you undertake to compare the tax burden of a family here with the tax burden of a family in any other of the States, whether it be California, Illinois, or New Jersey, do not pick out just one of the taxes, but pick out all of the taxes that they must pay. When you do that you will find that the District of Columbia is about No. 30 on a list of 60 municipalities in the United States. So it is about halfway up from the bottom and halfway below the top. You must take all the taxes. No matter what the tax is, it constitutes a burden upon the individual or upon the family; and you cannot disassociate one tax from the whole pattern and then make comparisons with it.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SABATH. The gentleman is well informed. Can he inform me how much is being collected annually in the District of Columbia from the personal-property tax?

Mr. DIRKSEN. I have not that figure in mind. I believe the gentleman from Massachusetts [Mr. BATES] has.

Mr. BATES of Massachusetts. It is about \$5,000,000 a year.

Mr. SABATH. Is that all it is?

Mr. BATES of Massachusetts. That is a nice little sum of money.

Mr. DIRKSEN. We have a very diligent assessor here.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. WELCH. The gentleman from Illinois has emphasized the increase in the cost of government in the city government of the District of Columbia. Does not that apply equally to every other large city in the United States?

Mr. DIRKSEN. I think to a considerable extent it does.

Mr. WELCH. How do other cities meet it?

Mr. DIRKSEN. Other cities increase their taxes.

Mr. WELCH. Has this city increased its taxes?

Mr. DIRKSEN. We are trying to do it right now.

Mr. WELCH. The District of Columbia has absolutely the lowest tax rate of any large city in the United States.

Mr. DIRKSEN. I do not quite agree. But right now we are trying to devise a balanced tax program here. You cannot exclude this element and that element and finally get a program that will stand up.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. DONDERO. I desire to ask whether or not Maryland and Virginia, States that surround the District of Columbia, have a sales tax?

Mr. DIRKSEN. Yes, they have. Maryland put on a sales tax last year; likewise Virginia.

Mr. DONDERO. I might say that the State of Michigan has a sales tax. When it was first established there was great opposition but now it is one of the chief sources of revenue.

Mr. DIRKSEN. I may say to the gentleman from Michigan that I remember all the furor and fervor with which we approached the sales tax in the State of Illinois. It now yields about \$130,000,000 a year, and the money is used for a variety of purposes, including the retirement fund for teachers, policemen, firemen, and that sort of thing, insofar as they share in the benefits of the State.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Washington.

Mr. HORAN. The tax rate on property is lower in Montgomery County, Md., adjoining the District of Columbia than it is in the District. The tax rate there is \$1.75.

Mr. DIRKSEN. That is true.

Mr. SHAVER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Michigan.

Mr. SHAVER. I think it would be interesting to the House to have the gentleman explain to these Members who are pleading for the poor that foodstuffs and medicines and other articles of that kind are exempt from this bill.

Mr. DIRKSEN. Yes. I noticed with interest the presentation of the gentleman from Massachusetts [Mr. KENNEDY] and how the lines crossed at about the middle. The fact of the matter is that all food, all medicines, and all drugs, which are the substance of the average family budget, are completely excluded from incidence of this tax; so I am confident if that were recast in terms as we experience it in the District of Columbia that graph would not apply at all.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. If a workingman bought a suit of clothes for \$35, how much sales tax he would pay on it? He would pay six or seven dollars.

Mr. DIRKSEN. The gentleman can figure that out from the table in the bill.

Mr. EBERHARTER. You do not exempt clothing and a workingman has to buy overalls, a pair of shoes, and things like that once in a while.

Mr. DIRKSEN. Yes, the bulk of all is, first, rent, then food, then drugs and that sort of thing, so that the main expenditure in the average family budget is not reached by this tax at all. The fact is this makes for a balanced aspect of the matter and should be approved by the House.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Illinois.

Mr. SABATH. The gentleman said that food is exempt. Is it not a fact this does not apply to restaurants or hotels where more than 50 percent of the people in the District of Columbia eat because they cannot keep up their own homes?

Mr. DIRKSEN. Well, now, let me say to the gentleman in all kindness that if a person can go to a fashionable restaurant and pay \$4 or \$6 for a meal, surely he is not going to kick about this tax. The people the gentleman is referring to

are transients and they are not the people he is trying to defend here at all.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Michigan.

Mr. LESINSKI. Is it not a fact that as far as real-estate taxes in Washington are concerned they are the lowest of all the States?

Mr. DIRKSEN. No, that is not correct.

Mr. LESINSKI. Is that tax not about a mill and a half while in the large industrial cities the tax is about 3½ mills?

Mr. DIRKSEN. If you take tangibles, the real-estate tax and all the other tax burdens, the District of Columbia is about in the middle of 60 large metropolitan centers of the country.

The CHAIRMAN. The Clerk will read the committee amendments.

The Clerk read as follows:

On page 8, line 6, add the words "and trailers" between the word "vehicles" and the period.

On page 36, insert after the word "vehicle" in lines 10, 11, and 20, the words "or trailer."

On page 36, lines 21 to 24, inclusive, strike out all of the sentence beginning with the words "The issuance" and insert in lieu thereof the following:

"The issuance of certificates of title for the following motor vehicles and trailers shall be exempt from the tax imposed by this subsection:

(1) Motor vehicles and trailers owned by the United States or the District.

(2) Motor vehicles and trailers ownership of which are transferred by gift made or intended to take effect in possession or enjoyment after the death of the donor if such motor vehicles and trailers were titled in the District at the time of the death of the donor.

(3) Motor vehicles and trailers ownership of which are transferred by will, or by right of survivorship, or under the law of descent and distribution in force in the District if such motor vehicles and trailers were titled in the District at the time of the death of the decedent."

On page 45, line 22, change the numeral "III" to the numeral "XII."

The committee amendments were agreed to.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: Page 47, line 13, after the word "title", add the following new section:

"Sec. 12. Sect. 2 (b) of title III of article I of said act is amended by adding thereto the following new paragraph:

"(14) Dues and initiation fees in the case of any club organized and operated exclusively for pleasure and recreation, no part of the net earnings of which inures to the benefit of any private individual or shareholder. As used in this subsection, the word "dues" means only sums paid or incurred by members on a monthly, quarterly, annual, or other periodic basis for the privilege of being members of such club and any pro rata assessment made against the members as such; the word "dues" does not include any sums paid or incurred by members or their guests for food, beverages, or other tangible personal property purchased or for the use of the club's social, athletic, sporting, and other facilities; and the term "initiation fees" includes any payment, contribution, or loan, required as a condition precedent to membership, whether or not

any such payment, contribution, or loan is evidenced by a certificate of interest or indebtedness."

Page 47, line 14, after the word "Sec.", strike out the numeral "12" and insert in lieu thereof the numeral "13."

Mr. BATES of Massachusetts. Mr. Chairman, this amendment seeks to exempt from taxation the dues that are paid by the members of the various organizations of the District which, under an interpretation of law we passed last year, are taxable. This meets with the approval of the corporation counsel. It does not exempt, of course, sales of food or liquor or any other commercial activities within the club itself.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. EBERHARTER. This exempts dues that a member might pay to a country club in the District of Columbia.

Mr. BATES of Massachusetts. Yes; on the dues, but not on the activities. It always has been exempt under the income-tax law in the District up to last year and also exempt under Federal income-tax statutes.

We appreciated, Mr. Chairman, before we brought this bill to the floor of the House, that there would be a good deal of opposition to it. In this bill we are exempting food, cereals and cereal products, milk and milk products, candy and confectionery, ice cream and ice cream products, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit, fruit products and fruit juices, and various other items. This bill attempts to modify a bill that was recommended to the committee. I want to reiterate what I have already said, that 9 years ago, to be exact, 1939, the gentleman from Illinois [Mr. DIRKSEN] and myself, rose on the floor of the House as members of the Committee on the District of Columbia and opposed the so-called Pond report, which was a combination sales and income tax. We were able at that time to defeat the so-called sales tax and we were able to have adopted into law an amendment which is now the income-tax law of the District. Down during that period of time we have consistently kept out of the District the so-called sales-tax provision. But we have reached the point where we must obtain further revenues, and I want to say to the Members of the Committee that unless we find some way of raising sufficient revenues to finance the affairs of the District, the time is short, if we pass a salary increase bill for the District employees, within a year you will have a budget that will call for \$15,000,000 or more in additional revenue. What will that mean? It will mean that either a sharp drop in major projects will take place or borrow money to finance the projects or we will have to jack up the tax rate from \$2 to nearly \$3, and that will mean that within a period of 2 years. Take the case of a man that paid \$1,000 in taxes last year. We increased his taxes this year 30 percent. If we have to levy on property taxes to the amount that this bill will yield in revenue he will

have to pay \$2,000, or an increase in his realty tax of 100 percent in a period of 2 years. Now, that is what you are up against, gentlemen, and we are trying to find some way by which we can get the revenue. This is a fair bill. While the bill does provide for a sales tax, under the revised income-tax provisions of this bill incomes of less than \$8,000 are exempted.

We have exempted food of every character for home consumption, as well as drugs and other things of necessity. We think it is a good bill that will yield the necessary revenue, and we firmly believe it ought to become law.

Mr. FOGARTY. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. I notice on page 6 that you exempt the sales of drugs and medicines, and drugs and medicines are not defined in this bill.

Mr. BATES of Massachusetts. I suppose there is a legal interpretation as to what drugs and medicines actually are, and I cannot interpret it here on the floor of the House this afternoon, but what drugs and medicines are is pretty well understood.

Mr. FOGARTY. One thing I have in mind is the sale of cod-liver oil, used for young children.

Mr. BATES of Massachusetts. I should think that would be medicine in every sense of the word.

Mr. FOGARTY. Some people say it is not.

Mr. KLEIN. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from New York.

Mr. KLEIN. The gentleman has mentioned the fact that foodstuffs are exempted, as well as drugs. Is it not a fact that household articles such as soap flakes, cleansers, wax, toilet tissues, and all other paper products, brooms, mops, disinfectants, household necessities, and other products of the kind, are not exempted?

Mr. BATES of Massachusetts. That is right, but food is.

Mr. KLEIN. But these articles are almost as essential to the average housewife as food is, therefore it would add to the cost of living of these people.

Mr. BATES of Massachusetts. The gentleman from New York well knows as a member of the committee last year how we really did try to get through an income-tax bill in the lower brackets as well as the higher, but were unable to do so because of the feeling on the floor of the House. The House rejected our bill at that time.

Mr. SADOWSKI. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I happen to own a home here, so I am a homeowner and a taxpayer in the District. I have figured out my tax bill here in the District and compared it with the tax bill on my home in Detroit. I feel that I pay about 40 percent less in real-estate taxes in the city of Washington than I do on similar property in the city of Detroit.

You say, "This is a tax on the District of Columbia," and I say that this is a

tax on the city of Washington. It is a 2-percent sales tax upon a city, upon a city population. Where have you a city in the whole United States of America where you are taking a 2-percent sales tax to run a city government? You are not running the State of Maryland, or the State of Michigan or the State of Massachusetts or the State of Ohio. The District is not a State. We have no State government to support. This is a little city, the city of Washington.

In the city of Detroit we get our revenue as you do in other cities, from real estate taxes, personal property taxes, and from intangibles, but certainly we operate our great city of Detroit without going into the pockets of the poor people and taking a 2-percent sales tax out of them.

Who is going to pay this tax? It is a tax on poor people. You go to Murphy's, to any 5-and-10 store, or a dime-to-a-dollar store, or Kresge's 5 and 10, Hahn's or Lansburgh's, go to any of these stores, and stand there and look at the people coming in to buy things. They are predominantly wage earners, Government clerks and low-income folks. On all the articles that are sold in the stores those customers are going to pay this sales tax. Just take a look at those people and see who is buying these things and who is going to pay this tax. It is the poor people. This is a tax on children. This is a tax on babies. This is a tax on those families that have the greatest number of children. They will pay the greatest part of this tax burden of running the city of Washington. Is that fair? Is that equity? I do not think it is. I just looked over the exemptions under the bill. It provides as follows:

Exemption (k): Sales of newspapers and magazines exempted.

Exemption (n): Sales of advertising space and sales of radio advertising is exempted.

Why should they be exempted? Is it to squelch newspaper opposition to it? There might have been opposition on the part of the big advertisers to this bill, and the committee could not get it through the House. So they have exempted the big boys and exempted all those who have control of publicity so that there would not be too much publicity against this bill. That is why they put these exemptions in. But it is an unfair bill. A sales tax is not necessary in the District of Columbia or the city of Washington. They can raise their revenues here the same as they raise them to run our city of Detroit and in the same way as they raise funds to run the cities in your own States. Do not let them kid you that they have to have this additional means of raising taxes which certain States have been forced to resort to, because this is not a State Government. It is only a city government, and it only needs taxes to run a city government.

The apartment-house owners receive higher rents than they do in Detroit or other large cities and they pay only 50 percent as much in taxes as they would

in other cities. Why cannot they pay their full share of the taxes?

This is a continuation of the Republican tax policy to shift the burden of taxation onto the backs of the poor people, the wage earners and upon those in the lowest income groups.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent that the line and page references of the amendment be corrected to read on page 47, after line 13, and at the bottom, page 47, line 14, so that it is in consonance with the bill that is now before us.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BATES].

The amendment was agreed to.

Mr. O'HARA. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. O'HARA: On page 4, line 11, after the word "products", insert "soft drinks," and on line 15, page 4, after the word "beer" strike out the words "soft drinks," and on line 18, page 4, after the word "cocoa", insert the words "soft drinks."

Mr. O'HARA. Mr. Chairman, I assume even those who oppose the idea of a sales tax will concur with the thought behind this amendment because it recognizes soft drinks as a food. I have in mind such soft drinks as soda pop and Coca-Cola and all of the drinks that the children buy. I think they ought to be encouraged to have their soft drinks and not have to worry about paying the tax. I think it helps develop temperance. I can remember as a boy how important it was to me to be able to go down to the soda fountain and buy that little bottle of pop. If I had to pay a tax on it, I am afraid that I would not have had it to buy. I am sure there is no opposition particularly to this amendment. It is included with the other items of food and juices and other mild drinks. So far as those who want to drink liquor or who want to drink soda with their liquor, I think it is perfectly proper for them to pay a tax on such drinks. But in consideration of the little people who want to buy their soft drinks, I do not believe they should be included so as to have to pay a tax under the provisions of this bill.

Mr. BATES of Massachusetts. We have already agreed to the gentleman's amendment.

Mr. O'HARA. That is my understanding.

May I ask the ranking minority member if he has any objection to the amendment.

Mr. McMILLAN of South Carolina. No. I agree to the amendment.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. EBERHARTER. An ice cream soda in most drug-stores costs 15 cents. The children would have to pay a cent tax on that.

Mr. O'HARA. I did not know that they did. I hope not.

Mr. EBERHARTER. Yes, they do.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. BULWINKLE. The gentleman is a member of the committee, is he not?

Mr. O'HARA. Yes; I am.

Mr. BULWINKLE. I wonder if the gentleman does not think that coffins and caskets ought to be exempted.

