certain Government agencies; to the Committee on House Administration.

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. THOMAS: Committee on Appropriations. House Joint Resolution 340. Joint resolution making an appropriation for the Veterans' Administration for the fiscal year 1952; without amendment (Rept. No. 1091). Referred to the Committee of the Whole House on the State of the Union.

Mr. NORRELL: Committee on Appropriations. House Joint Resolution 341. Joint resolution making appropriations for rehabilitation of flood-stricken areas for the fiscal year 1952, and for other purposes; without amendment (Rept. No. 1092). Referred to the Committee of the Whole House on the State of the Union.

Mr. BECKWORTH: Committee on Interstate and Foreign Commerce. Report pursuant to House Resolution 116, Eighty-second Congress, first session. Resolution to direct the Committee on Interstate and Foreign Commerce to investigate actual and contemplated action affecting production or consumption of newsprint, or affecting certain other matters (Rept. No. 1093). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 5573. A bill to amend the Contract Settlement Act of 1944 and to abolish the Appeal Board of the Office of Contract Settlement; to the Committee on the Judiciary.

By Mr. CRUMPACKER:

H. R. 5574. A bill to amend the Selective Service Act of 1948, as amended by the Universal Military Training and Service Act of 1951, to provide for the release from active duty of certain inactive and volunteer reservists; to the Committee on Armed Services.

By Mr. ROBERTS:

H. R. 5575. A bill to authorize the Reconstruction Finance Corporation to make loans for the construction of newsprint plants; to the Committee on Banking and Currency.

By Mr. WEICHEL:

H. R. 5576. A bill relating to the spending and quarterly payment of appropriations for the executive branch of the Government, and for other purposes; to the Committee on Appropriations.

By Mr. VAN PELT:

H. R. 5577. A bill to declare that the United States holds certain lands in trust for the Stockbridge-Munsee Community, Inc., of the State of Wisconsin; to the Committee on Interior and Insular Affairs.

By Mr. BURDICK:

H. Con. Res. 166. Concurrent resolution setting aside the Charter of the United Nations as approved by the Senate under alleged treaty powers, which approval was unconstitutional and void; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H R. 5578. A bill for the relief of certain employees of the Alaska Railroad; to the Committee on the Judiciary.

By Mr. DOLLIVER:

H. R. 5579. A bill for the relief of Constantinos Christ Lagos; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 5580. A bill for the relief of Berta Gomes Leite; to the Committee on the Judiciary.

By Mr. KEATING (by request):

H. R. 5581. A bill for the relief of Yusuf (Uash) Lazar; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 5582. A bill for the relief of Mrs. Wong Ah May; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H. R. 5583. A bill for the relief of Mrs. Latifi Assad Hid (also known as Latify Shaker and Latify Mtanous); to the Committee on the Judiciary.

By Mr. O'TOOLE:

H. R. 5584. A bill for the relief of Iris Eskinazi Kabbani; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 5585. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

H. R. 5586. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

H. R. 5587. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

H. R. 5588. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

H. R. 5589. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H. R. 5590. A bill for the relief of Marc Stefen Alexenko; to the Committee on the Judiciary.

By Mr. RODINO:

H. R. 5591. A bill for the relief of Sister Angelantonia Diana; to the Committee on the Judiciary.

By Mr. GREENWOOD:

H. R. 5592. A bill for the relief of Mrs. Nathalie Iliine; to the Committee on the Judiciary.

SENATE

THURSDAY, OCTOBER 4, 1951

(Legislative day of Monday, October 1, 1951)

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

Rev. George A. Taylor, rector, St. David's Church, Baltimore, Md., offered the following prayer:

Almighty God, ruler of men and nations, we invoke Thy blessing this day upon the United States of America. Enable us to keep intact the priceless liberties and freedoms that have been our heritage from the beginning.

Sustain and guide the Members of this body, the United States Senate. Give them wisdom and strength to uphold good government. Support those who strive to do their duty in the best interests of our country and of their constituents; and in these arduous days let them not be taxed beyond the bounds of their physical strength and endurance.

Upon the entire free world let Thy favor rest, we pray Thee. May we be drawn closer together by Thy holy spirit, that we may reveal to the world the divine intention of peace and good will among men, and the might and power of Thy strong right arm.

Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, October 3, 1951, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on October 3, 1951, the President had approved and signed the act (S. 2006) to increase the lending authority of Export-Import Bank of Washington and to extend the period within which the bank may make loans.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Snader, its assistant reading clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4496) making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 10, 12, 13, 14, 15, 16, 18, 21, 24, 25, 32, 33, 36, 38, 41, 42, 43, 44, 45, 46, 49, 50, 52, 53, and 54, to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 65 to the bill and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 990. An act to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of Preston L. Watson, as administrator of the goods and chattels, rights, and credits which were of Robert A. Watson, deceased; and

H. R. 3504. An act for the relief of Nison Miller.

The message further announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 3205. An act to amend the Veterans Regulations to provide that multiple sclerosis developing a 10 percent or more degree of disability within 3 years after separation from active service shall be presumed to be service-connected; and

H. R. 5102. An act to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval and Marine Corps installations and defense production plants in such area.

The message also announced that the House had agreed to the amendments of the Senate to the concurrent resolution (H. Con. Res. 111) favoring the granting of the status of permanent residence to certain aliens.

The message further announced that the House had passed a joint resolution (H. J. Res. 340) making an appropriation for the Veterans' Administration for the fiscal year 1952, in which it requested the concurrence of the Senate.

LEAVES OF ABSENCE

On request of Mr. McFARLAND, and by unanimous consent, Mr. FULBRIGHT was excused from attendance on the sessions of the Senate today and tomorrow.

On request of Mr. SALTONSTALL, and by unanimous consent, Mr. HICKENLOOPER was excused from attendance on the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that Senators may be permitted to transact routine business, without debate, and without the time so consumed being charged to either side.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

TEMPORARY ADMISSION INTO UNITED STATES OF CERTAIN DISPLACED PERSONS

A letter from the Attorney General, transmitting, pursuant to law, a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated November 16, 1950, authorizing the temporary admission into the United States of certain displaced persons (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Attorney General, withdrawing the name of George Filippos Poulakis or Arna Otakis from a report relating to aliens whose deportation had been suspended, transmitted to the Senate on April 2, 1951; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Foreign Relations:

S. 2042. A bill to extend certain privileges to representatives of member States on the Council of the Organization of American States; without amendment (Rept. No. 888).

By Mr. GILLETTE, from the Committee on Foreign Relations:

S. Con. Res. 36. Concurrent resolution authorizing the appointment of 14 Members of Congress to participate in a public discussion of problems of common interest with representatives of the Consultative Assembly of the Council of Europe; with an amendment (Rept. No. 889) and, under the rule, referred to the Committee on Rules and Administration; and

S. Res. 215. Resolution to appoint a committee to discuss problems of common interest with the Consultative Assembly of the Council of Europe; without amendment (Rept. No. 889) and, under the rule, referred to the Committee on Rules and Administration; and

By Mr. DOUGLAS, from the Committee on Labor and Public Welfare:

S. 1347. A bill to amend the Railroad Retirement Act and the Railroad Retirement Tax Act, and for other purposes; with amendments (Rept. No. 890).

JOINT COMMITTEE ON RAILROAD RETIREMENT LEGISLATION

Mr. DOUGLAS, from the Committee on Labor and Public Welfare reported an original concurrent resolution (S. Con. Res. 51), which, under the rule, was referred to the Committee on Rules and Administration, as follows:

Resolved by the Senate (the House of Representatives concurring), That there is hereby established a Joint Congressional Committee on Railroad Retirement Legislation, hereinafter called the joint committee, to be composed of three members of the Senate Committee on Labor and Public Welfare and to be appointed by the chairman of that committee, and three members of the House Committee on Interstate and Foreign Commerce and to be appointed by the chairman of that committee. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filed in the same manner as the original selection. The joint committee shall select a chairman and vice chairman from among its members.

SEC. 2. It shall be the duty of the joint committee, and it is hereby authorized and directed, to make a full and complete fact-finding study and investigation of the Railroad Retirement Act, and of such related problems as it may deem proper, with a view toward ascertaining what changes should be made in such act. The joint committee shall determine the scope of such study and investigation, without limitation thereon, and the following shall be given consideration:

1. The character and amount of present benefits and the estimated cost of providing such benefits.

2. The existing relationships between the system established by the Railroad Retirement Act and the old-age and survivors insurance system.

3. The changes that should be made in the character and amount of benefits to be provided workers subject to the Railroad Retirement Act and the estimated cost of providing such benefits.

4. Any changes that should be made in the existing relationships between the system established by the Railroad Retirement Act and the old-age and survivors insurance system with a view to simplifying administration, eliminating inequities and anomalies as regards benefits to workers whose earnings are included in whole or in part under either system, and strengthening the financial base for benefits to be provided under one system without impairing the financial base underlying benefits provided under the other system.

SEC. 3. For the purposes of this resolution, the joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Eighty-second Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures, as it deems advisable.

SEC. 4. (a) The joint committee, or any duly authorized subcommittee thereof, is authorized during the sessions, recesses, and adjourned periods of the Eighty-second Congress, to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable and, with the consent of the head of the department or agency concerned, to utilize the services, information, facilities, and personnel of all agencies in the executive branch of the Government.

(b) The expenses of the joint committee, which shall not exceed $50,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers signed by the chairman. Disbursements to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of the disbursements so made.

BILLS INTRODUCED

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

By Mr. CARLSON:

S. 2215. A bill for the relief of Andor Mathé; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 2216. A bill for the relief of Fedele Miranda; to the Committee on the Judiciary.

By Mr. LANGER:

S. 2217. A bill consenting to the inclusion within the corporate limits of the city of Glen Ullin, N. Dak., of certain lands owned by the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LEHMAN:

S. 2218. A bill for the relief of Irene Kramer and Otto Kramer; and

S. 2219. A bill for the relief of George and Irene Panoras, and their daughter, Maria Panoras; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2220. A bill for the relief of Michiko Ihara; to the Committee on the Judiciary.

By Mr. HILL:

S. 2221. A bill to extend the time within which certain veterans who are in the active service on the basic limiting date may initiate and receive education or training under the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Labor and Public Welfare.

By Mr. MAYBANK:

S. 2222. A bill to amend the provisions of the Export-Import Bank Act of 1945, as amended, relative to the management of the Export-Import Bank, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. MAYBANK when he introduced the above bill, which appear under a separate heading.)

By Mr. SMITH of New Jersey:

S. 2223. A bill to authorize and direct the Administrator of General Services to transfer to the Department of the Navy the Government-owned magnesium foundry at Teterboro, N. J.; to the Committee on Expenditures in the Executive Departments.

By Mr. O'CONOR:

S. 2224. A bill to direct the Secretary of the Army to replace the crosses and Stars of David which until recently marked the graves at the National Memorial Cemetery in Hawaii; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. O'CONOR when he introduced the above bill, which appear under a separate heading.)

REPLACEMENT OF CROSSES AND STARS OF DAVID AT NATIONAL MEMORIAL CEMETERY OF THE PACIFIC

Mr. O'CONOR. Mr. President, I introduce for appropriate reference a bill to direct the Secretary of the Army to replace the crosses and stars of David which until recently marked the graves at the National Memorial Cemetery in Hawaii. I ask unanimous consent that a letter addressed to me by James A. O'Brien, Director of the Territorial Council on Veterans Affairs of the Territory of Hawaii, at Honolulu, T. H., and an editorial entitled "They Await the

Verdict," from the Honolulu Star-Bulletin of September 29, 1951, be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the letter and editorial will be printed in the RECORD.

The bill (S. 2224) to direct the Secretary of the Army to replace the crosses and stars of David which until recently marked the graves at the National Memorial Cemetery in Hawaii, introduced by Mr. O'CONOR, was read twice by its title and referred to the Committee on Interior and Insular Affairs.

The letter and editorial are as follows:

TERRITORY OF HAWAII,
TERRITORIAL COUNCIL ON
VETERANS AFFAIRS,
Honolulu, T. H., October 4, 1951.

Senator HERBERT R. O'CONOR,
United States Senate,
Washington, D. C.

DEAR SENATOR O'CONOR: Many men from your State who made the supreme sacrifice during World War II have found their last resting place in the National Cemetery of the Pacific. Because of this we feel that you are close to us in our efforts to have permanent crosses decorate the graves of those who gave their lives so that others might live.

As you know, until recently the 13,000 graves were decorated with wooden crosses. The wooden crosses were installed by the Army as a temporary measure pending the complete installation of surface marble markers throughout the cemetery. Recently, the installation was completed, and the Army carried out its previously announced orders of removing and destroying the crosses.

However, during the tenure of the crosses they bore into the hearts of the people of Hawaii and to the many, many relatives of the men buried there who came from the mainland to visit the resting place of their son, husband, or brother.

The cemetery now, without the row upon row of white crosses and stars of David, looks bare and forlorn. It was a distinct shock to the people who visited the cemetery after the crosses were destroyed. To them, the crosses have become an integral part of the cemetery.

May we enlist your assistance in securing a permanent type cross, either of concrete or of some other lasting material, so that the cemetery may be restored to its former beauty and symbolism.

This we know necessitates congressional action. The veterans' organizations and the people of the Territory, and we know the relatives of the mainland men buried here, would appreciate anything that you can do.

We are enclosing an editorial from the Honolulu Star-Bulletin of September 29 that expresses some of the feeling of the people of the Territory.

Very truly yours,
JAMES A. O'BRIEN,
Director.

[From the Honolulu Star-Bulletin of September 29, 1951]

THEY AWAIT THE VERDICT

The mute white crosses have been taken from the graves of the National Memorial Cemetery of the Pacific—but protests may restore them.

It took only 2 hours for the energetic task force of the Army to remove from Punchbowl more than 13,000 little wooden crosses. It will require more time to restore them—if they are to be restored.

But there is time for this task of this restoration—those who sleep beneath the green turf in the ancient crater have no need for haste. They will wait, in patience, for the verdict.

All the hurry, all the ordered speed and discipline of their training, all the furious urgency of their attacks on the battlelines, all the sudden anguish of their mortal wounds before they fell, are of the past.

For them the suns will rise and will set over that dedicated hill of sacrifice in long, unhurried procession. The gentle winds and the stars will keep them company, even if in a burst of organized effort as well timed and precise as the burst from a machinegun, the 13,000 white crosses came down in one unexpected afternoon.

In Washington, D. C., Delegate FARRINGTON has appropriately said that the wishes of the families of the men who lie in the Punchbowl graves should be consulted.

That can be done, and should be done. It should have been done, and thoroughly, sympathetically, before the order was given that tore the crosses from the ground.

To do it rightly, the families should have a clear picture of the alternatives—the graves with crosses and also with the flat stone marker or the graves with only that flat, inconspicious, and unimpressive headstone.

And the families should know—many of them know already—that in our military cemeteries abroad, the white crosses still stand.

And these next of kin should feel that it is not a question of economy—our doing fitting honor to those who are buried in Punchbowl.

It is a question of giving to these heroes of our country the greatest possible evidence of respect and devotion we can give them.

It is a question also of developing this National Memorial cemetery as one of our Nation's most impressive, most distinctive burial places.

It is a question of maintaining the physical facilities so that each Memorial Day the people of Hawaii can pay their distinctive tribute of leis and garlands, appropriately wheathed above the graves.

Yes; those who lie asleep in Punchbowl can await the verdict.

For them, all mortal haste is ended. They lie quietly in the ultimate discipline of death, relying upon a grateful country to do them justice.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 340) making an appropriation for the Veterans' Administration for the fiscal year 1952, was read twice by its title, and referred to the Committee on Appropriations.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. YOUNG:

Address delivered by Senator TAFT at the dedication of the new steam plant of the Minnkota Power Cooperative, at Grand Forks, N. Dak., on September 21, 1951, and an editorial entitled "TAFT's Visit Shows His Strength," published in the Bismarck Tribune of September 29, 1951.

By Mr. SALTONSTALL:

Editorial entitled "Small Business Gets Smaller," published in the Boston Traveler of October 1, 1951.