Mr. O'HARA. I had not thought of it. Does the gentleman wish to offer such an amendment?

Mr. BULWINKLE. I am asking the gentleman. I would rather the committee took action.

Mr. O'HARA. I am frank to say I had not thought of it.

Mr. BULWINKLE. No; but you have accepted that. That has already been agreed to.

Mr. HUBER. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. HUBER. How about bubble gum? Is that exempt?

Mr. O'HARA. I assume that is exempt under the limitations of the bill.

Mr. LESINSKI. I do not think the gentleman wants to think of caskets and coffins.

Mr. O'HARA. No. I want to live a while.

Mr. EBERHARTER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, we are witnessing something very unusual this afternoon. The two chief advocates of this bill, the gentleman from Massachusetts [Mr. BATES] has just told us that for over 30 years he has fought against the imposition of a sales tax. Finally, he has become convinced, as a matter of expediency, to levy a sales tax on the citizens of the District of Columbia. If it was wrong in principle in his mind in Massachusetts for 30 years, I think it is the wrong place to change his opinion about the principle of levying a sales tax here in this District of Columbia.

The other gentleman who is supporting this measure and advocating it strongly, the gentleman from Illinois, admits also that it is wrong in principle to impose a sales tax. He does not believe in it. Those are the only two gentlemen who have strongly advocated the passage of this measure this afternoon.

Mr. Chairman, I have not heard anybody on the floor since this measure was called up say a good word about the sales tax, yet we want to inflict it upon the people of the District of Columbia. I do not think we are giving fair consideration to the good citizens of this city and to the people from all over the country who come here to see our national shrines and monuments and historical features in this city, when we seek to levy a sales tax on them. At the same time, the people who live in this city have the opportunity, at Government expense, more than any other American citizens, of enjoying more public parks, enjoying visits to shrines and monuments and historical places. And remember, as was so well said by the gentleman from Michigan [Mr. SADOWSKI], the owners of homes in

the District of Columbia pay approximately 40 percent less in real-estate taxes.

I understand it is the intention of the majority to report from the House Committee on Banking and Currency a bill which has killed the public housing feature, which has killed the redevelopment of urban territories, thus showing in bold relief the strength of the real estate operators of the country. It seems to me that this bill has also some relevancy to the power of the real estate operators in this city, because in my opinion real estate taxes ought to be raised. We should not think of inflicting a tax on sales on all the visitors from your district and my district and from all over the world. The real estate power is great, but I hope it is not able to carry this afternoon. This proposed sales tax is an opening wedge for the imposition of a manufacturer's sales tax on every article manufactured in the United States, because in our committee we hear more and more all the time about broadening the sales tax, broadening the manufacturer's tax, and putting the burden more and more on people least able to pay.

This measure should be defeated. I sincerely hope it will be.

Mr. LESINSKI. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. LESINSKI. Is it not a fact that we in Congress appropriate a certain amount of funds that are used to pay for the Park Police? We maintain the parks and all other things which in other cities are paid for by the regular taxes on the citizens.

Mr. EBERHARTER. The gentleman is absolutely right. The people who live in the District of Columbia live in the finest city in the world at the lowest comparable real estate tax in existence, the finest city without question in the entire world.

Mr. SADOWSKI. Mr. Chairman, will the gentleman yield?

Mr. EBERHARTER. I yield.

Mr. SADOWSKI. I wish to point out to the gentleman this one fact, that the apartment house owners in this city of Washington get more rent for their apartments than is charged in my city of Detroit and in many of the other big cities of the country, yet here in the city of Washington these same apartment house owners are paying only from 40 to 50 percent of the tax that apartment house owners in other cities throughout the country are having to pay.

Mr. EBERHARTER. I thank the gentleman for his contribution.

Mr. Chairman, I hope the bill will be defeated.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have an amendment at the Clerk's desk to subsection (n) of section I of this bill, which is identical with the amendment offered by the gentleman from Minnesota [Mr. O'HARA], with the exception that my amendment adds the words "soft drinks" in line 11

after the words "fruit juices", whereas his amendment adds the words "soft drinks" after the words "fruit products."

The effect of both amendments is to place soft drinks in the category of food, and to exempt soft drinks from this sales tax.

Subsection (n), which is the subsection defining "food", as you will note, includes milk and milk products; candy and confectionery; ice cream and ice-cream products; fruit, fruit products, and fruit juices; coffee and coffee substitutes; tea; cocoa and cocoa products. Certainly soft drinks should be included in this list of food items. Bottled soft drinks cannot be classed as a luxury. There is no reason to exempt a pound of candy costing \$1.50 from this sales tax, and at the same time refuse to exempt a carton of six bottles of soft drinks, retailing for 25 or 30 cents, as the case may be, and I feel sure that the Members will see the justice of including bottled soft drinks in the list of food items to be exempt from this sales tax.

I call your attention to a pamphlet prepared and released by the United States Department of Commerce from the sixteenth census of the United States in 1940, which shows that the value of non-alcoholic, carbonated, and still beverages, manufactured in the District of Columbia in 1939 totaled \$2,905,160. Accurate estimates of the proportion of these beverages sold in cartons or cases amounting to more than 14 cents each in value, show the total of such sales to be approximately \$871,000 retail value. The tax on that sum would be inconsequential, amounting at the 2-percent rate to \$17,420. This exemption therefore will have no serious effect upon the revenue to be produced by the act. Soft drinks constitute a common grocery-food item. They logically should be placed in the food classification, and I urge the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

Mr. DIRKSEN. Mr. Chairman, I wonder if we cannot agree on a limitation of time. I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

Mr. KLEIN. Mr. Speaker, I object.

Mr. DIRKSEN. Mr. Chairman, there are many Members who want to get away and we have a great deal of business yet to transact.

I move that all debate on the bill and all amendments thereto close in 20 minutes, the last 2 minutes to be reserved to the committee.

The motion was agreed to.

Mr. BULWINKLE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BULWINKLE: On page 8, line 7, insert "coffins and caskets."

The CHAIRMAN. The gentleman from North Carolina is recognized for 2 minutes.

Mr. BULWINKLE. Mr. Chairman, it seems to me that of all the detestable taxes man puts on anything it is on the family in time of their bereavement.

This amendment is easily understood by everyone and they know that the amount of money that would be collected under this tax would merely add to the cost of the funeral.

Mr. DIRKSEN. Mr. Chairman, may I say to the gentleman from North Carolina that the committee would have no objection to that particular amendment.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

The CHAIRMAN. The Chair wishes to announce that there are three amendments at the desk. The Chair would like to recognize the authors of these amendments.

The gentleman from New York [Mr. KLEIN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KLEIN: Strike out all after the enacting clause and insert in lieu thereof the following: That section 3 (s) of title I, article I, is amended to read as follows:

"(s) The word "resident" means every individual domiciled within the District on the last day of the taxable year, and every other individual who maintains a place of abode within the District for more than 7 months of the taxable year, whether domiciled in the District or not. The word "resident" shall not include any elective officer of the Government of the United States or any officer of the executive branch of such Government whose appointment to the office held by him was by the President of the United States and subject to confirmation by the Senate of the United States, unless such officers are domiciled within the District on the last day of the taxable year."

"SEC. 2. Section 2 of title III is amended by striking out all of the paragraph numbered (b) (10) and renumbering the succeeding paragraphs as (10) and (11), respectively.

"SEC. 3. Section 3 of title III is amended by striking out all of the paragraph numbered 3 (b) (5) and renumbering the succeeding paragraph as (5).

"SEC. 4. Section 3 of title VI is amended to read as follows:

"SEC. 3. Imposition and rates of tax: There is hereby annually levied and imposed for each taxable year upon the taxable income of every resident a tax at the following rates:

"Two percent on the first \$2,000 of taxable income.

"Three percent on the next \$3,000 of taxable income.

"Four percent on the next \$5,000 of taxable income.

"Five percent on the taxable income in excess of \$10,000."

"SEC. 5. Article I is further amended by striking out all of title VIII and renumbering the succeeding titles as VIII, IX, X, XI, XII, XIII, XIV, and XV, respectively."

Mr. DIRKSEN. Mr. Chairman, I must reserve a point of order against the amendment.

Mr. KLEIN. Mr. Chairman, will the gentleman withhold the point of order?

Mr. DIRKSEN. Yes, I withhold it.

NO NEED FOR SALES TAX

Mr. KLEIN. Mr. Chairman, this amendment which I have offered is a substitute for the pending bill. This is my bill to provide for an adequate income tax in the District.

If the point of order should be sustained, I ask the members of the committee to vote down the bill in the hope that if it is defeated then this bill of mine will get consideration by the com-

mittee. As I stated a little while ago, there is no need for a sales tax, although, having served on the Fiscal Affairs Committee of this committee, I admit that the District does need additional revenue. But there are other ways of getting it. It is not necessary to use the sales tax, the most unfair of all taxes, because it falls heaviest on those least able to pay.

SALES TAX IS HIDDEN

Of course, it is an easy tax to put over on the people. We have had it in New York for many years. It was originally passed as a temporary measure, but like all of them it has become permanent. It is a hidden form of taxation. It is an easy, but costly, tax to collect; it is easy to lull the people into believing it is a sort of luxury matter. They just feel that the cost of living has gone up, that is all.

There are other ways of raising revenue. How about an additional Federal contribution? The Federal Government, as we know, owns most of the buildings in the District of Columbia. It pays no taxes at all to the District government except for a small annual contribution. This is unfair because the District government loses all that means of revenue. If private individuals or corporations maintained those buildings they would have to pay a tax to the District of Columbia.

I thank the gentleman for withholding his point of order.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the amendment offered by the gentleman from New York [Mr. KLEIN].

The question was taken; and on a division demanded by Mr. KLEIN) there were—ayes 16, noes 65.

So the amendment was rejected.

Mr. FOGARTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOGARTY: Page 5, strike out all of lines 5, 6, 7, 8, 9, and 10 and insert "(a) On each sale where the price is at least \$1, 1 cent, and of every dollar of price from then 1 cent."

Mr. FOGARTY. Mr. Chairman, this amendment will in effect reduce the sales tax of 2 percent to 1 percent on every dollar and every dollar of purchase thereafter. The amendment offered by the gentleman from Minnesota is expected to do away with the tax on soft drinks, but even though they say it is a 2-percent sales tax, the people could very easily be forced to pay a sales tax of 4 or 5 percent, because on every purchase from 14 cents to 50 cents there is a tax of 1 cent. To the housewife going from store to store downtown, making small purchases here and there, this tax could very easily add up to a 4- or 5-percent sales tax. The amendment that I have offered would simply mean that it would be a 1-percent sales tax, and there would be no tax on any articles that did not cost at least \$1. That would help to take care of the children that we, I think, are interested in taking care of in the District on all these things that have been mentioned this afternoon, like soft drinks, gum, and candy and everything else. I do not think a 1-percent sales tax would

be too much. The present bill in some cases would add up to a 4- or 5-percent sales tax because of the way the committee has written the bill. It is entirely too much and goes much further than the committee intended it to go.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island [Mr. FOGARTY].

The amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PRICE SUPPORTS FOR FARM PRODUCTS MUST BE
CONTINUED AT A HIGH LEVEL

Mr. ABERNETHY. Mr. Chairman, I have been a Member of this Congress for several years. For a considerable part of that time I have been a member of the Committee on Agriculture, a place where I have had the opportunity to study the agriculture of the Nation, to seek ways and means of advancing the welfare of those engaged in farming, as well as those who may not be directly engaged in such but who are dependent upon the welfare and well being of agriculture.

During the years when my party was in power the Congress believed that farmers were entitled to the same consideration, to the same necessities, and to the same opportunity of providing for themselves the things which make life enjoyable as are individuals in other occupations. The Congress set up the Commodity Credit Corporation, and I am proud to have some part in continuing it. The Congress has heretofore guaranteed our farmers 90 percent of parity for basic commodities and administered the same through the Commodity Credit Corporation. We have provided rural electrification so that life on the farm can be just as comfortable as in the cities. I long to see the day when electric lines will reach to every farm home, and believe we are on the way toward that objective. We have provided adequate farm credit, for further research in the use of farm products, and many other valuable farm programs.

During the war we called on the American farmer to produce as he has never produced before. This he did, notwithstanding the fact that he was short of labor, of fertilizer, of farm machinery, and had many other problems. The farmer accomplished this at the cost of a deterioration of his plant and with a depletion of his soil. We have recognized these facts and have developed a wonderful program of soil conservation.

Personally, as a member of the Committee on Agriculture, I have devoted myself to trying to relieve some of the farmers' problems. I am glad to say that the future looks a little brighter. I believe that by the next crop season the fertilizer and farm-equipment situation will be much improved. At the same time, Mr. Chairman, we cannot afford to forget the other things that are so essential to the farmers' welfare.

For a number of years we have guaranteed the farmer 90 percent of parity, and further provided that such guarantee should continue for 2 years after the war. We did this in an effort to prevent any sharp break in farm prices and in the farmers' well-being. Yet, January 1, 1949, these 2 years will come to an end. I believe we should have long since made the support-price program permanent, with possibly some changes to correct inequities which exist in the present law.

For the past 2 years we have heard much of a new long-range farm program. The Senate and House Committees on Agriculture have conducted days and days of hearings. We have heard representatives of various farm organizations and hundreds of farmers from more than 40 States on the new long-range program. They have submitted their views on farm credit, research, parity, price supports, soil conservation, and many related subjects. Sentiment was overwhelmingly in favor of the present program, particularly with regard to soil conservation and price supports, with a few suggested improvements here and there. There was an almost unanimity of agreement that the program should be given a long-range status and anchored to a state of permanency.

After all these months of lengthy hearings and study, what is the situation? At this late date the long-range program is being carried over until next year. In the meantime two most important phases of the present program, which were considered in the hearings on the new long-range program, will expire unless speedy action is taken by the Congress.

The Republican leadership has announced that it intends to adjourn the Congress June 19. That is only 11 days away. The time is very limited. Bills which my committee has reported and which would continue these very important phases of the program are pending and awaiting action of the Congress. You must permit the Congress to pass these measures before adjournment.

Everyone is entitled to a fair return for his labor and merchandise. Certainly the farmer is no exception. The law which guarantees to the farmer a support price of 90 percent for basic commodities will expire on December 31, 1948. Unless that law is continued the only authority for support of basic commodities will be that found in the Agricultural Adjustment Act; and it provides for supports ranging only from 50 to 75 percent of parity as determined by the Secretary of Agriculture. The supports so authorized in the Triple-A Act are not only inadequate, but most indefinite. The farmer is given little assurance of what he may expect in the way of price supports.

The Secretary of Agriculture has set production goals for 1948 at a figure which will require 9,000,000 more acres of cropland than were utilized in 1947. He has asked our farmers to help feed the world through higher production. It is reasonable to assume that similar production goals will be imposed for 1949. High production goals create the risk of price-breaking surpluses. It is wrong,

therefore, for the Government to insist on increased farm production and not at the same time guarantee a reasonable price through the means of price supports. On this the farmers are entitled to a definite commitment from the Government. I, for one, favor fixing the support at not less than 90 percent of parity.