By Mr. LANGER:

Article entitled "The Federal Youth Corrections Program," written by James V. Bennett, Director of the United States Bureau of Prisons, and published in the January-February 1951 edition of the Prison World.

Article entitled "Save the Tidelands," written by Harold L. Ickes, and published in the magazine Frontier.

By Mr. WILLIAMS:

Editorial entitled "One Improvement," published in the News and Observer of Raleigh, N. C., on October 1, 1951, relating to the Williams amendment to the revenue bill repealing the provision for tax exemptions to certain Government officials.

By Mr. THYE:

Article relating to the charge by Harold Stassen regarding Owen Lattimore and the far eastern policy, written by Constantine Brown and published in the Washington Star of October 3, 1951.

Article entitled "Acheson-Stassen Conflict," written by David Lawrence and published in the Washington Star of October 3, 1951.

Editorial entitled "We Must Speak of Peace, Peace, Peace," published in the Minneapolis Star of October 1, 1951.

By Mr. LEHMAN:

Editorial entitled "Migration Conference," published in the Washington Post of October 3, 1951, referring to the refugees of Western Europe.

By Mr. MARTIN:

Editorial entitled "Ye Old Tollgate," published in the Washington (Pa.) Reporter of September 29, 1951.

By Mr. CHAVEZ:

Letter from Manuel Lujan to the Honorable Oscar Chapman, Secretary of the Interior, regarding regulations governing attorneys' contracts with Indian tribes.

By Mr. BENTON:

Article entitled "Bowles Fills the Bill," written by Marquis Childs, and published in the Washington Post of last Saturday.

Address by Nellie Tayloe Ross, Director of the Mint, on Democratic Women's Day, September 27, 1951.

By Mr. KEFAUVER:

Article entitled "How To Save Your Life," written by William Lindsay Gresham, and published in a recent issue of Red Book magazine, giving advice about what to do if a bomb falls.

By Mr. WILEY:

Article entitled "The Place of the Paper Industry in the United States Economy," written by Dr. Louis T. Stevenson, and published in the July 14, 1951, issue of the Paper Mill News.

MISSOURI-ARKANSAS BASINS FLOOD CONTROL

Mr. CARLSON. Mr. President, I ask unanimous consent that I may read a telegram into the RECORD.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. CARLSON. The telegram is addressed to me under date of October 3, 1951, and is as follows:

TOPEKA, KANS., *October 3, 1951.*

Senator FRANK CARLSON,
Senate Office Building,
Washington, D. C.:

District 12 of Missouri-Arkansas Basins Flood Control Association, running from Topeka to Junction City, met today and adopted following resolution:

"Whereas the basin of the Kansas River has recently suffered the most disastrous flood in its history; and

"Whereas an appropriation bill is now pending in Congress providing funds to be applied on the construction of a dam known as the Tuttle Creek Dam, which will form a retention reservoir which will materially help to alleviate future flood damage in the Kansas and Missouri River Basins; and

"Whereas the present residents in the area to be submerged by the reservoir will be fairly compensated for their land and property used their influence 10 years ago, at the request of the residents in the area to be submerged to defeat an appropriation for the construction of Tuttle Creek Dam in order to

give time for the United States Army to make further investigation for smaller dams nearer the headwaters; and

"Whereas due to the failure to make an appropriation at that time, nothing has been done on the Tuttle Creek Dam to date and the present disaster has occurred; and

"Whereas the headwater reservoirs must of necessity be more shallow than the Tuttle Creek Reservoir, they would inundate many times the area of valley land and cause a large number of persons to be displaced;

"Whereas the construction of the Tuttle Creek Dam is the key flood project that will secure a measure of relief to all persons and property in the Kansas and Missouri River Valleys below the proposed dam: Be it

"*Resolved*, That district 12, containing the Kansas River and its tributaries from Topeka to Junction City being a part of the Missouri-Arkansas Basins Flood Control Association hereby petitions Congress to pass the pending appropriation for construction work on the Tuttle Creek Dam."

Understand conference committee meeting on this today. Think this resolution should be guided to committee.

CONANT WAIT,
Secretary, District 12, Missouri-Arkansas Flood Control Association.

ELECTION OF C. FRANCIS COCKE, OF ROANOKE, AS PRESIDENT OF THE AMERICAN BANKERS ASSOCIATION

Mr. ROBERTSON. Mr. President, I ask unanimous consent to proceed for 1 minute, to make a brief statement concerning the new president of the American Bankers Association, who was elected to that office on October 3.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Virginia may proceed.

Mr. ROBERTSON. Mr. President, along with all other Virginians I am proud of the election of Mr. C. Francis Cocke, of Roanoke, as president of the American Bankers Association.

It is not only the highest honor that can come to any banker but is a position of tremendous power and responsibility. In any socialistic or communistic state one of the first moves is to control the banking and issuance of currency. Those who are not familiar with the vital part which private bankers play in the maintenance of the American system of free, competitive enterprise and of economic freedom as a handmaiden of political freedom do not fully appreciate the wisdom of Woodrow Wilson and of Carter Glass in the establishment of the Federal Reserve System. Many private bankers opposed that legislation when it was first presented, but without it there is doubt as to whether the private banking system of America could have survived the last depression, or a future depression, which will be inevitable if a firm check is not placed on future deficit financing.

It has been my pleasure during recent years, as chairman of the Federal Reserve Subcommittee of the Senate Banking and Currency Committee, to work with Francis Cocke on numerous bills affecting the Federal Reserve Board and the private banks of the country. He has exhibited a commendable grasp of the banking and economic problems confronting us. His views are fundamentally sound and his pleasing personality facilitated his task of reconciling conflicting views.

REMOVAL OF CROSSES FROM GRAVES IN GOVERNMENT CEMETERIES IN HAWAII

Mr. O'CONOR. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Maryland may proceed.

Mr. O'CONOR. Mr. President, millions of Americans were shocked, I am convinced, by the report from Hawaii that United States Army authorities had decided to remove the wooden crosses from the graves of fallen American fighting men interred in Government cemeteries there. To many a bereaved parent removal of the crosses, the symbol of that faith which is the ultimate consolation of those whose loved ones have been taken from them by war, seems a needless and unjustifiable intrusion upon the rights of both the living and the dead.

I can understand the indignation and the sincere regret with which Americans throughout the country received the news of this decision by the Army authorities. So drastic a departure is it from the accepted policies of the past that I rise to protest the implementation of the announced policy, both for myself, for numbers of my constituents who have expressed their feelings to me, and for those countless other Americans whose faith in God and whose concepts of their duty as a defense of our free civilization against a Godless foe have thus been so ruthlessly shaken.

Among the messages which have come to me is one from Bishop Noble C. Powell, bishop of the Episcopal Church in the diocese of Maryland, and it seems particularly pertinent in view of the very touching and very persuasive invocation just delivered by the acting chaplain. It reads as follows:

Hon. HERBERT R. O'CONOR:

On behalf of the department of business administration comprising representative citizens and Episcopalians in the diocese of Maryland and on behalf of host of our membership and personally and officially as bishop I emphatically protest the removal of the Christian cross from the graves of fallen Americans who gave their lives for their country and who lie in foreign soil. To remove the symbol of that faith for which expressed in American life they gave their lives is most deplorable to countless citizens and the reason assigned, economy, is wholly unconvincing in the light of the vast expenditures made for far less important evidences of our American life. We most strongly urge the restoration of the crosses marking the graves.

NOBLE C. POWELL,
Bishop of Maryland.

Removal of the crosses which so definitely consigned to the care of divine providence those who had died in the service of mankind is particularly inappropriate now when our country and the world is threatened with destruction by a Godless foe which would remove the crosses, the symbol of Christian faith and hope from the entire world. Mothers and fathers, wives and children have taken consolation from the thought that their departed loved ones, dead in the defense of their country, were thus consigned to the arms of their Maker for their last long sleep. Removal of these crosses now is to me unthinkable. It is breaking faith with those who have died. This action will be poorly received likewise by countless other members of our fighting forces who are going forth willingly to battle for the right but who value their priceless possessions of faith as symbolized by the cross. Such men and women, if they are called upon to die, will want to sleep under the cross which has been the traditional symbol of the faith of a people who realize that life on this earth is but a temporary existence leading to eternity.