Several weeks ago the Committee on Agriculture, of which I am a member, reported a bill which would continue supports for basic commodities produced through 1949 at 90 percent of parity. It was the view of the committee that before the expiration of 1949 a new long-range program would be enacted, but in the meantime the present laws should be continued. The bill also has for its purpose the continuation of supports at present levels for the so-called Steagall commodities.

Mr. Chairman, as yet no action has been taken on this bill. It is most important and imperative that the same be called up by the Republican leadership for immediate consideration. Time is running out. I respectfully urge the Republican leadership to submit the bill to the House for prompt consideration.

Of equal importance is the bill which would continue the Commodity Credit Corporation. The authority under which the Corporation functions will expire on June 30 next. It is through this agency that the support program is administered. Various differences apparently exist between the members of the Senate and House committees as to the authority which should be conferred upon the Corporation and the manner and form in which the Corporation should be continued. Bills for continuance of the Corporation are pending before both Houses. They should likewise be called up for immediate consideration. Unless the Commodity Credit Corporation Act be continued the support program for 1948 will be endangered. I doubt seriously that it could be carried on at all.

Mr. Chairman, I join with other members of the Committee on Agriculture in imploring the Republican leadership to bring up these bills, continue the present farm program for another year so that the farmers will be protected until the long-range program is enacted. We must see to it that the farmers of our Nation are given the same consideration that is accorded all others. We on the Agricultural Committee feel that certainly no less could be done than to continue the present program. We hope then to pass an adequate long-range measure guaranteeing the farmer fair and equal treatment for years to come.

Mr. FOGARTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOGARTY: On page 8, line 6, after "trailers", insert a new subsection: "Sales of all clothing."

Mr. FOGARTY. Mr. Chairman, I listened with a great deal of interest to the chairman of the committee the gentleman from Illinois [Mr. DIRKSEN] and the gentleman from Massachusetts [Mr. BATES] when they were talking about the substance of a sales tax on the poor, and the reference to food,

drugs, and medicines. I think the gentleman knows that the articles of clothing that are bought for children today amount to almost as much as food and medicine combined amount to, because whereas once the parents of 2 and 3-year-old children were paying a dollar for a pair of shoes for them, they now are paying five and six dollars for a pair of shoes. Every other article of clothing that is bought for a child or for those going through school, through high school, or through college, has gone up to at least 5 or 10 times what it was 10 years ago. I think if you want to be sincere about this matter, if you want to take care of the poor class of people, this is one amendment that you can accept in good grace.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island.

The amendment was rejected.

Mr. McCORMACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: One page 3, line 20, after "gain", strike out the period and insert a comma and the following: "or that are not organized or operated for gain."

Mr. McCORMACK. Mr. Chairman, I assume the committee intends to accomplish what my amendment will bring about, but if so the use of the language here in paragraph (h) on page 3 did not accomplish that purpose. My amendment, for example, might apply to a hospital like Providence Hospital or some other private institution that is operated by the Sisters or those of some other religion, which institutions are not supported principally by public subscriptions or endowment or by appropriations from the Congress, and yet are not operated for profit or gain. My amendment is designed to meet that particular situation, if it exists, in the District.

Mr. BATES of Massachusetts. If the gentleman will yield, the gentleman has discussed that matter with the chairman of the committee and with me, and we are certainly in favor of the amendment.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, we are confronted here with a very practical proposition, and it is very reminiscent now of just what happened here last year when we were trying to pass a tax bill to raise the necessary revenue for the District of Columbia. It is much easier to object and to criticize something that a committee has worked over for months and months than it is to do something constructive about it yourself. That has been our experience in trying to bring about proper tax legislation for the District. Last year we did just what these gentlemen have been suggesting. We tried to get away from the sales tax. We had to balance the budget in the District of Columbia by raising revenue from other sources. We brought in an income-tax bill. The House adopted it. It was feared that that bill might tax

somebody that somebody did not want to tax around here, so we were defeated. We went out and left an unbalanced budget. This joint committee has worked over this matter. We have invited everybody in Washington and every Member of Congress who wanted to be heard to come before the committee. We heard them. The committee is practically unanimous on it, and if we are going to write a tax bill, you have to just accept the bill devised by the committee. That is the experience we have had in bills which come from the Committee on Ways and Means. As a matter of fact, all bills coming from the Committee on Ways and Means with reference to taxation come before us under a closed rule, because we all realize the impracticability of writing any kind of tax bill on the floor of the House. This matter of legislating for the District of Columbia is not an easy task. It is not a task that men get very much thanks for. Something has to be done to raise the necessary revenues to operate the Capital of the Government of the United States. This is the only method we have been able to devise as yet.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. I rise in opposition to the amendment.

Mr. Chairman, in my opening remarks against this outrageous sales tax I called attention to the fact that every one of the gentlemen who reported the bill stated that for years they had been opposed to the sales tax. Consequently, I cannot understand the underlying reasons why they changed their positions since the businessmen and real-estate owners in the District of Columbia are making more money and obtaining greater returns on their investments than ever before. Those very men are behind the movement to force this tax on the backs of the vast majority of consumers of low incomes and invariably larger families, who will be gouged not only 2 percent but up to 3 and 4 percent on small purchases under the provisions of this bill.

I realize that foods and medicines have been exempted from the tax, with the exception of foods served in restaurants and hotels. Naturally, I do not have in mind the Mayflower, as my colleague, the gentleman from Illinois [Mr. DIRKSEN] stated. I agree that transients and those people living at the Mayflower or the best hotels can easily afford to pay the tax. What I have in mind is the several thousand smaller and cheaper restaurants who cater to the working class of people. Most of the patrons of these restaurants are Government workers and people privately employed who cannot keep house and prepare their meals at home because housekeeping quarters are impossible to obtain.

It has been stated that a powerful lobby has been working on some of the gentlemen and it appears, unfortunately, they have succumbed to their influence and their prestige.

Yes, in many cities a sales tax was imposed on the people during the Hoover days. After the crash when municipali-

ties and States were actually in desperate need, people were unable to pay their real-estate taxes, which reduced by over 50 percent the revenue of the municipalities and States. So, in desperation, a sales tax was adopted to relieve them of their distressing financial conditions, and to enable them to pay the salaries of the municipal and State employees, including policemen and firemen, and even the unfortunate school teacher.

However, these conditions do not exist today because, as I said before, business is making greater profits; property is bringing in greater revenues; and personal property such as stocks and bonds is paying larger dividends to the wealthy owners.

Consequently, if the personal property of those thousands of people living in the District of Columbia was properly assessed and collections rigidly enforced, it would bring in greater revenues than this proposed sales tax.

Yes, we have a sales tax in Illinois and it brings to the State about \$160,000,000 annually, but because of laxity and inefficiency in collections only about 60 percent of the tax is collected. I have heard of many instances where businessmen have settled their sales tax with the collectors, which unfortunately has never reached the State treasury. In connection with the collecting of these taxes there has been a great deal of scandal involved and, of course, this is under the Republican administration.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BATES of Massachusetts. Last year we increased the real-estate tax by 30 percent. If we are to take care of the increased Federal wages and salaries, we will have to make the tax 100 percent above what it was last year. That is the danger of this situation.

Mr. SABATH. I cannot agree with the gentleman. You stated that last year, for the first time in 11 years, real-estate taxes were increased 25 percent. I then stated and restate now that real-estate taxes can be increased an additional 25 percent and the total tax would still be lower than in most of the large cities in the United States, because the value of real estate and the increase in rentals on business property in the last 7 years have gone up 100 percent and, in many instances, 200 percent.

Mr. BATES of Massachusetts. You would agree if you had the facts.

Mr. SABATH. We can easily increase the taxes on real estate another 10 or 20 percent.

The CHAIRMAN. The Chair recognizes the gentleman from New Mexico [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Chairman, what I want to say this afternoon cannot be said in 2 minutes, so I will merely announce that I have reserved time to speak after the business of the day is concluded, at which time I shall speak about the Navajo rehabilitation bill, which is now coming before us. I will be complimented by those of you who remain and hope that those who have business in their offices will read my speech tomorrow.

Mr. DIRKSEN. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments adopted in Committee of the Whole, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CRAWFORD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6759) to provide additional revenue for the District of Columbia, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. DIRKSEN. Mr. Speaker, I move the previous question on the bill and all amendments to final passage. The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them engross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MANSFIELD. Mr. Speaker, I demand the yeas and nays.

The SPEAKER (after counting). Not a sufficient number have arisen.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. FOGARTY) there were—aye 116, noes 71.

Mr. MANSFIELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-seven Members are present; a quorum.

So the bill was passed.

A motion to reconsider was laid on the table.

REQUEST TO WITHDRAW PAPERS

The SPEAKER. The Chair lays before the House the following request:

HOUSE OF REPRESENTATIVES,

June 7, 1948.

Mr. F. EDWARD HÉBERT requests, pursuant to rule XXXVIII, leave to withdraw from the files of the House papers in the case of H. R. 3639, for the relief of Alexander D. Irwin and Archibald O. Leighton, Seventy-ninth Congress, no adverse report having been filed thereon.

F. EDW. HÉBERT.

The SPEAKER. Without objection, the request is granted.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. PEDEN (at the request of Mr. MORRIS), for an indefinite period, on account of official business.

EXTENSION OF REMARKS

Mr. VAN ZANDT asked and was given permission to extend his remarks in the Appendix of the RECORD in regard to social security.

Mr. COLE of Missouri asked and was given permission to revise and extend the remarks he made in the Committee of the Whole today and include therein excerpts from the committee's report on the bill; and to extend his remarks in the Appendix of the RECORD in two separate instances, to include in each extraneous matter, and in one a radio address by Jack Bell.

TREASURY-POST OFFICE APPROPRIATION BILL, 1949—CONFERENCE REPORT

Mr. CANFIELD. Mr. Speaker, I call up the conference report on the bill (H. R. 5770) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5770) "making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment number 14.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 8, 9, 10, 17, 18, 19, 25, 29 and 30, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$125,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$4,250,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$52,000,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$174,000,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amend-

ment, insert the following: "\$19,584,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$193,584,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$12,500,000"; and the Senate agree to the same.

Amendment Numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert the following: "\$1,500,000"; and the Senate agree to the same.

Amendment Numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$505,000"; and the Senate agree to the same.

Amendment Numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$172,150"; and the Senate agree to the same.

Amendment Numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$2,114,000"; and the Senate agree to the same.

Amendment Numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$12,600,000"; and the Senate agree to the same.

Amendment Numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$2,900,000"; and the Senate agree to the same.

Amendment Numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$17,500"; and the Senate agree to the same.

Amendment Numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$23,042,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$7,658,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$12,853,625"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: "\$14,750,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "\$42,457,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12, 15, and 34.

GORDON CANFIELD,
EVERETT M. DIRKSEN,
P. W. GRIFFITHS,
GEO. B. SCHWABE,
J. VAUGHAN GARY,
JOE B. BATES,
HENRY M. JACKSON,

Managers on the Part of the House.

GUY CORDON,
CLYDE M. REED,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
CARL HAYDEN,
KENNETH MCKELLAR,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5770) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1949, and for other purposes, submit the following report in explanation of the effect of the action agreed upon and recommend in the accompanying conference report as to each of such amendments, namely:

TITLE I. TREASURY DEPARTMENT

Amendment No. 1 appropriates \$125,000 for the Division of Tax Research, instead of \$110,000 as proposed by the House and \$141,400 as proposed by the Senate.

Amendment No. 2 appropriates \$250,000 for the Office of the General Counsel, as proposed by the Senate.

Amendment No. 3 authorizes \$4,250,000 for promoting the sale of savings bonds, instead of \$3,750,000 as proposed by the House and \$4,658,100 as proposed by the Senate.

Amendment No. 4 appropriates \$52,000,000 for administering the public debt, instead of \$51,500,000 as proposed by the House and \$52,408,100 as proposed by the Senate.

Amendment No. 5 appropriates \$174,000,000 for personal services in the Bureau of Internal Revenue, instead of \$168,736,000 as proposed by the House and \$179,268,000 as proposed by the Senate. In approving for the Bureau of Internal Revenue funds additional to the amount requested in the original Budget for 1949, it is the intention of the managers on the part of the two Houses that the Secretary of the Treasury apply these additional funds for upgrading essential positions in field enforcement activities and for the employment of additional qualified enforcement personnel. The Secretary of the Treasury should report to the Congress at the beginning of the next session as to the progress made, including detailed information as to the success of the Bureau of Internal Revenue in recruiting competent persons in order that this program may be reviewed at the earliest moment in the 81st Congress, 1st session, and a decision reached as to whether and the extent to which the program should be enlarged.

Amendment No. 6 authorizes expenditure of not to exceed \$16,530,000 for personal services at the seat of Government in the Bureau of Internal Revenue, as proposed by the Senate.

Amendment No. 7 appropriates \$19,584,000 for objects of expenditure other than personal services in the Bureau of Internal Revenue, instead of \$18,000,000 as proposed

by the House and \$21,166,000 as proposed by the Senate.

Amendment No. 8 authorizes not to exceed \$2,576,500 for stationery for the Bureau of Internal Revenue, as proposed by the Senate.

Amendment No. 9 authorizes not to exceed \$1,500,000 for ammunition for the Bureau of Internal Revenue, as proposed by the Senate.

Amendment No. 10 authorizes not to exceed \$500,000 for rewards for bringing to trial violators of internal revenue laws, as proposed by the Senate.

Amendment No. 11 provides for a total appropriation for salaries and expenses of the Bureau of Internal Revenue in amount of \$193,584,000, instead of \$186,736,000, as proposed by the House and \$200,432,000 as proposed by the Senate.

Amendment No. 12 is reported in disagreement.

Amendment No. 13 appropriates \$12,500,000 for salaries and expenses, Bureau of Engraving and Printing, instead of \$12,000,000 as proposed by the House and \$12,830,000 as proposed by the Senate.

Amendment No. 14: Appropriates \$1,275,000 for salaries and expenses, Bureau of Federal Supply, as proposed by the House, instead of \$1,310,000, as proposed by the Senate.

Amendment No. 15: Reported in disagreement.

Amendment No. 16: Inserts the amendment of the Senate providing funds to increase the general supply fund established by the Act approved February 27, 1929, as amended, with an amendment providing \$1,500,000 for such purpose, instead of \$3,000,000, as proposed by the Senate.

Amendment No. 17: Appropriates \$170,000, as proposed by the Senate, instead of \$150,000, as proposed by the House, for printing and binding for the Bureau of Federal Supply.

TITLE II—POST OFFICE DEPARTMENT

Amendment No. 18: Appropriates \$968,000, as proposed by the Senate, instead of \$928,000, as proposed by the House, for salaries, Office of the Second Assistant Postmaster General.

Amendment No. 19: Appropriates \$823,000, as proposed by the Senate, instead of \$752,000, as proposed by the House, for salaries, Office of the Fourth Assistant Postmaster General.

Amendment No. 20: Appropriates \$505,000 for salaries, Bureau of Accounts, instead of \$485,000, as proposed by the House, and \$525,000, as proposed by the Senate.

Amendment No. 21: Appropriates \$172,150 for contingent expenses, instead of \$160,000, as proposed by the House, and \$184,300, as proposed by the Senate.

Amendment No. 22: Appropriates \$2,114,000 for printing and binding, instead of \$2,000,000, as proposed by the House, and \$2,228,000, as proposed by the Senate.

Amendment No. 23: Appropriates \$12,600,000 for compensation to assistant postmasters, instead of \$12,500,000, as proposed by the House, and \$12,700,000, as proposed by the Senate.

Amendment No. 24: Appropriates \$2,900,000 for carfare and bicycle allowance, instead of \$2,800,000, as proposed by the House, and \$3,000,000, as proposed by the Senate.

Amendment No. 25: Strikes out the provision of the House to appropriate \$23,842,000 for foreign mail transportation, including not to exceed \$79,200 to cover cost for maintaining sea post service on ocean steamships conveying mails to and from the United States, and inserts \$23,762,800 for such foreign mail transportation, as proposed by the Senate.

Amendment No. 26: Appropriates \$17,500 for indemnities, international mail, instead of \$15,000, as proposed by the House, and \$20,000, as proposed by the Senate.

Amendment No. 27: Appropriates \$23,042,000 for foreign air mail service, instead of

\$19,500,000, as proposed by the House, and \$26,583,000, as proposed by the Senate.

Amendments Nos. 28, 29 and 30, relating to Office of the Fourth Assistant Postmaster General, miscellaneous supplies and equipment: Appropriates \$7,658,000, instead of \$7,158,000, as proposed by the House, and \$8,158,000, as proposed by the Senate; makes available \$50,000 for mechanizing devices for separation of mails, and \$50,000 for research, design, manufacture, and installation of pilot mail-sorting equipment, and for the necessary supervision of the installation and operation of such equipment, as proposed by the Senate, it being of the highest importance that the Postmaster General cooperate to the fullest extent with the House Committee on Post Office and Civil Service in the progressive program to be implemented by funds provided in this amendment, since many millions of dollars of public funds may be saved by this program; and strikes out the words "or blueprints", as proposed by the Senate.

Amendment No. 31: Appropriates \$12,853,625 for equipment shops, instead of \$12,800,000, as proposed by the House, and \$12,907,250, as proposed by the Senate.

Amendment No. 32: Appropriates \$14,750,000 for rent, fuel, and utility services, instead of \$14,500,000, as proposed by the House, and \$15,000,000, as proposed by the Senate.

Amendment No. 33: Appropriates \$42,457,000 for vehicle service, instead of \$42,000,000, as proposed by the House, and \$42,914,000, as proposed by the Senate.

Amendment No. 34: Reported in disagreement.

AMENDMENTS REPORTED IN DISAGREEMENT

The following amendments are reported in disagreement:

Amendment No. 12, relating to management and operational studies of the Bureau of Internal Revenue. The House managers will move to recede and concur with an amendment.

Amendment No. 15, relating to the purchase of typewriters by the Director of the Bureau of Federal Supply. The House managers will move to recede and concur with an amendment.

Amendment No. 34, relating to the transfer of funds, Field Service, Post Office Department. The House managers will move to recede and concur with an amendment.

GORDON CANFIELD,
EVERETT M. DIRKSEN,
P. W. GRIFFITHS,
GEO. B. SCHWABE,
J. VAUGHAN GARY,
JOE B. BATES,
HENRY M. JACKSON,

Managers on the Part of the House.

Mr. CANFIELD (interrupting the reading of the statement of the managers). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered. The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12. Page 11, line 3, insert the following: "Provided, That not to exceed \$150,000 of the amount appropriated under this head for the fiscal year 1949 shall be available for expenses by contract or otherwise, of such management and opera-

tional studies as are necessary in the Bureau of Internal Revenue."

Mr. CANFIELD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CANFIELD moves that the House recede from its disagreement to the amendment of the Senate No. 12 and agree to the same.

Mr. CANFIELD. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 15: Page 22, line 11, strike out all of lines 11 to 16, inclusive, and insert in lieu thereof the following: "In the event the Director of the Bureau of Federal Supply is unable to furnish any such agency with suitable typewriters out of stock on hand, he may purchase, out of funds specifically appropriated for that purpose, such machines at the lowest published retail list price for any such typewriters offered for sale to the Federal Government less 30 percent, plus the amount of Federal excise tax applicable to the lowest published retail list price."

Mr. CANFIELD. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. CANFIELD moves that the House recede from its disagreement to the amendment of the Senate number 15, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following: "Notwithstanding the foregoing paragraphs, in the event the Director of the Bureau of Federal Supply is unable to furnish any such agency with suitable typewriters out of stock on hand, he may purchase typewriters for the account of such agency: *Provided*, That the price paid during any quarter of the fiscal year for such typewriters shall not exceed 90 percent of the lowest net cash price, plus applicable Federal excise taxes, accorded the most favored customer (other than the Government of the United States, or any agency thereof, and purchasers of typewriters for educational instruction purposes only) of the manufacturer of such machines during the 6 months' period immediately preceding such quarter."

Mr. CANFIELD. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: On page 40, after line 10, insert the following: "Not to exceed 5 percent of any appropriation for the Field Service, Post Office Department, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other appropriation or appropriations under the same Service, but no appropriation shall be increased more than 10 percent by such transfers."

Mr. CANFIELD. Mr. Speaker, I offer a motion which I send to the desk.

The Clerk read as follows:

Mr. CANFIELD moves that the House recede from its disagreement to the amendment of the Senate number 34, and agree to the same with an amendment as follows: In line 5 of said amendment, strike out the word "same", and insert "said."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

EXTENSION OF REMARKS

Mr. MULTER (at the request of Mr. EBERHARTER) was given permission to extend his remarks in the Appendix of the RECORD and include a poem.

Mr. JENNINGS asked and was given permission to extend his remarks in the RECORD and include a petition signed by a large number of citizens of Tennessee.

INCREASING TRAVEL ALLOWANCE FOR RAILWAY POSTAL CLERKS AND SUBSTITUTE RAILWAY POSTAL CLERKS

Mr. COLE of Missouri. Mr. Speaker, this morning when the Consent Calendar was called, the bill S. 2152, appeared thereon, but had not been on the calendar long enough to be considered today. I asked unanimous consent at that time for its consideration, and the Speaker informed me that if I would interview the objectors perhaps it could be called up later. I have spoken to the objectors, both Republicans and Democrats, I have taken the matter up with the majority leader and the minority leader, I have also talked to the senior and minority members of the Committee on Post Office and Civil Service and they have no objection to the consideration of this bill at the present time. I therefore ask unanimous consent, Mr. Speaker, for the immediate consideration of the bill (S. 2152) to increase the maximum travel allowance for railway postal clerks and substitute railway postal clerks.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsections (m) and (r) of section 16 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, as amended, are amended by striking out "\$4 per day" and inserting in lieu thereof "\$6 per day."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Under previous special order of the House, the gentleman from New Mexico [Mr. FERNANDEZ] is recognized for 10 minutes.

NAVAJO INDIAN LEGISLATION

Mr. FERNANDEZ. Mr. Speaker, I heartily commend the gentleman from California [Mr. WELCH], chairman of the Public Lands Committee, and the gentleman from Montana [Mr. D'EWART], chairman of the Indian Affairs Subcommittee, as well as the Republican steering committee, for their decision Friday to push enactment of the Navajo Indian legislation before Congress adjourns. Following their action Friday, it was my understanding that the Navajo bill would be called up today under unanimous consent or by a suspension of the rules. Though the primary election is in progress in New Mexico today, I flew back

to Washington yesterday, only to find this morning that the Indian Office has filed an adverse report to the D'Ewart bill.

I have heretofore restrained myself because of my affection for Secretary Krug and Under Secretary Warne, who are sincere men, but this action on the part of the Indian Office shocks me beyond further restraint. I must speak out. Is it possible that the Indian Office is more interested in putting this Congress on the spot so that it can be blamed for failure to act? I do not believe in playing politics at the expense of hungry and destitute people.

The bill reported out by the committee is right in line with Secretary Krug's recommendations. It authorizes the full \$25,000,000 requested for the construction of schools, school dormitories, and other educational facilities. It authorizes \$100,000 per year to promote employment of Navajo Indians off the reservation; it authorizes \$250,000 per year for the relief of disabled and dependent Navajo Indians; it authorizes \$228,000 for health improvement, and \$1,000,000 per year for the construction of roads. All of this is right in line with the recommendations of Secretary Krug.

True, this does not at one stroke authorize the entire 10-year \$90,000,000 program, and because it does not do so the Indian Office objects to the enactment of this bill. This arbitrary and dilatory attitude is unreasonable and likely to result in no action at all.

Heretofore in the summer of 1946, nearly \$1,000,000 was appropriated for the building of two Navajo schools. To this date, not a handful of dirt has been turned and not a nail has been driven in the construction of those two schools. Chicago architects were hired, as if there were none competent in New Mexico and Arizona, and the whole matter is still tangled up by the red tape and dilatory attitude of the Washington Indian Office. Under the circumstances, objection to the House bill on the grounds that it does not authorize the entire program, including airports and modern coal bins and all, comes with poor grace.

The D'Ewart bill should be taken up as promptly as possible. I hope this is done before this week ends, and that it is passed and enacted into law before the adjournment of Congress. I go further and say that either Acting Commissioner Zimmerman and Educational Director Beatty should be discharged for their delay in carrying out the mandate of Congress as expressed in the appropriation bill in 1946, or else the Navajo Reservation should be taken from under their jurisdiction and their inaction. The Congress is not in position to discharge the men responsible for the neglect of this tribe, but it can and should emancipate the Navajo from the lethargy of this Bureau. Congress can pass legislation whereby a man of vigor and action can be selected to administer the long-delayed rehabilitation and education of these people. A bill to do that very thing is now pending in the Senate and I sincerely hope that Mr. D'Ewart's bill and the Senate bill are combined and are enacted into law before we adjourn.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Arizona.

Mr. MURDOCK. Mr. Speaker, I would like to make this observation. The gentleman from New Mexico had some very complimentary things to say about the chairman of the Committee on Public Lands and also about the chairman of the Subcommittee on Indian Affairs.

Mr. FERNANDEZ. And I say they deserve it, too.

Mr. MURDOCK. They do deserve it, and for that reason I wanted to second what the gentleman said in that respect. I want to say further, Mr. Speaker, that the gentleman from New Mexico himself has been untiring in his efforts to get the kind of legislation for which he now pleads. That was shown quite eloquently last November when we had temporary legislation before us, and at that time the gentleman from New Mexico time after time stressed the need of a permanent piece of legislation that would rehabilitate this great Navajo Indian Tribe. I am in accord with the gentleman in wanting a proper long-range plan.

Mr. FERNANDEZ. I thank the gentleman. I have also been very patient. I have not spoken out, although I did tell the committee what I knew about the details regarding the building of those two schoolhouses. Now they come in here with this report. If they had criticized our committee for not giving them the full amount requested, I would not have anything to say, but when they come in and say, "Do not enact this bill," when they know full well or ought to know full well that if we are not going to enact this bill we will not at this late date get anything, that is the last stroke.

Mr. BARRETT. Mr. Speaker, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Wyoming.

Mr. BARRETT. I want to commend the gentleman for his courageous statement on this matter. We are all very deeply interested in the welfare of the Indians of the country, and the gentleman from New Mexico has always fought valiantly for the Indians of his State.

Mr. FERNANDEZ. I thank the gentleman.

Mr. BARRETT. In my opinion, our Committee on Public Lands has not had the proper cooperation from the Indian Bureau. I hope that some way may be arrived at whereby we can secure more adequate information and better reports and more active cooperation from the Indian Bureau.

Mr. FERNANDEZ. As far as getting information about the Navajo Reservation is concerned, I do not think we will ever get it until we have a man responsible at the head of that reservation, instead of trying to channel everything through the Indian Office in Washington.

Mr. D'EWART. Mr. Speaker, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Montana.

Mr. D'EWART. I in turn want to compliment the gentleman from New Mexico on bringing this matter to the attention of the Congress. Certainly the situation on the Navajo and the Hopi Reservations is something that is a disgrace to the Nation. We have made treaties with these people under which we are supposed to do certain things. We have fallen down in the carrying out of those treaties. During this session we have held extensive hearings on the situation in the Navajo Reservation. As a result of those hearings, various bills were introduced. The one to which the gentleman from New Mexico refers is the one that is being pressed for enactment at this time and has been voted out unanimously by our House Committee on Public Lands.

Mr. FERNANDEZ. The gentleman will agree with me, I am sure, that it is the beginning of the very program Secretary Krug has recommended.

Mr. D'EWART. That is right. It is not the intention of the committee that this shall be the final word on this problem, but it is a step in the right direction. I think this goes along and is in accord with the recommendations of the Bureau. I regret very much that they have seen fit to send up an adverse report on this necessary legislation. I hope we may not pay too much attention to that report, but can get favorable action in this session on this bill, which will be a step in taking care of this very, very bad situation.

Mr. FERNANDEZ. I am sure Congress will do what is right, regardless of the report.

Mr. POULSON. Mr. Speaker, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from California.

Mr. POULSON. As I recall, when this bill was brought before the full Committee on Public Lands, this very statement was made, that this was the first step in the general over-all program and approach to settling this very delicate and serious problem as far as the Indians are concerned.

Mr. FERNANDEZ. Yes. I think the committee is very properly putting first things first in this bill. If we authorize the whole \$90,000,000, what assurance have we that they will handle that any better than the \$1,000,000 we gave them 2 years ago, with which they have done nothing up to date?

Mr. POULSON. I do not believe there is a single committee in the House that works any harder than the Subcommittee on Indian Affairs, of which the gentleman is one of the very able members.

Mr. FERNANDEZ. I am sorry to say that in this particular matter we have not accomplished very much so far because of the lack of a cooperative attitude on the part of the Indian Office in Washington. What has been done is due to the untiring efforts of men like the gentleman from California, and the chairman of the subcommittee the gentleman from Montana [Mr. D'EWART].

EXTENSION OF REMARKS

Mr. EVINS asked and was given permission to extend his remarks in the RECORD and include two editorials.

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. PHILBIN] is recognized for 60 minutes.

WALSH OF MASSACHUSETTS

Mr. PHILBIN. I desire today, Mr. Speaker, to devote some time to a summary of the life, works, service, and principles of a very great American whom I was privileged to call my warm and close friend for many years. Last June the 11th, just about a year ago, in the bloom of a beautiful New England spring, our former distinguished Senator David I. Walsh, whose name was synonymous with Massachusetts and high achievement for a full generation, laid down the heavy burden of service to the people which he had borne so nobly during a very large part of his life and passed to his eternal reward. It was significant that the end should come suddenly, that he was spared a protracted period of suffering, that he should appear before his Maker with the same spirit of Christian humility that he had demonstrated throughout his lifetime. At his untimely passing the State and Nation were plunged into deepest sorrow and all Massachusetts, stricken by grief, conscious of the passing of a great public servant and a matchless friend of the common people, paused to pay tribute to one of her greatest and noblest sons and one of our Nation's most illustrious patriots.