EMERGENCY PROFESSIONAL HEALTH TRAINING ACT OF 1951

The Senate resumed the consideration of the bill (S. 337) to amend the Public Health Service Act and the Vocational Education Act of 1946, to provide an emergency 5-year program of grants and schclarships for education in the fields of medicine, osteopathy, dentistry, dental hygiene, public health, and nursing professions, and for other purposes.

Mr. PASTORE obtained the floor.

Mr. SALTONSTALL. Mr. President, will the Senat r from Rhode Island yield for a quorum call? There being so few Senators present, I should like to ask unanimous consent that there be a quorum call, the time for debate to start when a quorum is declared to be present.

The VICE PRESIDENT. Does the Senator from Rhode Island yield for that purpose?

Mr. PASTORE. I yield, with the understanding that the time consumed by the quorum call is not to be taken from the time of either side.

Mr. SALTONSTALL. That is my request. I ask that the time for debate shall start when a quorum is declared to be present.

The VICE PRESIDENT. That is the Chair's understanding.

The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. CAPEHART. Mr. President, I ask unanimous consent that the order for a quorum call be rescinded and that further proceedings under the call be suspended.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Rhode Island [Mr. PASTORE] on behalf of the Committee on Labor and Public Welfare. On this amendment, 40 minutes of debate are allowed, 20 minutes to each side.

Mr. PASTORE. Mr. President, I allot 10 minutes to myself.

The VICE PRESIDENT. The Senator from Rhode Island is recognized for 10 minutes.

Mr. PASTORE. Mr. President, in my opinion, in the discussion and consideration of S. 337, we must address ourselves to four fundamental questions:

First. Have we now and will we have in the immediate future a sufficient number of doctors and a sufficient number of professional personnel to take care of the needs of our civilian population

and the medical needs of our Armed Forces?

Second. If we do not have a sufficient number of doctors, can we produce more doctors in the immediate future without the expansion of the facilities which are at present available for the training of professional men?

Third. If this is necessary, can these facilities be expanded without some Federal aid to the institutions which provide the training?

Fourth. Is the bill which we are now considering adequate to give the relief that is required now and in the immediate future?

Mr. President, I know that when it comes to citing authorities it is always easy to find an authority which supports one's own contention. However, here we have a very unusual situation. I believe that by far the greater weight of authority supports the position of those who contend that we do not have a sufficient number of doctors now and will not have a sufficient number of doctors in the immediate future, and that there is in fact at the present time a tremendous shortage of doctors in these United States of America.

In support of that contention, I should like to read into the RECORD a statement made by Dr. Howard A. Rusk, Chairman of the Health Resources Advisory Committee and now of the Office of Defense Mobilization.

Dr. Rusk told the Council on Medical Education and Hospitals of the American Medical Association this winter that we face a shortage of 22,000 physicians by 1954. He said:

> It is at once apparent that a substantial deficit in medical manpower is already upon us, and this deficit is steadily increasing. Without acceleration and increased enrollment, our supply of physicians by 1954 will be short by 22,000.

Yesterday afternoon, in several of the colloquies which occurred on the floor of the Senate, the name of Dr. Franklin D. Murphy, dean of the School of Medicine of the University of Kansas, was brought up, and his statement was cited as authority that we do not have a shortage of doctors.

The contrary is true. I submit to the Members of the Senate what Dr. Murphy wrote in an article entitled "We Need More Doctors," which appeared in one of our national weekly magazines:

> Over and above this faulty distribution there is, in the opinion of many medical educators, an absolute and substantial numerical shortage of trained medical personnel. I believe this was true even before the Korean crisis, and the situation will become more critical as additional thousands of doctors are called into uniform.

Mr. President, if we do have this shortage, it becomes necessary to consider how we can meet the situation. Are our medical schools presently sufficiently endowed? Are they receiving sufficient money through customary channels to meet the costs of professional education? The answer, of course, is in the negative, because it has been shown that currently the medical schools of our colleges and universities are operating under an annual deficit of $40,000,000; that the incomes which customarily might have accrued to them have fallen short of the mark; and, according to the testimony at the hearings, unless some kind of help is given on the Federal level, not only will this deficit continue to the tremendous detriment of the American people and their general health, but many medical departments will have to close, their faculties will have to be curtailed, and I suppose their enrollments will have to be restricted.

The bill as originally reported by the committee provided for a grant of $500 in the case of each medical student already enrolled in a medical school, and also provided for an incentive grant of $1,000 for each enrollment above the general average for the past 3 years. Personally, I feel that the bill as reported by the committee represented a very practical and realistic approach.

However, many Members of the Senate felt that we were placing too much emphasis on the grants for maintenance, as against the grants for expansion. Because of that, an amendment was submitted by the Senator from Oklahoma [Mr. KERR] and the Senator from Georgia [Mr. RUSSELL], which, in effect, placed almost complete emphasis upon the expansion aspects of the program rather than upon the maintenance aspects.

After several discussions with those two honorable Members of this body, the committee reached a compromise. On behalf of the committee, I have submitted to the committee amendment the amendment which now is pending.

The effect of this amendment is, in fact, to shift the emphasis to the expansion feature of this program; and, instead of providing for a grant of $500 to the medical schools for each student enrolled, it provides a grant of $200; and instead of providing a grant of $1,000 on the incentive plan, for each student above the general average in the past, it provides $2,200.

I know Senators can argue one way or the other; but the opinion of the committee was that we were confronted with the necessity of reaching a compromise. The question was a serious one, namely, there should the emphasis be placed? A majority of the members of the committee felt that the compromise now before the Senate in the form of the pending amendment to the committee amendment was a practical one, a wholesome one, and a very realistic one. That compromise is the pending amendment, which now is at the desk, and on which this body will vote in a few minutes.

Mr. President, I feel that the Senate should approve this amendment. Although it may not be wholly satisfactory in every respect, the fact remains that it constitutes a very realistic and a very important approach to this great problem. We need more doctors. We need more doctors now, and also in the immediate future.

Of course, the argument is made on this floor that the training of a doctor requires 5, 6, or 7 years. We understand that completely. However, even though an appreciable amount of time is required for the training of a doctor, the fact of the matter is that unless we show some interest in and give some financial support to these institutions, their enrollments will decline and decline, and more and more of their medical departments will close, to the point that a smaller number of doctors than the number now being trained will be educated and made available for service.

After all, Mr. President, this problem is a very important one. It involves the health of the people of the United States. At the present time there are in our veterans' hospitals 4,000 beds which are not being used, simply because sufficient professional personnel is not available to care for the patients who might be comforted or treated there. To my mind, Mr. President, that fact constitutes the most powerful and the most impressive argument which can be made on the question of whether we have a sufficient number of doctors, because if we did have a sufficient number of doctors in the United States today, we would not be confronted with the situation of having the equivalent of 16 well equipped hospitals absolutely empty because sufficient professional personnel is not available to care there for the veterans, to whom we have said, "We will give you this medical care." After we have said that, we find ourselves in the position of having built the hospitals and having provided the beds, but not having sufficient doctors and nurses to care for the patients. What greater proof do we need to demonstrate that there is a shortage of doctors in the United States today?

Why is it that organizations such as the Disabled American Veterans and the American Legion have endorsed this program? They have endorsed it only because they have first-hand, intimate knowledge of the shortage of doctors and the shortage of other professional medical personnel in the United States today.

The VICE PRESIDENT. The time of the Senator from Rhode Island has expired.

Mr. PASTORE. Mr. President, if any other Senator desires to speak on the amendment, I shall be only too glad to yield time to him within the 10 minutes remaining.

The VICE PRESIDENT. If no more time is to be used on the amendment, the question is on agreeing to the amendment.

Mr. TAFT. Mr. President, will the acting minority leader yield time to me?

Mr. SALTONSTALL. Mr. President, I yield 10 minutes to the Senator from Ohio.

VISIT TO THE SENATE OF GOV. LEM JORDAN, OF IDAHO

Mr. TAFT. Mr. President, I should like to take a minute of my time to present to the Senate the Governor of a great Western State, Gov. Lem Jordan, of Idaho.

[Applause, Senators rising.]

The VICE PRESIDENT. The Senate is very glad to welcome the Governor of Idaho to the Senate Chamber.

EMERGENCY PROFESSIONAL HEALTH TRAINING ACT OF 1951

The Senate resumed the consideration of the bill (S. 337) to amend the

Public Health Service Act and the Vocational Education Act of 1946, to provide an emergency 5-year program of grants and scholarships for education in the fields of medicine, osteopathy, dentistry, dental hygiene, public health, and nursing professions, and for other purposes.

Mr. TAFT. Mr. President, the amendment urged by the distinguished Senator from Rhode Island was discussed at some length yesterday. Under the bill as introduced, a subsidy is provided for the medical schools. The subsidy is to last for 5 years, pending the making of a complete survey by a commission which is set up under section 3 of the bill.

When this bill was first brought up and when I became interested in it, the main feature of the bill was the establishment of a commission. In the bill the commission is given 2 years in which to make a study of medical education, a subject which has not been subjected to the study it should receive. This very bill admits that, because it sets up a commission and provides what the commission shall do. The bill provides that the commission shall study the whole question. However, thereafter the bill proceeds to legislate on the problem for 5 years.

Mr. President, yesterday I stated the principal ground of my opposition to the bill, which is that since the bill was introduced last year, the military program and military expenditures have grown to an extent which threatens the economic security of the United States. If that military program is necessary and if we have to spend from $80,000,000,000 to $90,000,000,000 a year on the military program for the next 2 years, then it seems to me we must abandon many of the other major programs we have contemplated. We cannot add to the present burdens by beginning other programs, no matter how meritorious they may be.

I say frankly that this program is generally a meritorious one. So far as I am concerned, I am in favor of it; and I am also in favor of giving help to the medical schools because of the tremendous cost of a medical education today, amounting to $2,500 a year more than can be paid by tuition; and apparently that additional amount cannot be provided permanently, at least, by funds from private contributions, as has been done in the past.

In the pending amendment, however, the proposal is that, instead of giving the medical schools $500 for each regular student and $1,000 for each additional student, they shall be given $200 for every existing student, plus $2,000 for each additional student, or a total of $2,200 for every student over and above the average number they have had in the past.

Since all these institutions have stretched to the limit their acceptance of students—up to this time they have taken as many students as they thought they could handle and properly educate—it is perfectly obvious that they are going to have to do some very strenuous work in order to increase the number. I think some incentive in that direction is proper, but to pay them $2,200 seems to me completely ridiculous. The cost of educating a student is about $2,500. The tuition throughout the country runs from $500 to $700. If the medical schools get a $700 tuition and a $2,200 payment from the Government, they are going to make a profit of $400 or $500 on every one of the additional students. It is an incentive and a prize offered to these institutions to undertake to accept more students than they can handle properly, and to reduce the general standard of medical education—and the Federal Government would pay them to do that. It seems to me it is a great mistake.

I may say that throughout I have worked with the deans of the medical schools. I was willing to support a temporary subsidy, before the greatly expanded military program was undertaken. We worked out the amounts and the relative subsidy for current and for additional students. I may say that the committee of deans of the medical schools who worked on this matter throughout are opposed to the bill, if the Pastore amendment is to be adopted.

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

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

Mr. THYE. Mr. President, yesterday, because of my deep concern regarding the question on the pending amendment, I telegraphed Dr. Harold S. Diehl, dean of medical sciences of the University of Minnesota, to ask his opinion concerning the amendment. This is the reply which I received from Dr. Diehl:

Believe original S. 337 much sounder and preferable to Kerr amendment as to rates of aid to medical school.

Harold S. Diehl.

It was only yesterday that I sent the telegram to Dr. Diehl. If I may, I should like to insert in the body of the RECORD my telegram to Dr. Diehl, the reply to which I have read.

The VICE PRESIDENT. Is there objection?

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

OCTOBER 3, 1951.

Dr. HAROLD S. DIEHL,
Dean of Medical Sciences,
University of Minnesota,
Minneapolis, Minn.

S. 337 for Federal aid in professional health education pending for action in Senate this afternoon. Please wire your views, especially as to proposed compromise on basic grants and incentive payments to students. For medical students this would be $200 basic and $2,000 incentive, as against $500 each in bill as introduced. Others in similar proportions. Ratio in compromise like Russell-Kerr amendment which you opposed, but basic payments are higher. Would appreciate immediate reply.

EDWARD J. THYE,
United States Senator.

Mr. TAFT. I may say that I also received a communication yesterday from Dean Berry, of the Harvard Medical School, who was chairman of the executive committee of the Association of American Medical Schools. He personally, and speaking also for the deans, does not and will not support the bill if amended by adoption of the Pastore amendment. He would rather not have any bill.

Mr. President, I shall speak later. I myself am going to offer an amendment to strike out all of the bill except the provision for setting up a commission to make a study of the subject, and I shall present a substitute bill providing for such a commission to study the whole subject of medical education.

Mr. LEHMAN. Mr. President, will the Senator from Rhode Island yield me 3 minutes?

Mr. PASTORE. I yield 3 minutes to the Senator from New York.

Mr. LEHMAN. Mr. President, I have already spoken twice on this bill, yesterday, and I pointed out the need of an increased number of doctors, dentists, and nurses. I shall not again pursue that phase of the bill which relates to doctors, because it seems to me that the need of additional doctors has been demonstrated clearly.

I do, however, wish to read two paragraphs from a letter which I have received from the director of the Mount Sinai Hospital in New York, one of the great hospitals of the country. He writes to me as follows:

The shortage of nurses throughout the country must by now be so well known that it hardly needs further statistical emphasis. The situation in New York and at our hospital is a critical one. We have a 25-percent vacancy in our nursing staff and as a result we find that we are barely able to provide minimal nursing service. In an acute general hospital this means that critically ill patients as well as others acutely ill are on occasion deprived of the nursing service which they must have.

Each hospital in each area does what it can to attract nurses but the plain fact is that there simply are not enough to go around, and the just as plain answer is that we must not neglect any measure which would increase the number of young women who enter nursing. Congress * * * can help; among other ways, by providing financial aid to make training less expensive to the student and, therefore, more attractive, and by providing financial aid to the overburdened hospital schools of nursing so that they might be able to increase the size of their classes.

This is a statement from the director of a great hospital in the city of New York. There is no doubt that the large urban centers are in a better position to obtain doctors and nurses than are the rural sections, but when the evidence is presented showing conditions in a great medical center in the largest city in the country, we can readily realize what the situation must be in other parts of the country. I very much hope that the amendment will prevail.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Rhode Island [Mr. PASTORE].

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

The yeas and nays were ordered.

Mr. KERR. Mr. President, have the opponents to the amendment exhausted all their time?

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SALTONSTALL. How much time remains to the opponents?

The VICE PRESIDENT. The opponents have used only 7 minutes, and have 13 minutes remaining, if they desire to use the time. The proponents have 6 minutes remaining.

Mr. TAFT. Neither side has exhausted its time.

The VICE PRESIDENT. Both sides have a little time left if they want to use it, but there was such a silence in the Senate Chamber that the Chair thought he ought to make a noise like a vote.

Mr. KERR. Mr. President, I think it would be wonderful if the Chair could not only make a noise like a vote but could actually materialize it. Do the opponents expect to use more time?

Mr. SALTONSTALL. Mr. President, I know of no one else on this side of the aisle who wishes to speak at this moment, and I have had no requests for further time.

Mr. TAFT subsequently said: Mr. President, had Senate bill 337 not been recommitted, I had intended to offer an amendment as a substitute for the bill. I ask unanimous consent now to have it appear in the RECORD during consideration of the bill, and before the vote on the Pastore amendment, as a substitute amendment intended to be offered by me.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment intended to be proposed by Mr. TAFT is as follows:

Strike out all after the enacting clause and insert the following:

"COMMISSION ON MANPOWER IN THE HEALTH PROFESSIONS

"SEC. 2. (a) There is hereby established a Commission on Manpower in the Health Professions, hereinafter called the 'Commission.'