I had known Senator Walsh all my life. He was a close intimate friend of my father and my family. I lived in the same community with him and from earliest youth had scrupulously followed his career and had admired the fine American principles which he stood and fought for. Apart from his own family there was probably no one more profoundly moved by his death, or who misses him more than I do.

We had been together in friendship and political life for many years. Since I was a boy in college I was privileged to enjoy the closest association with him. At various times I served him as secretary, as his assistant in working out public problems and questions, as his representative in handling political matters, and on some occasions as his campaign manager. In recent time, since I came to Congress, I saw him more frequently and spent a great deal of time with him when our respective days' work was finished. For these reasons, and because I had probably as good an opportunity as anyone to recognize and to admire the character, the principles, the high motives, and the steadfast ideals of this great American, I am in a position where I can evaluate not only his personal qualities, but the worth and significance of his public contributions.

One would have to understand his origin and background to appreciate fully the political principles and activities of Senator Walsh. Born in humblest cir-

cumstances, sprung from rugged, honest hard-working Irish-immigrant stock, brought up in an environment typified by hard struggle and frugality, Senator Walsh never forgot the common people. He could not forget them because he was one of them himself. From the beginning to the end of his public life, the welfare of the great masses of the American people was his profound and never-ceasing concern. It was a curious coincidence that he should have commenced his public life in the general court of Massachusetts with a program which he ultimately carried to a successful conclusion to alleviate conditions of the poor and the laboring classes and that he should virtually end his great service in the august, deliberative United States Senate, with one of the strongest and most eloquent appeals in behalf of the workers and the people that has ever been heard in an American legislative body.

At the outset I think that I should briefly sketch something of his background. Born in Leominster, Mass., November 11, 1872, David Ignatius Walsh was the second youngest of 10 children of James and Brigit (Donnelly) Walsh. His father, an Irish immigrant, strong of body and character, was a comb maker in one of the local factories who worked long hours daily in the hot oppressive atmosphere of the comb factory where the horns of cattle were fashioned and molded into the materials for combs and other articles and ornaments of the day. There were many mouths to feed in the Walsh family and James Walsh's wages were trivial indeed as compared with our standards of today or even with some of the standards of his time.

Through a succession of hardships and misfortunes culminating with the foreclosure of the modest family home to satisfy a judgment obtained by a neighbor who had been bitten by the family dog, the Walshes lost their home, the father was stricken by sickness and died, and the family moved to live in nearby Clinton where the Senator's sisters, somewhat older than he, secured employment in the local textile factories. In this dawn of early American industrialism, long hours and hard work were the almost invariable rule, and the sisters of the future Governor and Senator of the State trudged to their work in the early morning hours through the dark streets of Clinton and back home again when their day's work was finished through twilight and darkness depending on the season. The Senator had several brothers and his courageous sisters, imbued with the determination of their race and conscious of the great opportunities of America, were resolved that any of their brothers who desired it should secure education and training for a profession. Three of the brothers who showed early promise and who were especially anxious to train for advancement in life responded to their pleadings and offers. The first and oldest was John, a young man, like the Senator, of brilliant talents, magnetic personality, and studious habits. After a few years he became a lawyer and soon distinguished himself before the bar

of Worcester County. Sad to relate, however, his career was destined to be short-lived, for he was stricken by the dreaded white plague that was rampant in the industrial areas of New England at the time and he passed away when he was only 27 or 28 years of age.

While the family was overcome by his loss, its members were not to be deterred from carrying out their plans to secure appropriate education for as many of its members as possible. Two of the sisters and David and his brother Thomas, in rapid succession, attended higher institutions of learning, secured their certificates, diplomas, and degrees, and launched upon successful and impressive careers—the girls in the teaching profession where they achieved high standing and success, and the boys in the practice of the law.

David early distinguished himself and showed great promise. While he was attending high school, by his industriousness, his studious habits, his brilliant mind, his diligence and perseverance, he attracted the attention not only of his teachers but of his fellow citizens and townspeople. Easily one of the best students in his class though he spent much of his spare time selling papers or doing errands and chores in the neighborhood to supplement the hard-earned family income, he achieved high rank and went on to Holy Cross College where he was graduated with high honors as valedictorian and president of his class.

Next came Boston University Law School where his qualities of leadership, ability, and brilliance as a student and future achievements were to stamp him as one of the most successful and illustrious alumni of that outstanding Massachusetts institution which has furnished so many conspicuous and able men to the bar, the practice of the law, and the public service. He was also valedictorian and president of his class at law school and started practicing law in his home town of Clinton and the neighboring city of Fitchburg.

It is amazing that one family starting so humbly and, as the Senator himself so often said, "eating the bitter bread of poverty" should have made such steady and rapid progress in educating its members and establishing them in secure, respected, and remunerative positions in life. Undoubtedly, the quality of their courageous Irish stock had much to do with this phenomenon. Undoubtedly, the environment and example of the rugged, Yankee New Englanders with whom they lived contributed due share to this progress and development. Undoubtedly the character of the Senator and his family were the chief factors which permitted him and his brothers and sisters to climb up the ladder of success. Too much cannot be said for the sensible devoted Irish mother who led this family after her husband's untimely death, and too much cannot be said for the devoted sisters who labored and struggled and saved and planned so prudently to furnish the means for educating their family.

By this time, Thomas, also a young man of great promise and ability had

come forward, completed his legal education at Boston University and was admitted to the bar. He and David joined in partnership for the practice of the law in Clinton, Fitchburg, and afterward in Boston which achieved marked success. Let me state, however, that Senator Walsh detached himself completely from the law business when he was elected Lieutenant Governor of Massachusetts, and after that time never handled a case in court and never took an active part in practice. This was not understandable to some of his friends who urged upon him many times that he should supplement his income from public position by accepting the proffers of munificent legal business that were offered to him. He felt, like some other public men feel, that there should never be any question of conflict between his public position and his private interest. To all intents and purposes he became completely divorced from the law practice he had conducted with his brother Thomas, but the latter whose full name was Thomas L. Walsh, and who had been named major on the staff of former Governor Foss, a man of marked ability, energy and popularity, carried on the law business successfully for many years in the city of Boston until his untimely death in 1931 at the relatively early age of 57.

There was the closest bond of affection and mutual understanding between the members of the Walsh family. Characteristic of the New England Yankee among whom they had all been brought up, the Walshes were not demonstrative. Except for the brothers who were in public life, they remained very much in the background and lived quiet, dignified but useful lives. The eldest sister, Mary, who is now the sole surviving member of the family and is entering her ninetieth year, had long since assumed the role as head of the family. Nothing in the large, stately mid-Victorian white house in Clinton where the distinguished Senator and his sisters made their home ever escaped her attention. She had worked all her life and was determined to work to the end. She presided over the development of the whole family, sharing its joys and tribulations with calmness and equanimity and never losing her firm grasp on the details of her household or the personal problems of its occupants. She saw her brothers and sisters grow from childhood to maturity and she saw each one of the family assume a definite and useful place in life. She saw her brother rise to high public station. By the same token in her advanced and declining years she saw each one of her loved ones gathered in by the Grim Reaper and she is now alone in her great white house in Clinton, still vigorous despite her years and accepting the verdict of the Almighty and the loss of her loved ones with that typical, unperturbable calmness which comes from a firm and unflinching Christian faith.

There may be some room in this more or less brief recital of the life of Senator Walsh to acknowledge the encouragement and assistance he received from

loyal friends but foremost among these must be the contributions of his sisters, led and inspired by the saintly Mary who, whether in fortune or adversity, gave such sustaining strength to his aspirations. I wish I could but find appropriate words to laud the devotion, loyalty, and love and unfailing help that these quiet, modest self-effacing and self-respecting women lavished upon the senior Senator.

David could not be limited by the practice of law because destiny had marked him for a greater service. Almost immediately upon graduation from law school he responded to the instinctive inner promptings to enter politics by joining the Democratic forces in his home town as Register of Voters—an indefatigable party worker. At this time he came under the influence and guidance of one P. H. Morrison, a native-born Irishman with natural talents who was a leader in the business, civic, and political life of the community, and the Honorable John W. Corcoran, his own blood cousin, a man of great parts, who was one of the leading political and judicial figures of his time and a neighbor of the Walshes in Clinton. It was not long before the efforts of this resourceful trio in combining the material assets and militancy of Morrison, the sound judgments and persistency of Corcoran, and the ability, energy, and diplomacy of Walsh, brought definite results. Cousin Corcoran, his great ability recognized by party leaders, became the first man of his race and creed to run for high public office in Massachusetts and he failed of election as lieutenant governor by just a few thousand votes. Later he was appointed superior court judge but cloistered life upon the bench was too tame for his vigorous spirit and he soon resigned to take up the practice of law in Boston in company with ex-Mayor Patrick A. Collins, another great figure of the era. Together these men were not only very successful but furnished intelligent, honest, and forceful leadership to their party and group.

Guided by such wise counsel and unquestionably inspired in very large measure by the advice and example of Corcoran, Walsh started to carve out his own political career. The great Wachusett Dam and Reservoir, an extensive engineering project which now furnishes metropolitan Boston with water was under construction at the time. Thousands of laborers were employed on the project and many of them were recent immigrants of Irish, Italian, and German stock who had been put to work under a form of the "padrone" system. They lived in barracks and shacks situated on or close to the project and worked at various tasks ranging from ordinary pick-and-shovel work to granite setting or mechanics. They worked long hours for relatively low pay. They were forced to patronize the commissary set up by the contractors for all their necessities, in fact, for practically everything they used. Their charge accounts were set off against their weekly pay wage and it was generally believed at

the time that they were exploited by high prices and low wages and at the end of the week after the charges for purchases were deducted they had little or nothing left.

Young Walsh had observed these conditions and became very much aroused about them. He ran for the general court in a district which was strongly Republican, but that did not deter this young champion of the worker who came boldly onto the political stage. He waged an extremely active campaign and traveled into every part of the district; in fact, it is said that he interviewed about all the voters. The unexpected happened, and a great upset occurred. Young Walsh was elected to the general court, where in due course he pressed and secured legislation which ended the padrone system and the other abuses to which workers had been subjected in his district. Because of his commanding personality, marked ability, and skill and ingenuity in debate, and aptitude for developing issues that attracted to his standard large numbers of independent voters, Walsh rose steadily in the ranks of his party. Though he was later defeated for the State senate in a Republican district by a very small vote and also defeated for lieutenant governor in 1911, he was not dismayed or disappointed. He was renominated for lieutenant governor by his party in 1912 and was swept into office. Each year increased his stature and added to his achievement. By this time he had acquired an impressive personal following, comprised not only of his own party but Republicans and independents as well. It was not surprising, therefore, that he should be elected governor the following year. By virtue of his unquestioned integrity and his clear-cut, decisive mastery of the progressive side of public questions, his adherence to the cause of the oppressed and underprivileged, he came to command the confidence of the Massachusetts electorate like few men in the history of the Commonwealth. As governor he launched upon a program of social reform that shook the historic old statehouse to its foundations. In rapid succession and with unerring support of a hesitant, reluctant, and oftentimes hostile legislature, he drove through reforms in education, labor-management relations, health, social welfare, banking, and factory protection which commanded the admiration of the entire country.

He established a State university for the enlargement of educational opportunities for all citizens; he enacted one of the first and most liberal workmen's compensation laws, adopted the principle of the minimum wage for the first time in any American commonwealth, passed innumerable laws regulating the wages and hours of workers, restricting the hours of labor for women and children, and requiring protective devices and safety conditions in factories.

He reorganized and implemented the State department of health and extended its functions to furnish greater service to the people. He checked the machinations of the money trusts joining with

Judge Brandeis and Dr. Berle in eliminating financial racketeering and manipulation which had caused serious losses to depositors and stockholders of savings banks and other financial institutions. As one nationally known political commentator said at the time:

Gov. David I. Walsh during his regime showed more conception of constructive government than any Massachusetts executive for many a day.

All told, his administration was phenomenally successful and one of its great achievements was breaking the power of what Walsh called "invisible government by special interests and lobbyists and other groups impeding social progress through corruption or improper influence."

Governor Walsh could never be "reached" because his first concept was absolute honesty in public affairs. Selfish interests could not change his course on public issues which he deemed beneficial to the State, nor could they use this vigorous young governor to secure important public appointments for those who would do their bidding. This tenacity for rectitude and integrity cost him dearly in terms of personal success because after he had served two terms as governor he was defeated for the third by a very small margin because he refused to appoint a State excise commissioner demanded by the liquor interests.

Here again the future Senator did not lose faith in the people, he did not lose faith in the strength of his own integrity and the rightness of the principles he had followed. After his defeat in 1916, he took an extended trip to the Orient and it was in the Philippines that he first met and brought to this country young Isidro Carino, a native Filipino, who became and remained until the time of his death his faithful personal friend and servant. Of more than passing interest is the story of this young Filipino. Observing the backward conditions under which some of the young boys lived in the Philippines at the time, Governor Walsh decided that he would try to help some by bringing them to the United States. With the assistance of Government officials he picked out three boys anxious to come of which "Cidro," as he came to be known, was one. During the long voyage across the Pacific and the country the Governor instructed these boys in the value and advantages of American citizenship and pointed out to them the opportunities which were theirs of pursuing some chosen career. Two of them chose to further their education and with Governor Walsh's valued aid and advice subsequently became college graduates and returned to the Philippines as leaders of their people. "Cidro," however, desired to remain with the Governor and in time because of his devoted interest and unselfish service practically became a member of the family. He, too, saw the great advancement and the ultimate passing of the senior Senator and his brothers and sisters. Faithful to the very end, like Elizabeth Cooper, a fine colored girl, another valued member of the household, he still attends the venerable Mary.

It is said that in public life there is no standing still and there may be some truth to this saying. In our own experience we have observed many highly qualified men who for some reason, either because they did not get the "breaks," or because they were content with their status, or because they were defeated and gave up public life, never reached the top. But this was not to be the destiny of David I. Walsh. World War I came and with it as leader, the great President Woodrow Wilson. David I. Walsh had steadfastly stood with the war President during the fighting of the war until victory was secured. He had made weighty contributions to the strategy of the party and the outcome of the elections. He had served on resolutions committees at Democratic conventions and had given strong leadership to the party and its candidates. In 1918 just as the war was terminating, he stood for the Senate against the incumbent, one of the most powerful and eminent national figures that Massachusetts has ever given the Nation, Hon. John W. Weeks, subsequently a member of President Harding's Cabinet and the father of the distinguished and able Sinclair Weeks, who later served our Commonwealth as United States Senator, and is presently an outstanding businessman and Republican leader of the State and Nation. Because of the issues involved—special privilege versus progressive government—and the strength of his adversary, the campaign was fiercely contested. Governor Walsh made a tremendous campaign in which he covered the entire State bringing his fight to the people. He was successful and was elected to the United States Senate by a majority of something like 18,000 votes, the first Democrat to be elected to the Senate from Massachusetts since Robert Rantoul who went to Washington for a brief term in 1851 even before the Republican Party was born.

From that time on Senator Walsh steadily increased in stature, esteem, and popularity. Time and again he rode back into office by tremendous majorities, frequently in the face of Republican landslides. When he left the Senate in 1946 he had completed 26 years of service in that body, a record exceeded only by Senator Hoar, who served a few months longer than Senator Walsh, and Senator Lodge, who served about 30 years. A glowing example of Walsh's strength was the 1924 election, when President Calvin Coolidge, favorite New England native son, in a Republican landslide, swept the State by approximately 500,000 votes and Walsh was defeated by only about 18,000 votes. In that election he ran 400,000 votes ahead of the rest of the Democratic ticket. He was out of the Senate for 2 years, but in 1926 he came back and defeated Senator William Butler, who was serving out Senator Lodge's unexpired term by virtue of appointment from the Governor.

Again in 1928 Walsh recorded a smashing victory. In that year the colorful and popular Al Smith was the candidate for President. At the convention and during the campaign Walsh

had enthusiastically supported him and toured the country in his behalf, and served as a member of his inner board of strategy. It was unquestionably because of Walsh's vigorous campaigning in Massachusetts that Smith was able to carry that State by a small margin while Walsh himself was carried easily back into office. On many occasions he was groomed for Vice President, but always discouraged his supporters because he believed his candidacy might give rise to internal factional controversies which would be harmful to the party's success. Although he had again enthusiastically supported Smith in the 1932 convention, when Franklin D. Roosevelt was nominated, he threw his great strength behind his candidacy and stumped throughout country and State and also advised concerning strategy and tactics.

In 1934 at the peak of President Roosevelt's popularity and at a time when hundreds of thousands were unemployed in the State as a result of a Nation-wide depression of great magnitude Senator Walsh was again swept into office, this time by almost 400,000 votes. It was my privilege to serve as campaign manager in this particular contest and in my opinion Senator Walsh made one of his finest campaigns. Sweeping aside differences of opinion with the national administration on basic economic and social questions, Walsh called for a united front to fight the depression, and to secure the people against the twin spectres of unemployment and insecure old age.

While boondogglers and overzealous social reformers were busy spinning their web of supercontrol and superregulation over the financial and economic system, Walsh turned his attention to concrete remedial measures. As chairman of the important Senate Committee on Education and Labor, he inaugurated definite action on the social-security bill. After months of intensive work under his management in the Senate, it was enacted into law. Next he turned to labor-management relations which were then in a state of utmost confusion. Because of widespread unemployment, radical doctrines were prevalent and class feeling was running high. Demand for radical social reform was at its peak. After months of study and painstaking work holding hearings and conferring with business and labor leaders, Walsh reported from his committee what has been referred to since as labor's Magna Carta. The original measure—its objectives and purposes—have been, it is true, grossly perverted by ensuing regulations and administrative decisions. But the original bill as sponsored and proposed by Senator Walsh unquestionably laid down a sound basis for harmonious relations between labor and management, maximum use of collective bargaining and the recognition of the fundamental rights of those who toil to join together by concerted action to carry on negotiations with their employers. In every prolabor measure of the period, Senator Walsh took a leading part. The Walsh-Healey Act, which bears his name, set up decent standards for the Govern-

ment to follow which secured labor and enabled management to know definitely just what was expected of it. The regulation of hours, the establishment of decent wage scales, the adoption of satisfactory working conditions, and the health and security, welfare and education of workers and their families in turn received the careful attention of this great advocate and practitioner of social justice for the masses of the people.

Fighting for liberal causes Walsh never assumed the role of demagogue. He was always dignified and statesmanlike in his approach to public questions and was always able to see the point of view of those who disagreed with him. His staunch friendship for labor never led him to take a hostile position toward legitimate business. He was just and fair-minded and believed wholeheartedly in the American economic system. He recognized that America is something more than a classless society, that it is composed of many groups with diverse opinions and interests which any worthwhile government must seek to reconcile.

The personal service which Senator Walsh rendered to Massachusetts business interests, indeed to business throughout the Nation, is incalculable. For many years he served on the Senate Finance Committee and took a leading part in the consideration and formulation of tariff and tax measures. I cannot adequately outline his views on these matters here nor can I detail his action. He believed that the United States was its own greatest market, that foreign trade, while important, should not dominate national economic policy. In his own lifetime he had seen many instances of stalemated New England industry—unemployment, distress, and suffering which had been increased, if not caused, by an influx of cheaply produced foreign goods which undermined the American market and threw American workers out of their jobs. Accordingly he sponsored scientifically adapted tariff policies which would afford legitimate protection to business and still permit foreign goods to come into the country to check monopoly practices and prevent the cost of living from rising beyond the means of the average worker.

He never believed that tariff making ought to be solely the problem of politicians. He thought that businessmen of practical experience and scientific experts working as career men for the Government ought to deal with these problems jointly without periodic dislocation of the economy by politically drawn and politically prompted measures.

His theory of taxation also followed a true liberal but not a radical course. He was an ardent supporter of the principle of the ability to pay but an avowed enemy of the practice of soaking the rich. He believed that taxation in the extremely high brackets aiming at the dissolution of vested capital would have fatal effects upon the American system of free enterprise. An implacable foe of monopoly, special privilege, and lopsided power arising from concentration

of wealth, Senator Walsh was opposed to confiscatory tax schemes. Onerous taxes designed to control wealth socially had a definite limit, he believed, and that limit was reached at the point when incentive was discouraged and accumulated funds intended for business expansion, necessary replacements and adequate reserves were captured by governmental taxing rules.

The power to tax is the power to destroy was the principle always foremost in his mind and, while he strove in his public career to check and eliminate the great inequalities of wealth and power which developed from some of the well-known evils of monopoly capital, he saw gravest danger in closing the door of opportunity to business by repressive taxes. Like Emerson, he believed that America is another word for opportunity and that our Government must make it possible for every person who lives under its protection to have or be able to secure a chance to live decently and achieve advancement and success in a chosen career, in any field of human endeavor.

Monopoly practices and what he called invisible government by specially privileged groups exercising control over social and economic matters behind the scenes were the special object of Walsh's disapproval and bitter attack. He saw the great combinations of organized wealth, unregulated by the Government, an ominous power which in time would challenge social justice and democracy itself. He saw nothing evil in the size of business enterprises themselves but keenly felt the need for controlling and regulating the activities of large corporate groups, especially those affected with a public interest, because he felt their long-time influence in American economic life would be directed toward the elimination of opportunity for aspiring, ambitious, and talented men like Henry Ford to advance from poverty to successful business management bringing with them not only fine example for other young Americans but also untold benefits to the general public and the Nation as well.

Senator Walsh was a strong constitutionalist. He was a devout believer in the principles of the American Constitution and a keen student of the liberal philosophy which lay behind that great document. An able and astute lawyer, he early came to recognize and appreciate the great value of the judiciary as a balance wheel for the executive and legislative branches of the Government and especially for the protection of the rights of minority groups. Liberty is the greatest attribute of the American Constitution, but the Government is also designed to protect the property and civil rights of its citizens against encroachment by overzealous public servants or transient public clamor. To secure religious freedom he construed as one of the great aims of the Constitution. With him the basic freedoms of speech, press, assembly, and conscience required absolute protection at all times.

Discrimination based on intolerance, bigotry, and narrow-mindedness directed

against race, creed, and station in life incurred Walsh's bitterest opposition. Exalting liberty and freedom as he did, respecting civil rights and private property as he did, it followed quite naturally that Walsh should look with great disfavor upon efforts to pack the Supreme Court. When this proposal was made he promptly joined as one of the great national leaders, in a determined movement to defeat it. One of the great speeches of his career was delivered on this question at Carnegie Hall, New York City, over a Nation-wide radio hook-up. The proponents had challenged the ability, vigor, and effectiveness of the so-called Nine Old Men charging them with physical feebleness, antiquated ultra-conservative concepts and reactionary legal doctrines. Let me quote briefly Walsh's remarks on that occasion:

It will be a tragic day, my fellow countrymen, if that day ever comes, when the Supreme Court is subservient to any Chief Executive, to the Congress, or to any other individual, class or group, whether official or unofficial. The Supreme Court of the United States has been for more than 150 years our political refuge and strength. It has been the last citadel for the protection of our priceless liberties.

From the time he first entered the Senate in 1918 to the end of his service Senator Walsh took a burning interest in the foreign policy of the United States. As a freshman Senator he joined in the debate over the League of Nations and the Versailles Treaty. Always a foe of injustice Walsh saw in the treaty with its territorial rearrangement of Europe and Asia, and the League to enforce the status quo, gross violation of ordinary principles of justice. He did not believe that this Nation ought to meddle with the affairs of Europe or any other part of the world, but that if it became necessary for any reason to do so, our country should insist upon treating all nations, great and small, with fairness, impartiality, and justice. He did not believe that we ought to join with other strong nations to enable them to secure control over territories and subject peoples which would permit denial of basic freedoms and legalize social and economic exploitation. He was a stanch believer in the principle of self-determination which he saw violated and discarded in the treaty and proposed world government. On that occasion he spoke eloquently in the Senate and his speech has been said by many close observers to have turned the tide of battle in that great issue.

To understand Senator Walsh's attitude on foreign policy, one would also have to be acquainted with his position on national defense and his viewpoint toward foreign trade. In the first place, he was a man of peace who sincerely hated war. He saw in the bloody history of Europe, in the age-old animosities, in the bitter rivalries, in the strong nationalisms and imperialisms, the seeds of permanent dissension and conflict. European nations have been fighting each other for centuries, and will probably continue to fight each other. Movements like the Hague Conference to bring law and order into international relations

and settle disputes likely to lead to war through justiciable tribunals rather than by force of arms were commendable but still in an early stage of development. Of themselves, they were lacking in the power to enforce their decrees. Other nations were desirous of securing the benefits of such tribunals but unwilling to make the sacrifices necessary to implement them by furnishing money and manpower.

Disputes over boundaries and territories, and particularly arrangements between nations to exploit subject peoples, could not be brought into the forum of these international judicial bodies. Moreover, while peace was the great aim and disarmament the great hope of saving nations from each other, Senator Walsh did not believe that this Nation could disarm until other nations were willing to do likewise and would give sincere evidence of this willingness by joining in solemn compact. He observed that when such solemn compacts were executed they were frequently violated by the powerful against the weak.

In the 1921 conference at Washington relative disarmament had been tried but the spirit of the agreement was not kept by the powers signatory to it. The United States sank battleships, England threw away blueprints, and Japan merely pursued ways to circumvent the treaty. In a few years all the major powers were in effect circumventing the treaty until finally at its termination date it was not renewed and the wild race of armament was again resumed.

The senior Senator was greatly disturbed by this situation because he foresaw with remarkable accuracy that war was the inevitable result. As he saw it, reason had failed, argument and persuasion had failed, disarmament by example had failed. All the instruments of civilization for securing the peace had failed. There was nothing else for the United States to do but to protect itself. With these realities in mind, the realistic Walsh commenced to work vigorously for an impregnable national defense. Member of the Committee on Naval Affairs, he had long studied the needs of the Navy and even in the face of repeated waves of economy and indeed extreme pacifism in the ranks of many of the liberals in the Senate, including some from west coast States, which later proved to be the most ready target of the Jap fleet and air force, Walsh turned much of his attention upon the development of an unsurpassed two-ocean Navy and an Air Force of commanding proportions.

Fresh in his mind were the experiences of Gen. Billy Mitchell. He often spoke to me about the irony of a high-ranking general of the Army, courageous and farsighted and bold enough to give utterance to up-to-date views, who was drummed out of the Army because he advocated the development of the Air Force. On many occasions he said to me personally: "This was an outrage and I cannot understand why the American Congress and people ever stood for it." The size and volume of our armed services would be of no consequences unless they are kept up to date and implemented with the most modern scientific

equipment and weapons. As enthusiastic as he was for expanded air power, he always contended that the battleship, the cruiser and destroyer and submarine, together with other auxiliaries of the fleet must have their proper place in a properly devised defense. If we maintain a mechanized, mobile army, backed by a well-developed National Guard and training in the schools and colleges, combined with the large powerful Navy containing every type of modern ship, and an overwhelming Air Force utilizing modern weapons, we need feel no fear, he believed. If war comes we shall be ready for it.

But work as he did for these ends, he could never secure them until the rumble of the war drums was literally heard in the distance. As chairman of the Senate Naval Affairs Committee his efforts to build up the fleet and the Air Corps and to fortify critical strategic outposts were blocked.

Nevertheless, Walsh worked faithfully and effectively to build up the Navy, and there are few men, if any, in the Nation who can claim greater credit for the vast fighting fleet of the United States which contributed so greatly to victory in the late war. Walsh was a more intense supporter and admirer and devotee of the Navy than most of the leading figures in the Navy themselves. Throughout the fleet wherever the bluejackets gathered, wherever officers met to discuss the affairs of the Navy, the name of Senator Walsh was held in highest esteem and respect because men of the Navy of all ranks knew that in him the Navy and its air arm had a true and loyal friend who was a great power in the United States Senate working zealously to make their Navy, his Navy, and our Navy the greatest in the world.

Let me now return to his views on foreign policy. Senator Walsh was not only an astute judge of political movements but possessed a rare and unique intuitive sense. This enabled him at a very early date to apprehend and foresee the developments that were to lead us into war. He was greatly concerned over the Nazi-Fascist movements in central Europe, and he was particularly deeply aroused over the persecution and liquidation of helpless peoples because of their race and faith. He believed that the United States had a great mission in the world in maintaining peace and that if we firmly and consistently embraced neutrality, if we did not join on one side or the other of the threatened conflict or the conflict itself after it got underway, if we patiently waited, arming ourselves rapidly and effectively all the while so as to overcome our then almost helpless military and naval situation, an opportunity would come for us to use good offices between the conflicting nations. He did not believe it was possible for Germany to carry on a successful aggression against the United States, and he did not believe that Hitler would move to extend his power and influence over England or Europe once it was clear that the United States was prepared to fight. In the meantime he

felt that an opportunity would surely come, if we sincerely and honestly remained neutral, for us to serve as the adjudicators and arbitrators between the belligerent nations.

Of course, the Nation actually adopted just the opposite policy almost from the start of the European war when our country took sides with the Allies. We repealed the Neutrality Act, we forced through conscription and lend-lease, we gave 50 destroyers to Britain together with other valuable equipment and weapons of war, we sent naval craft out into the high seas to search for and shoot at sight any German submarine that might be contacted or that could be pursued and apprehended.

Walsh resisted all these moves. He was especially upset over the deal which gave away 50 destroyers to Britain which he contended we urgently needed for our own defense. He was constantly worried about the status and location of the Pacific Fleet and the signs which came to him through unquestioned Government sources that the Japanese were heading directly toward a war with us. I can vividly recall the historic day of infamy that was December 7, 1941. The country was electrified with shock by the attack on Pearl Harbor but Walsh was not surprised. I can well remember he called me to his home that Sunday afternoon and drew from his pocket a written statement. It was directed to the people of his State and to the American people. It called upon them to throw all their resources, human and material, behind the war effort. "War will be declared tomorrow," he said, "but let us start to prepare tonight. The Nation is in peril and every American must pledge everything to the defense of the country. The road to victory will be strewn with bloody sacrifice, reverses and woe, but we must not flinch. With the help of God we will achieve victory and preserve our homeland and democracy."