"(b) The Commission shall consist of 16 Commissioners, including the Surgeon General of the Public Health Service, the Commissioner of Education, the Chief Medical Director of the Department of Medicine and Surgery of the Veterans' Administration, and a representative of the medical services of the National Military Establishment (to be designated by the Secretary of National Defense), who shall serve ex officio, and 12 Commissioners to be appointed by the President on or before October 1, 1949, who shall be persons not otherwise in the employ of the Federal Government. At least 8 of the 12 appointed Commissioners shall be persons outstanding in the fields of medicine, dentistry, nursing, public health, or higher education who are familiar with the problems of manpower in the health professions.

"(c) The Commission shall elect a Chairman and a Vice Chairman from among its membership. Nine Commissioners shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

"(d) The Commission shall continue in existence until 90 days after completion of the submission of its report as provided in section 2. Each of the 12 appointed Commissioners, while attending meetings of the Commission or while otherwise serving pursuant to this part, shall be entitled to receive 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 his place of residence.

"STUDY OF NEEDS FOR HEALTH PERSONNEL

"SEC. 3. It shall be the duty of the Commission to make a thorough study of the present and long-range needs for medical, dental, nursing, public-health, and other professional health personnel in the United States, and of the numbers and manner (including facilities) in which such personnel are and ought to be trained, distributed, and utilized, in order to best meet the health needs of the Nation; and to submit to Congress one or more reports containing its findings and recommendations based on such study. Such report or reports shall be submitted on or before January 15, 1954.

"POWERS OF COMMISSION

"SEC. 4. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems necessary, in accordance with the provisions of the civil-service laws and the Classification Act of 1923, as amended.

"(b) The Commission may, in its discretion, enter into contracts with private individuals, nonprofit educational or research organizations, organizations of the health professions, or non-Federal public agencies, for the performance of research which it deems necessary.

"(c) The Commission, or any member thereof, may, for the purpose of carrying out the provisions of this part, hold such hearings and sit and act at such times and places, and take such testimony, as the Commission or such member may deem advisable. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission or before such member.

"(d) The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this part; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman or Vice Chairman.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 5. There are 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 provisions of this act."

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Rhode Island [Mr. PASTORE]. The yeas and nays have been ordered and the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FREAR (when his name was called). On this vote I have a pair with the Senator from Montana [Mr. MURRAY]. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. GEORGE (when his name was called). I have a pair on this vote with my colleague [Mr. RUSSELL]. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. O'CONOR (when his name was called). I have a pair with the junior Senator from Texas [Mr. JOHNSON]. If he were present, he would vote "yea." If I were permitted to vote, I would vote "nay." Therefore, I withhold my vote.

Mr. CAPEHART (when his name was called). On this vote I have a pair with the Senator from Washington (Mr. MAGNUSON]. If present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

Mr. McFARLAND of Arizona. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Florida [Mr. HOLLAND] are absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Montana [Mr. MURRAY], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Kentucky [Mr. UNDERWOOD] are absent on official business.

The Senator from Texas [Mr. JOHNSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I announce that on this vote the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from Kentucky [Mr. UNDERWOOD]. If present and voting, the Senator from New Mexico would vote "yea," and the Senator from Kentucky would vote "nay."

The Senator from Missouri [Mr. HENNINGS] is paired on this vote with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Missouri would vote "yea," and the Senator from Florida would vote "nay."

I announce further that if present and voting, the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from West Virginia [Mr. NEELY] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Maine [Mrs. SMITH] are absent by leave of the Senate.

The Senator from Maryland [Mr. BUTLER] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness.

The Senator from Missouri [Mr. KEM] is absent on official business.

The Senator from Nebraska [Mr. WHERRY] is necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Washington [Mr. CAIN], the Senator from Oregon [Mr. CORDON], and the Senator from Pennsylvania [Mr. DUFF] are detained on official business.

The result was announced—yeas 23, nays 42, as follows:

YEAS—23

Benton	Kefauver	Monroney
Douglas	Kerr	Moody
Green	Kilgore	Morse
Hayden	Langer	Pastore
Hill	Lehman	Robertson
Humphrey	Long	Sparkman
Hunt	McFarland	Stennis
Ives	McMahon	

NAYS—42

Bennett	Dirksen	Hendrickson
Brewster	Dworshak	Hoey
Bricker	Ecton	Jenner
Butler, Nebr.	Ellender	Johnson, Colo.
Carlson	Ferguson	Johnston, S. C.
Case	Flanders	Knowland
Connally	Gillette	Lodge

Malone	Millikin	Taft
Martin	Mundt	Thye
Maybank	Nixon	Watkins
McCarran	Saltonstall	Welker
McCarthy	Schoeppel	Wiley
McClellan	Smith, N. J.	Williams
McKellar	Smith, N. C.	Young

NOT VOTING—31

Aiken	Eastland	Neely
Anderson	Frear	O'Conor
Bridges	Fulbright	O'Mahoney
Butler, Md.	George	Russell
Byrd	Hennings	Smathers
Cain	Hickenlooper	Smith, Maine
Capehart	Holland	Tobey
Chavez	Johnson, Tex.	Underwood
Clements	Kem	Wherry
Cordon	Magnuson	
Duff	Murray	

So Mr. PASTORE's amendment was rejected.

Mr. PASTORE. Mr. President, I move at this time that Senate bill 337 be recommitted.

The VICE PRESIDENT. The question is on the motion of the junior Senator from Rhode Island to recommit the bill. [Putting the question.]

The motion was agreed to.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 2170, Calendar No. 752.

The VICE PRESIDENT. The Secretary will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 2170) to amend the Defense Production Act of 1950, as amended.

The VICE PRESIDENT. The question is on the motion of the Senator from Arizona.

The motion was agreed to, and the Senate proceeded to consider the bill.

The bill is as follows:

Be it enacted, etc., That section 402 (d) (4) of the Defense Production Act of 1950, as amended, be, and the same is hereby, amended to read as follows:

"(4) After the enactment of this paragraph no ceiling price regulation applicable to the sales of manufacturers or processors of any materials or the charges for industrial services shall be become effective which establishes a level of prices for such sales or charges below the lower of (A) the level prevailing for such sales or charges just before the date of issuance of the regulation, or (B) the level prevailing for such sales or charges during the period January 25, 1951, to February 24, 1951, inclusive. Nothing in this paragraph shall prohibit the establishment or maintenance of a ceiling price regulation applicable to the sales of manufacturers or processors or the charges for industrial services which (1) reflects the highest level of prices prevailing during a representative base period between January 1, 1950, and June 24, 1950, inclusive, adjusted for increases or decreases in costs between such period and July 26, 1951, or (2) is established under a regulation issued prior to the enactment of this paragraph. The adjustment for increases or decreases in costs prescribed in said clause (1) above shall include adjustment for changes in necessary and unavoidable costs, including all labor, material and transportation costs and a reasonable allowance, as determined by the President, for changes in all other necessary and unavoidable costs, including selling, advertising, office and all other production, distribution and administration costs, which he finds are properly allocable to the production and sale of the materials sold by the manufacturers and processors or the charges for industrial services. The President shall make appropriate provision for adjustment for any such manufacturer or processor or seller of industrial services whose ceiling prices result in financial hardship to such manufacturer, or processor or seller of industrial services. Such adjustment shall be made in accordance with the provisions of clause (1) above to the extent necessary to relieve such hardship."

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

Mr. McKELLAR. Mr. President, will the Senator from South Carolina yield to me?

The VICE PRESIDENT. The Senator from South Carolina has suggested the absence of a quorum.

Mr. MAYBANK. I withdraw that request for the present, Mr. President, and yield to the Senator from Tennessee.

APPROPRIATION FOR VETERANS' ADMINISTRATION, 1952

Mr. McKELLAR. Mr. President, from the Committee on Appropriations, I report favorably, without amendment, House Joint Resolution 340, making an appropriation for the Veterans' Administration for the fiscal year 1952, and I submit a report (No. 887) thereon. I ask unanimous consent that the unfinished business be temporarily laid aside, and that the joint resolution be immediately considered.