Profound religious conviction possessed David I. Walsh. He was a devout Catholic who was most zealous in adhering to the fundamentals of his faith. I always felt that if the public service had not called him he would have had an avocation to the church, in fact I would not have been surprised if he had embraced it in later life. He was particularly well informed on all matters pertaining to his faith and his belief was deep-seated, sincere, and ever present. His consuming desire was to serve God and his country with his full heart and soul and he manifested during his life a loyalty and devotion to both that will long remain an inspiration.

He was especially interested in the educational and charitable works of the church and in the foreign missions and not only contributed substantially himself to these causes unostentatiously, but interested many other friends to do likewise. Outstanding alumnus of Holy Cross College, he assumed leadership of several drives to raise funds for that splendid institution. His last will and

testament typified his unbounded generosity as it carried out a lifelong custom because by the terms of that document he bequeathed and devised about half of his personal fortune to the educational, charitable, and merciful work of the Church, including substantial gifts to Holy Cross, several charitable societies, and St. John's Church in Clinton. He established a fund for the expansion of the cemetery connected with the latter church and sometime later this year as the result of his benevolence a beautiful entrance gate which he thought out and designed himself in part will be erected at that cemetery, not so far from the hallowed spot where his mortal remains lie. He was a God-fearing, humble, and pious American as well as a great one.

Though still in robust health at the time he must have had a presentiment of impending death, for about 2 years before his passing he painstakingly arranged these various bequests and also personally selected a cemetery lot. In this place he attended to the reinterment of several deceased members of his family and personally chose a beautiful and impressive stone shaft which now rises toward heaven over his last resting place in the form of the Holy Cross by which he lived and died.

The declaration of war against the Axis Powers served to accentuate his active life. Now chairman of the all-powerful Senate Naval Committee, he plunged into his work with renewed and surprising vigor and with an energy that belied his years. Many of his younger colleagues could not keep pace with him. From early in the morning till late at night in lengthy conferences, committee meetings and Senate sessions, he was a virtual human dynamo. Out of his committee came a stream of essential emergency war measures, blueprinting the shape of the great and powerful fleet of combat vessels that was ultimately to smash submarine warfare and drive the Japanese Fleet from the high seas. He was a trusted confidant of the high naval command which relied upon him implicitly to drive the naval building program through the Senate and he never faltered. His committee had supreme confidence in his judgment, ability, and discernment which was shared by all of his associates in the Senate. There was hardly ever a question raised about legislation which he sponsored on the floor because his colleagues knew it had been carefully and wisely considered and weighed. This was true in peace as well as in war—another tribute to his fairness and impartiality and his knack for seeing the other fellow's viewpoints, harmonizing the opinions of those who worked with him, and reaching sound, sensible results.

For Senator Walsh all prewar issues, contentions, and controversies were settled as of the attack on Pearl Harbor. Though he had carried his advocacy of peace, his belief in neutrality, his earnest strivings to avoid war to his own people in the election of 1940 and though his views in that regard had been overwhelmingly sustained, there could have

been no more intense, no more ardent, no more zealous worker in the Congress for speedy victory.

The war years sped along. The dark days and hours of Midway and Guadalcanal and Bataan merged into the triumphs of Casablanca, Sicily, the Italian Campaign and the Normandy Beach-head. The mighty Navy and Air Force with which Senator Walsh was so intimately associated gradually took shape and its effects began to be felt. Step by step the Nazi enemy was pushed back in Europe, step by step, island by island, the Japanese enemy was forced to retreat back across the wide expanses of the Pacific. At last victory came, victory which had been forged out of the steel and fire of American arms, the unsurpassed bravery of American boys, the bitter sacrifices of the American people, and the blood of our noble sons.

This is it.

He exclaimed when the war ceased:

Now we must build the peace. It will be a long difficult job. Frightfully destructive forces have been unleashed on the world. Our first great problem will be to keep our own country from being dragged into the vortex. The best way to do this is to keep strong and impregnable while we work to resolve bitter animosities and insure the peace.

Let us see that social justice is done in America. Let us see that the workingman and his family is guaranteed a free and decent life and protected against exploitation. Let us discharge in full our obligation to the veterans and to our laboring people and after a while we may achieve the things we fought for.

Through the various peace conferences, during and after the war, Senator Walsh saw his own worst fears justified. He looked disapprovingly and with alarm at the concessions made to Russia, at the policy of appeasement toward that country which resulted in the abandonment of Poland, Lithuania and the other small nations. He believed that no lasting peace could be based on injustice no matter how urgent and compelling the reasons for temporary compromise.

The domestic situation also gravely concerned him. He was frankly disturbed by the spread of radical doctrines, by the growth of collectivist activities and the increasing danger of the police state. Staunch to the end in his advocacy of the cause of labor he was dismayed by the efforts which he thought were aimed at the basic principle of unionism—the right of collective bargaining and other advanced labor measures.

Fundamentally he believed that industrial peace could best be achieved by strengthening rather than weakening the opportunities of labor to bargain collectively through responsible leadership. In this way high standards of wages and living could be maintained, public education enhanced, public health improved, social conditions bettered, and thus there would be the most solid bulwark against communism and the most effective safeguards for free opportunity and free enterprise.

In one of his very last speeches in the Senate, Senator Walsh rose to the de-

fense of our laboring people. The situation was packed with high drama. It was after midnight on the Senate floor. The Senate was considering a bill providing for additional facilities for the mediation of labor disputes. Walsh spoke:

It is clear that there is a solid block of Senators, including members of both parties, determined to vote for almost any amendment restrictive of the rights of the workers. They urge that their purpose is to correct the excesses of labor unions. But that does not change the fact that their opposition is against every man and woman who belongs to labor organizations or who may choose to join them in the future.

The atmosphere of the Senate appears to be charged with a determination to pass legislation impetuously and primarily for punitive ends. Calm and wise judgment has disappeared. The question seems to be not so much the merits of individual amendments but the determined intention to classify Senators into two categories: one, the representatives of the employers and the other the representatives of the workers. By innuendo, if you happen to be a Senator championing the cause of the workers you are a strike sympathizer and should receive the condemnation and contempt that some people hold at the present time toward John L. Lewis.

With masterful phrases he sketched the background of the labor movement, the advances made in working conditions, the improvement in wages and hours and conditions of work, the long fight for social justice and human rights. He traced the building of social-security laws to care for the aged working people and pleaded with his colleagues not to offend or shackle labor by restricting bargaining rights and friendly relationships with their employers.

In the final analysis—

He said—

It is my opinion that the sympathetic attitude of management toward unions is the key to sound industrial relations and if the employers wholeheartedly accept the philosophy of collective bargaining, our labor unions would rise to the responsibilities which they have and fulfill their rich promises.

His following statement was most significant:

Unless there is a sharp change for the better in industrial relations, I fear that industry and labor will wake up some day to find a new philosophy, an extreme philosophy promulgated through the Nation. In my opinion radical economic changes will come if labor and industry cannot find a way peacefully to adjust their differences. The success of the American way of life is not through extreme restrictive measures, but through management and labor solving their individual problems through self-government and through industrial democracy. The preservation of the American way of life depends upon their success in solving their mutual problems.

Let it not be said of us when our record is scanned that in the heat of passion we attempted to undo the progress that labor has made through its long uphill hike for industrial freedom, that we have in a moment of excitement sought to abridge and reduce the rights of workers.

Let us consider these measures calmly and throw out the hysterical state of mind that the present situation has provoked.

Because a few labor organizations are being publicly excoriated on account of the public inconvenience suffered through their inability to maintain nonstrike relations with the employers, let us not stab in the back the millions of workers who are devotedly interested in maintaining industrial peace through sincere and wholehearted co-operation of labor and management.

As I said, those words were about the last that were uttered in the Senate by the then distinguished senior Senator from Massachusetts on this subject. In a very real sense they epitomize his outlook and philosophy; his own blueprint for living and for getting along with his fellowmen; his own devotion and loyalty to the cause of the down-trodden and underprivileged; his never-ending zeal for the common people. In a little more than a year later this great American statesman whose unselfish service so brilliantly illuminates his life and the people from whom he was sprung departed this mortal life. His last months and days were filled with bitter disappointment, defeat, and grief. One by one the members of his family were taken by the Grim Reaper. He himself was engaged in his last electoral campaign. Whether he sensed impending defeat or not, I do not know, but he never gave any indication of it.

His attitude was, "I have given the best years of my life to the people and I have made my record of loyalty to them. I am well able, physically and mentally, to carry on in the public service. If the people want me, well and good, if not, I will be resigned to lay down my heavy burden." Through it all, he never flinched, he never retreated, he never compromised his convictions. That artifice, betrayal, ingratitude and calumny of seething political life left a cruel impress upon his physical and mental powers cannot be doubted. His only reaction to his defeat was that he felt relieved of a heavy burden and would welcome the peace and comfort of private civilian life and the associations of his friends which were to be so tragically denied him.

He died as he lived—great statesman, great patriot, noble soul, loyal to the end, to the principles and ideals he so eloquently espoused, loyal and devoted to family and friends, steadfast in his Christian faith. His words on justice are appropriate:

Without a continuing strong sense of justice in the administration of the affairs of the Government, there is certain to come into existence a vast mechanism of oppression and the end of our liberties. It is the absence of justice that is responsible for the present holocaust in Europe; it is the absence of justice that has enslaved the human family in many parts of the world; it is the absence of justice that has denied the worker, through the years, his just share of the contribution he has made to the wealth that he helped to accumulate.

May I suggest that we all pause for a brief period tomorrow, as we unitedly perform our duties as citizens, to express silently but profoundly our gratitude to the God of Nations; to thank Him for the peace which we enjoy; to thank Him that we live in a land where civil and religious freedom is guaranteed; to thank Him for the opportu-

nities America has given to all mankind; to thank Him because, notwithstanding its shortcomings, we live in the greatest country on the face of the earth. Finally, let us implore His guidance to give you and me the inspiration and strength to help promote and establish the only worth-while purpose of government: "To promote justice."

I wish that time would permit me to outline more comprehensively the many fine public measures supported by this great and outstanding American during his years of service in the Senate. I could recount his unyielding devotion to the cause of the veterans whom he literally helped by the hundreds of thousands—individual cases which received his most solicitous and humane attention. He was the champion of practically all the great basic legislative proposals and measures which were finally shaped into what is now the veterans' program. Sponsor of a consolidated central veterans' agency, father of the presumptive clauses which have helped countless young American boys who otherwise would be left destitute, leader in improved hospitalization and medical treatment, staunch advocate of satisfactory compensation laws and bonuses for veterans, Senator Walsh was indeed one of the best friends the veterans ever had in Congress.

I wish I could also say more than a word about his devoted service to the cause of oppressed peoples throughout the world, his undying enmity of tyranny in any form, his gallant fight for every nation seeking liberation from bondage and struggling for self-determination. I would like to stress more also the broad liberality, the militant spirit of tolerance which animated this man. No one did or could fight more courageously for the underprivileged, the helpless, the aged, the blind, and those unable to help themselves through no fault of their own. Every race and group found in Senator Walsh a brave, fearless champion and the contributions he made to social justice and racial and religious toleration were absolutely monumental.

Time does not permit further elaboration here of the principles, ideals, and achievements of one of our Nation's greatest statesmen. But time will enrich the superb Americanism, greatness, and magnificent contributions to country of "Walsh of Massachusetts."

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock a. m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2389. An act for the relief of Harriet Townsend Bottomley; and

H. J. Res. 296. Joint resolution to maintain the status quo in respect of certain employment taxes and social-security benefits pending action by Congress on extended social-security coverage.

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 1025. An act to provide for the construction of shore protective works at the town of Nome, Alaska; and

S. J. Res. 227. Joint resolution providing for appropriate observance of the two hundredth anniversary of the founding of Washington and Lee University.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 47 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 9, 1948, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1632. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1949 in the amount of \$72,500 for the Department of Labor (H. Doc. No. 705); to the Committee on Appropriations and ordered to be printed.

1633. A letter from the Acting Secretary of the Navy, transmitting a report of a proposed transfer of two picket boats to the city of Philadelphia, Pa.; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 647. Resolution providing for consideration of H. R. 3748, a bill to provide additional compensation to widows and other dependents of certain veterans; without amendment (Rept. No. 2232). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 648. Resolution providing for consideration of H. R. 5588, a bill to provide increases of compensation for certain veterans of World War I and World War II with service-connected disabilities who have dependents; without amendment (Rept. No. 2233). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 565. Resolution authorizing funds for study of plans for rehabilitation of Capitol Power Plant; without amendment (Rept. No. 2234). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 636. Resolution authorizing the Clerk of the House of Representatives to approve payment of gratuities during the recess of Congress; without amendment (Rept. No. 2235). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. Senate Concurrent Resolution 51. Concurrent resolution providing for the printing of additional copies of the hearings on investigation of national resources for the use of the Committee on Interior and Insular Affairs; without amendment (Rept. No. 2236). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 391. Resolution authorizing the printing of the publication entitled "The Hoover Dam Power and Water Contracts and Related Data" as a House document; with amendments (Rept. No. 2237). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 555. Resolution authorizing the Committee on Agriculture of the House of Representatives to have printed for its use additional copies of the hearings held before said committee during the Eightieth Congress, Long-Range Agricultural Policy; without amendment (Rept. No. 2238). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 557. Resolution authorizing the printing of additional copies of Senate Document No. 146, Eightieth Congress, second session; without amendment (Rept. No. 2239). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 558. Resolution authorizing the Committee on Agriculture of the House of Representatives to have printed for its use additional copies of the study prepared for said committee during the Eightieth Congress, Long-Range Agricultural Policy—A Study of Selected Trends and Factors Relating to the Long-Range Prospects for American Agriculture, without amendment (Rept. No. 2240). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 588. Resolution authorizing the Committee on Agriculture of the House of Representatives to have printed for its use additional copies of the study prepared for said committee during the Eightieth Congress, Long-Range Agricultural Policy—A Study of Selected Trends and Factors Relating to the Long-Range Prospects for American Agriculture, without amendment (Rept. No. 2241). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 611. Resolution authorizing a reprint of supplement IV of the report of the Subcommittee on National and International Movements of the Committee on Foreign Affairs, entitled "The Strategy and Tactics of World Communism—Five Hundred Leading Communists (in the Eastern Hemisphere, excluding the U. S. S. R.)"; without amendment (Rept. No. 2242). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Resolution 601. Resolution to provide for the transfer of the records of the Select Committee on Foreign Aid to the Joint Committee on Foreign Economic Cooperation; without amendment (Rept. No. 2243). Referred to the House Calendar.

Mr. LECOMPTE: Committee on House Administration. House Concurrent Resolution 204. Concurrent resolution authorizing the disposal of certain obsolete Government publications now stored in the folding rooms of the Congress; without amendment (Rept. No. 2244). Referred to the House Calendar.

Mr. WIGGLESWORTH: Committee on Appropriations. H. R. 6829. A bill making supplemental appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes; without amendment (Rept. No. 2245). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 651. Resolution waiving points of order against H. R. 6829, a bill making supplemental appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes; without amendment (Rept. No. 2246). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 652. Resolution providing for consideration of House Joint Resolution 150, a joint resolution to provide for the

restoration and preservation of the Francis Scott Key Mansion, to establish the Francis Scott Key National Monument, and for other purposes; without amendment (Rept. No. 2250). Referred to the House Calendar.

Mr. REED of New York: Committee on Ways and Means. H. R. 6818. A bill to amend title X of the Social Security Act (relating to aid to the blind) so as to provide greater encouragement to blind recipients thereunder to become self-supporting; without amendment (Rept. No. 2253). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRANT of Indiana: Committee on Ways and Means. H. R. 6800. A bill to amend sections 3108 and 3250 of the Internal Revenue Code, and for other purposes; without amendment (Rept. No. 2254). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. H. R. 4984. A bill to provide for the maintaining of the corps of cadets at the United States Military Academy and the regiment of midshipmen at the United States Naval Academy at full strength, and for other purposes; with amendments (Rept. No. 2255). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHORT: Committee on Armed Services. H. R. 6751. A bill to fix the rank of the assistant to the Chief of Engineers in charge of river and harbor and flood-control improvements; without amendment (Rept. No. 2256). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONKMAN: Committee on Foreign Affairs. H. R. 6822. A bill to continue the authorization for the appointment of two additional Assistant Secretaries of State; without amendment (Rept. No. 2257). Referred to the Committee of the Whole House on the State of the Union.

Mr. TOWE: Committee on Armed Services. H. R. 6698. A bill to authorize the course of instruction at the United States Naval Academy to be given to not exceeding four persons at a time from the Republic of the Philippines; with an amendment (Rept. No. 2258). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP: Committee on Armed Services. S. 2251. An act to authorize the Army and Navy Union, United States of America, Department of Illinois, to construct a recreational park on the grounds of the United States naval hospital, United States naval training center, Great Lakes, Ill.; without amendment (Rept. No. 2259). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 2912. A bill providing for the conveyance to the State of South Carolina of that portion of the Fort Moultrie Military Reservation determined to be surplus to the needs of the War Department; with amendments (Rept. No. 2260). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 3479. A bill providing for the conveyance to the State of Louisiana of that portion of the Jackson Barracks Military Reservation determined to be surplus to the needs of the War Department; with amendments (Rept. No. 2261). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 6709. A bill to authorize the Secretary of the Navy to convey to the city of New York a perpetual easement in, over, and upon a 0.29 acre parcel of land at New York Naval Shipyard; without amendment (Rept. No. 2262). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 5937. A bill to provide for the administration of military justice within the

United States Air Force, and for other purposes; with an amendment (Rept. No. 2263). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES: Committee on Post Office and Civil Service. S. 1561. An act to protect the national security of the United States by permitting the summary termination of employment of civilian officers and employees of various departments and agencies of the Government, and for other purposes; without amendment (Rept. No. 2264). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 5861. A bill to direct the Secretary of Agriculture to convey certain land to the State of Oklahoma; without amendment (Rept. No. 2265). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. S. 1087. An act to amend section 502 (a) of the Department of Agriculture Organic Act of 1944; without amendment (Rept. No. 2266). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. S. 1275. An act conveying all right, title, and interest of the United States in and to certain lands in Warren County, Miss., to the heirs, assigns, and successors in title of Moses Evans; without amendment (Rept. No. 2251). Referred to the Committee of the Whole House.

Mr. WELCH: Committee on Public Lands. S. 1274. An act conveying all right, title, and interest of the United States in and to certain lands in Wilkinson County, Miss., to the heirs, assigns, and successors in title of William Collins; without amendment (Rept. No. 2252). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WIGGLESWORTH:

H. R. 6829. A bill making supplemental appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes; to the Committee on Appropriations.

By Mr. DOMENGEAUX:

H. R. 6830. A bill to provide fisheries research in Gulf coast area; to the Committee on Merchant Marine and Fisheries.

By Mr. GORDON:

H. R. 6831. A bill to provide for the acquisition of a site and preparation of plans and specifications for a new postal building to house the Wicker Park Postal Station in Chicago, Ill., and for other purposes; to the Committee on Public Works.

By Mr. MULTER:

H. R. 6832. A bill to amend section 118 of Public Law 472 of the Eightieth Congress; to the Committee on Foreign Affairs.

By Mr. SHORT:

H. R. 6833. A bill to provide for a change in the design of the Booker T. Washington memorial 50-cent pieces; to the Committee on Banking and Currency.

By Mr. HART (by request):

H. R. 6834. A bill to provide for national cemeteries in the State of New Jersey; to the Committee on Public Lands.

By Mr. ENGLE of California:

H. R. 6835. A bill authorizing the Secretary of the Interior to convey certain lands to the Churntown Elementary School district, Calif., to the Committee on Public Lands.

By Mr. EDWIN ARTHUR HALL:

H. R. 6836. A bill to provide for the construction of a veterans' hospital in Broome County, N. Y.; to the Committee on Veterans' Affairs.

By Mr. EBERHARTER:

H. R. 6837. A bill to amend the Social Security Act, as amended, for the purpose of increasing benefits to the aged, the blind, and dependent children; to the Committee on Ways and Means.

By Mr. HAGEN:

H. R. 6838. A bill to provide emergency aid for the repair, restoration, or reconstruction of public facilities damaged or destroyed by certain catastrophes; to the Committee on Appropriations.

By Mr. SASSER:

H. R. 6839. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Post Office and Civil Service.

By Mr. REES:

H. R. 6840. A bill to amend the act of March 14, 1936, entitled "An act to provide for vacations to Government employees, and for other purposes," to include part-time employees for whom there has been established a regular tour of duty; to the Committee on Post Office and Civil Service.

By Mr. WOLCOTT:

H. R. 6841. A bill to amend the National Housing Act, as amended, and for other purposes; the Internal Revenue Code, as amended; section 1, title I, Public Law No. 2 (73d Cong.), approved May 20, 1933, as amended; Veterans Regulation No. 1 (a), as amended; and provide for the disposal of Government-owned war housing accommodations; to the Committee on Banking and Currency.

By Mr. SABATH:

H. Res. 649. Resolution for the relief of Rose Cohen, widow of Maurice G. Cohen; to the Committee on House Administration.

By Mr. EDWIN ARTHUR HALL:

H. Res. 650. Resolution authorizing the passage of H. R. 6836; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of New York:

H. R. 6842. A bill to authorize the Secretary of the Navy to convey to Luz, Maria, and Raquel Porrata Doria 1.56 acres of land, more or less, in the municipality of Celiba, P. R.; to the Committee on Armed Services.

By Mr. JENNINGS:

H. R. 6843. A bill for the relief of Opal Hayes and D. A. Hayes; to the Committee on the Judiciary.

By Mr. KEEFE:

H. R. 6844. A bill for the relief of Jean Bizzio; to the Committee on the Judiciary.

By Mr. KEFAUVER:

H. R. 6845. A bill for the relief of Fella H. Holbrook; to the Committee on the Judiciary.

By Mr. POTTS:

H. R. 6846. A bill for the relief of Harold L. Lindquist; to the Committee on the Judiciary.

By Mr. REED of Illinois:

H. R. 6847. A bill for the relief of James Stewart Corp. and James Stewart & Co., Inc.; to the Committee on the Judiciary.

By Mr. SASSER:

H. R. 6848. A bill for the relief of Mrs. Merle Leatherbury Pyle and Patricia M. Pyle; to the Committee on the Judiciary.

By Mr. SCHWABE of Oklahoma:

H. R. 6849. A bill to amend the act of June 16, 1934, to provide for allowances to the

heirs, representatives, and assigns of Frank J. Boudinot, deceased, in the event of favorable determination by the Indian Claims Commission of certain claims of the Cherokee Indians; to the Committee on the Judiciary.

By Mr. HUGH D. SCOTT, JR.:

H. R. 6850. A bill for the relief of Mrs. Dora Fruman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2068. By Mr. BURKE: Petition of W. S. McIntire and 39 others, calling for early passage of H. R. 2953; to the Committee on Education and Labor.

2069. Also, petition of 92 Federal employees, calling for early action on the Federal pay-increase bill; to the Committee on Post Office and Civil Service.

2070. By Mr. HART: Petition of New Jersey Federation of Post Office Clerks, urging the execution of resolution adopted at its recent convention in connection with the suggestion program initiated by the Post Office Department; to the Committee on Post Office and Civil Service.

2071. Also, petition of New Jersey Federation of Post Office Clerks, urging restricting by law discretionary powers of appointing officers in connection with those who have successfully passed civil-service examinations; to the Committee on Post Office and Civil Service.

2072. By Mrs. SMITH of Maine: Resolution of the Biddeford-Saco District, ZOA, Simon Spill, president, that the United States Government take immediate steps to promote peace in Israel and admit Israel as a member nation of the United Nations; to the Committee on Foreign Affairs.

2073. By Mr. WELCH: Petition of St. Paul's Committee for Displaced Persons, urging passage of H. R. 6163, the displaced-persons bill; to the Committee on the Judiciary.

2074. Also, petition urging passage of H. R. 6163, the displaced-persons bill; to the Committee on the Judiciary.

2075. By Mr. WIGGLESWORTH: Petition of the senior boys' class of the First Methodist Church, Needham Heights, Mass., urging enactment of civil-rights legislation; to the Committee on the Judiciary.

2076. By the SPEAKER: Petition of Constance Kennedy and others, of Coronado, Calif., petitioning consideration of their resolution with reference to endorsement and passage of H. R. 3748; to the Committee on Veterans' Affairs.

2077. Also, petition of Mrs. Rose Koons, Tampa, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

2078. Also, petition of E. E. Soles and others, of Mount Vernon, Ohio, petitioning consideration of their resolution with reference to enactment of legislation that will permit nonsectarian religious training on a voluntary basis in our public schools; to the Committee on the Judiciary.

SENATE

WEDNESDAY, JUNE 9, 1948

(Legislative day of Tuesday, June 1, 1948)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

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

O God, the light of those who seek Thee, grant to our minds that illumination without which we walk in darkness

and know not whither we go. Remember those who feel no need of Thee, who seem content with a careless, unexamined life, whose hearts are unvisited by desires of better things. Leave them not to themselves, lest they go down to destruction. Remember us, O Lord, who do not always remember Thee, and help us to accomplish our tasks without tension or strain, that we may do good work and merit Thy blessing. For Jesus' sake. Amen.

THE JOURNAL

On request of Mr. WHERRY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 8, 1948, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, notified the Senate that Mr. CLEVENGER had been appointed a manager on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6500) making appropriations for the legislative branch for the fiscal year ending June 30, 1949, and for other purposes, vice Mr. JOHNSON of Indiana, excused.

The message announced that the House had passed the following bills of the Senate, severally with an amendment in which it requested the concurrence of the Senate.

S. 295. An act to further amend the thirteenth paragraph of section 127a of the National Defense Act, as amended;

S. 1082. An act to credit certain service performed by employees of the postal service who are transferred from one position to another within the service for purposes of determining eligibility for promotion;

S. 1266. An act to amend section 1064 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to admissibility of testimony by a party to a transaction when the other party is incapable of testifying;

S. 1871. An act to restore certain lands to the town site of Wadsworth, Nev.;

S. 1987. An act to authorize the Secretary of the Interior to construct the Preston Bench project, Idaho, in accordance with the Federal reclamation laws;

S. 2122. An act to authorize the Coast Guard to operate and maintain ocean stations;

S. 2201. An act supplementing the act entitled "An act authorizing the State of Maryland, by and through its State roads commission or the successors of said commission, to construct, maintain, and operate certain bridges across streams, rivers, and navigable waters which are wholly or partly within the State," approved April 7, 1948;

S. 2215. An act to amend the Public Health Service Act to support research and training in diseases of the heart and circulation, and to aid the States in the development of community programs for the control of these diseases, and for other purposes;

S. 2237. An act to increase certain benefits payable under the Longshoremen's and Harbor Workers' Compensation Act; and

S. 2510. An act to provide for certain administrative expenses of the Post Office Department, including retainment of pneumatic-tube systems, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, severally with amendments

in which it requested the concurrence of the Senate:

S. 612. An act to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended, and to repeal section 36 of said chapter III of said act, as amended, so as to permit certain additional investments;

S. 1037. An act to authorize the revision of the boundaries of the Caribou National Forest in the State of Idaho;

S. 1090. An act to safeguard and consolidate certain areas of exceptional public value within the Superior National Forest, State of Minnesota, and for other purposes;

S. 1281. An act for the relief of James B. Walsh;

S. 1302. An act to aid the associations, groups, organizations, and institutions encouraging participation of the youth of the country in athletic and sports programs by making surplus athletic equipment available to such associations, groups, organizations, and institutions, and for other purposes;

S. 1442. An act to amend sections 235 and 327 of the Code of Laws for the District of Columbia; and

S. 2040. An act for the relief of the owners of certain properties abutting Eastern Avenue in the District of Columbia.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 329. An act for the relief of the Alaska Juneau Gold Mining Co., of Juneau, Alaska;

H. R. 355. An act for the relief of Eugene J. Bearman;

H. R. 403. An act for the relief of Louise Peters Lewis;

H. R. 915. An act to confer jurisdiction upon the District Court of the United States for the Territory of Hawaii to hear, determine, and render judgment on the claims of the executors and trustees of the estate of L. L. McCandless, deceased, as their interests may appear, against the United States of America;

H. R. 945. An act relating to the payment of fees, expenses, and costs of jurors;

H. R. 1170. An act for the relief of Bernice Green;

H. R. 1220. An act for the relief of James D. Sigler and Frederick P. Vogelsand III;

H. R. 1501. An act for the relief of Mrs. Wesley Berk (formerly Mrs. Ruth Cameron);

H. R. 1782. An act for the relief of Albert (Jack) Norman;

H. R. 1783. An act for the relief of the L. J. Houze Convex Glass Co.;

H. R. 1795. An act for the relief of D. C. Hall Motor Transportation;

H. R. 1902. An act for the relief of George H. White Construction Co.;

H. R. 1910. An act for the relief of the legal guardian of Robert Lee Threatt, a minor;

H. R. 2349. An act for the relief of Mrs. Gertrude Wooten;

H. R. 2395. An act for the relief of the Cypress Creek drainage district of the State of Arkansas;

H. R. 2431. An act for the relief of the estate of David Jefferson Janow, deceased;

H. R. 2435. An act for the relief of Arthur G. Robinson;

H. R. 2508. An act for the relief of James I. Matthews;

H. R. 2531. An act for the relief of Nicholas G. Niedermiller, Peter A. Beklemishev, and Nicholas M. Tlkmenev;

H. R. 3194. An act to amend the Reclamation Project Act of 1939;

H. R. 3727. An act for the relief of Mrs. Marion T. Schwartz;

H. R. 3807. An act to provide for the operation of the recreational facilities within the Catoctin Recreational Demonstration Area, near Thurmont, Md., by the Secretary