The joint resolution appropriates $5,000,000 for payment of liabilities under the Service Indemnity Act of 1951. I hand the joint resolution to the acting minority leader so he may examine it.

The VICE PRESIDENT. The Secretary will state the resolution for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 340) making an appropriation for the Veterans' Administration for the fiscal year 1952.

The VICE PRESIDENT. The Senator from Tennessee asks unanimous consent that the unfinished business be temporarily laid aside for the consideration of the joint resolution. Is there objection?

Mr. SALTONSTALL. Mr. President, reserving the right to object, and I do not intend to object, so far as I can see from a quick examination this is a joint resolution to appropriate immediately $5,000,000 to the Veterans' Administration to take care of beneficiaries of men who lost their lives in Korea.

Mr. McKELLAR. Yes. The action was taken on the basis of a letter from Gen. Carl Gray, the head of the Veterans Bureau, saying he has no money to pay any of these beneficiaries; and for that reason it is necessary to pass this joint resolution, and not wait for the supplemental deficiency appropriation bill.

Mr. SALTONSTALL. And the amount involved is $5,000,000?

Mr. McKELLAR. The amount involved is $5,000,000. The Committee on Appropriations on yesterday directed that the joint resolution be reported to the Senate.

Mr. SALTONSTALL. Mr. President, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 340) making an appropriation for the Veterans' Administration for the fiscal year 1952, was considered, ordered to a third reading, read the third time, and passed.

Mr. McKELLAR. I thank the Senator from South Carolina for yielding to me for this purpose.

EMERGENCY PROFESSIONAL HEALTH TRAINING ACT OF 1951—PERSONAL STATEMENT

Mr. HUMPHREY. Mr. President, I rise to make a comment in reference to the action taken a few moments ago to recommit Senate bill 337. I merely want my position to be perfectly clear, because I have very strong feelings about this measure.

I recognize the need for recommitting the bill, in order to keep the bill within the jurisdiction of the Committee on Labor and Public Welfare, and at the proper time I trust the committee will report appropriate legislation. However, I do not favor recommittal. I am for the passage of this bill. I feel it is one of the most vital measures to our national security and national defense that has been before this body. The argument has been well made, that insofar as the strength of the civil economy is concerned, insofar as the strength of our own civilian defense is concerned, insofar as the health and welfare of our economy is concerned, this measure has priority status and should have received that kind of recognition by the Senate.

Mr. President, I desire to have the RECORD show clearly those who were opposed to this measure, because many people in my section of the country have written to me about the shortage of doctors, nurses, dentists, and technicians, and many people from other parts of America have written to me as a member of the Committee on Labor and Public Welfare and as a cosponsor of the measure. I have suggested to those persons that in view of the action of the second session of the Eighty-first Congress, when the Senate passed a similar bill unanimously, it was inconceivable to me that the Senate would fail to take favorable action upon Senate bill 337.

Mr. THYE. Mr. President——

Mr. HUMPHREY. It is perfectly obvious that we did not have the votes to pass this measure, and it is for that reason that its recommittal was recommended. But, Mr. President, I want it quite clear that the burden for this action rests upon the other side of the aisle.

Mr. THYE. Mr. President, will my colleague yield?

Mr. HUMPHREY. I shall not yield at this moment. I want it made quite clear that the burden for this action rests upon those who have ignored the glaring facts of a shortage of medical technicians, doctors, and dentists and nurses. The bill is a vital one. It has been recommended by the Secretary of Defense. It has been recommended by the National Security Resources Board Advisory Council on Medical Care. It has the support of one of the most honored and respected men in this country, Dr. Howard A. Rusk, who has been the

Chairman of the National Security Resources Board Advisory Committee. I suggest that the action taken by the Senate in rejecting the Pastore amendment will be interpreted in only one way, namely, that we do not feel at this time that we ought to proceed to implement and to strengthen the health facilities of the country.

Mr. THYE. Mr. President, will the Senator yield at this point in his remarks?

Mr. HUMPHREY. Yes; I yield for a question.

Mr. THYE. I desire to inform my colleague and the Senate why I voted against the amendment that was offered for the committee. I inquired of Dr. Harold S. Diehl, dean of medical sciences at the University of Minnesota, the State which the Senator and I both represent, relative to the amendment. I placed my telegram to him in the RECORD, as well as his reply. I sent him by telegram a question concerning the bill we had before us. Dr. Diehl telegraphed me a reply yesterday, October 3, and stated that he preferred the bill as it was originally drafted, Senate bill 337, and that he opposed the amendment which was pending and upon which the Senate voted a few moments ago. I voted against the amendment, and I want to say to my colleague from Minnesota that had the bill been permitted to come before the Senate for a vote I should have voted "yea" on its final passage.

So do not say that it is Senators on this side of the aisle who blocked the enactment of the proposed legislation. Many of us on this side of the aisle were willing to vote "yea" on the final passage of the bill. We voted "nay" on the amendment which was before the Senate. I am as much exercised and as much disappointed as my colleague, the junior Senator from Minnesota, over the fact that the bill was recommitted to the committee.

Mr. HUMPHREY. Mr. President, I am fully aware of the observations of the dean of the Medical School of the University of Minnesota. For months the dean has been advising with me as a member of the committee, on the bill. I likewise am aware of his general attitude toward the amendment proposed as a committee amendment. I also know that the amendment was offered in the hope that some of the differences over the bill could be reconciled. To be sure, the amendment was not as desired by the northern medical schools which have large medical enrollments. I know that. But the amendment was primarily designed for those areas of the country and those schools that do not have a large medical school enrollment. The bill as originally written would have been of great benefit to the medical schools in my State. But the amendment was designed to increase enrollment in smaller colleges, and to give some opportunity for expansion of medical facilities.

Since there are Senators who apparently feel that they would like to have an opportunity to vote upon Senate bill 337 as originally introduced, it is my intention at the appropriate time to make a motion to reconsider. Then we shall see how many votes we get.

Mr. MAYBANK. Mr. President——

Mr. HUMPHREY. Mr. President, I move to reconsider the action by which the Senate recommitted the bill.

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

Mr. HUMPHREY. Mr. President, I submit my motion.

Mr. MAYBANK. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MAYBANK. As I understand, the business before the Senate at the present time is the control bill.

The VICE PRESIDENT. The Senator from Minnesota has the right to move to reconsider, but not the right to have his motion considered at this time.

Mr. HUMPHREY. I move that the vote by which the bill was recommitted to the committee be reconsidered.

Mr. MAYBANK, Mr. PASTORE, and Mr. FLANDERS addressed the Chair.

The VICE PRESIDENT. The Senator from South Carolina.

Mr. MAYBANK. Mr. President, I should like to find out the status of the unfinished business. As I understand, the Senator from Minnesota has made a motion to reconsider the vote by which Senate bill 337 was recommitted to the committee.

Mr. HUMPHREY. I now move to reconsider the action by which the Senate recommitted the bill.

Mr. MAYBANK. I understand the Vice President to rule that the motion cannot be taken up at this time.

The VICE PRESIDENT. The entering of such a motion is a privileged matter. That does not mean that the motion will receive consideration at this time.

Mr. HUMPHREY. Mr. President, I ask for immediate consideration of my motion.

The VICE PRESIDENT. The unfinished business before the Senate is Senate bill 2170.

Mr. PASTORE. Mr. President——

The VICE PRESIDENT. The Chair will recognize the Senator from Rhode Island if the Senator from Minnesota will yield.

Mr. HUMPHREY. I yield the floor.

Mr. PASTORE. Mr. President——

Mr. FLANDERS. Mr. President, will the Senator from Rhode Island yield to me for just a moment, with the understanding that he shall not lose the floor?

Mr. PASTORE. I yield.

Mr. FLANDERS. I merely wish to place myself on record as having voted against the amendment, but as having been prepared to vote for the bill. I committed myself to this bill many weeks ago, and I am still of the same mind as I was then. I do not wish to be under the implication which the Senator from Minnesota has raised.

Mr. MAYBANK. Mr. President——

The VICE PRESIDENT. Does the Senator from Rhode Island yield; and, if so, to whom?

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

Mr. MAYBANK. I merely wish to find out the status of the bill now before the Senate. I have no objection to the present consideration of the motion of the Senator from Minnesota. I have sent word to some members of the staff who are on the way over here. It is my understanding that the next order of business in the Senate will be reconsideration of the action just taken. Is that correct?

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SALTONSTALL. Did I correctly understand the Chair to state that the unfinished business before the Senate at the present time is Senate bill 2170?

The VICE PRESIDENT. The Senator is correct.

Mr. SALTONSTALL. And that the next order of business would be the motion to reconsider?

The VICE PRESIDENT. No. The Senator misunderstood the Chair. The Senator from Minnesota has the privilege at this time of entering a motion which he may move to consider at an appropriate time.

Mr. MAYBANK. I did not so understand. I understood the Senator from Minnesota to say that he was making the motion now.

Mr. HUMPHREY. That is correct.

Mr. MAYBANK. That is the point I wished to clear up.

Mr. HUMPHREY. That is correct. I ask for immediate consideration of my motion.

Mr. CAPEHART. Mr. President, I object.

The VICE PRESIDENT. The Senator from Minnesota has the privilege of entering his motion at this time.

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

Mr. PASTORE. I yield to the Senator from New York.

Mr. LEHMAN. Mr. President, I wish to associate myself with the remarks of my distinguished colleague the junior Senator from Minnesota. To me the temporary defeat—and it is only a temporary defeat—of this bill comes as a tremendous disappointment. We are postponing action on a bill the benefits of which are greatly needed in this country.

I very much hope that the motion of the Senator from Minnesota to reconsider the action which has just been taken will prevail. If by unhappy chance it should not prevail, I assure the Senate that the Senate Committee on Labor and Public Welfare will proceed to report the bill again just as quickly as it possibly can, and will make every possible effort to have the bill enacted in the interests of all the people of the United States.

Mr. PASTORE. Mr. President, now that the action which I took in moving the recommittal of the bill has caused so much confusion, I think perhaps I should explain the motive for the action, and my reasons for taking the action which I took. I am still in favor of Senate bill 337. I believe in this type of legislation, and I have always believed in it. I have never been too much impressed with the arguments which have been

made on the floor, to the effect that this bill involves an expenditure of $300,000,000 over a period of 5 years, particularly when the bill concerns itself so much and so intimately with the well-being and the general health of the American people.

Furthermore, in my humble opinion, the argument that it is contrary to the economy-mindedness of the country falls short of its mark. Only 2 or 3 weeks ago the same Senators from whose lips flowed the arguments for economy voted a subsidy of millions of dollars annually to the sugar industry of the county. Only 2 or 3 weeks ago we extended for 14 months, before the act expired, the sugar subsidy, amounting to millions of dollars a year. There were only four votes in this body against the bill, and I am proud to say that mine was one of the four.

Originally Senate bill 337 came to the floor of the Senate as Senate bill 1453. The present bill is substantially the same bill. It was the bill which was passed unanimously by all the Members of the United States Senate.

I was not a Member of Congress when Senate bill 1453 came to the floor of the Senate. I was not a Member of Congress when the hearings were held. I was not a member of the subcommittee which guided Senate bill 337 during its consideration in the Committee on Labor and Public Welfare. However, I was entrusted by the committee with the management of that bill on the floor. I was led to believe that it had the unanimous approval and sponsorship of every member of the Committee on Labor and Public Welfare. But when we came to the floor we were told very bluntly and clearly yesterday by Members of the Senate, after a policy meeting of the Republican Party, that they had voted to oppose Senate bill 337.

Here I am. I was entrusted by the unanimous expression of the committee with the management of the bill on the floor of the Senate, yet at the last moment I find myself abandoned by those who participated in the hearings, and by those who had to do with the drafting of the bill.

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

Mr. PASTORE. Not at this point.

Mr. TAFT. Mr. President, the Senator has made a misstatement.

Mr. PASTORE. Mr. President, I decline to yield.

The VICE PRESIDENT. The Senator from Rhode Island declines to yield.

Mr. PASTORE. Mr. President, the very men who have been clamoring for economy, the very men who voted millions of dollars annually in sugar subsidies, now stand up and say that we cannot protect the health and welfare of our people because $300,000,000 over a period of 5 years is really too much money.

So my motive and reason for moving to recommit the bill was to send it back for further instructions, to the same men who gave it to me to manage.

Mr. THYE and Mr. TAFT addressed the Chair.

The PRESIDING OFFICER (Mr. HUNT in the chair). The Senator recognizes the Senator from Minnesota.

Mr. THYE. Mr. President, I am a member of the policy committee, and I must say to the junior Senator from Rhode Island that if he was informed as he has stated, as to the action of the policy committee, he was certainly misinformed. I want the Senator from Rhode Island to look at me when I tell him that if he was quoting anyone as to what took place in the Republican policy committee, he was misinformed.

Mr. PASTORE. I am quoting what appeared on the teletype ticker yesterday afternoon with reference to a statement made by the distinguished Senator from Ohio [Mr. TAFT]. It stated that after a meeting of the policy committee he said he would not vote for this bill, even though he was a cosponsor of it.

Mr. TAFT. That is not what I said. I said I would not vote for the bill. I did not say what the policy committee would do. The policy committee took no action. The bill was not considered by the policy committee. I believe I told the press that it was one of several subjects discussed, but that no action was taken with reference to it. There was no action taken on it by the policy committee.

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

Mr. TAFT. Yes.

Mr. PASTORE. I merely wish to say: "Mr. Republican, I am not that naive."

Mr. THYE. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. Yes.

Mr. THYE. Let me say to the junior Senator from Rhode Island that I am a member of the Republican policy committee, and as one member of the policy committee I certainly did not vote on the bill in committee. I can also say to the Senator from Rhode Island that no other members of the policy committee voted that they would reject the bill when it came up for consideration.

Mr. TAFT. It was not submitted to the policy committee.

Mr. THYE. I was surprised at the action of the Senator from Rhode Island in moving to recommit.

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

Mr. THYE. I will yield the floor, because I have stated my position. I stated it previously also. I have stated that I was surprised by the Senator from Rhode Island moving to recommit the bill, because many of us who voted on the amendment had the conviction to support the final bill.

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

Mr. THYE. I will be just as courteous as a gentleman should be. I yield.

Mr. PASTORE. I may say to the distinguished Senator from Minnesota that he will certainly get his chance to support the bill.

Mr. THYE. I am very happy to hear it. In reply to that statement I will say that I have as deep a conviction as anyone that there is need to pass S. 337. I likewise have a deep conviction that the amendments which were offered were wrong. The dean of the school of medicine of the great University of Minnesota said those amendments were wrong. I inserted his telegram in the RECORD as part of my remarks this afternoon.

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

Mr. THYE. Yes.

Mr. PASTORE There is nothing in the statement of the Senator from Rhode Island which in any way reflects on the attitude, thinking, or impression which the Senator from Minnesota has with reference to the bill. All I said was that there was a teletype report on the teletype machine to the effect that after a meeting of the Republican policy committee in the Senate yesterday the Senator from Ohio made a statement to the effect that he no longer could go along with the bill. He may justify his statement on the ground that it is only his personal opinion.

Mr. THYE. I may say to the Senator from Rhode Island that that was not what he said in his first statement. He said that the Republican policy committee had met and had voted unanimously to reject the bill. It was that statement of the Senator from Rhode Island to which I objected. When I asked the Senator from Rhode Island if he would yield, he did not see fit to yield. On my own time I told the Senator from Rhode Island that he was wrong, and that as a member of the policy committee I did not vote "no"; nor did I enter into any agreement with other Senators to reject the bill. We did not vote on the bill in the meeting of the policy committee. Whatever the Senator from Ohio [Mr. TAFT] may have said about it he said as an individual stating his individual conviction, and not as chairman of the Republican policy committee.

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

Mr. THYE. Yes.

Mr. PASTORE. That may be perfectly so. I did not say that the matter was judged at the meeting of the policy committee.

Mr. THYE. The Senator from Rhode Island did say so.

Mr. PASTORE. I said that after the meeting——

Mr. THYE. The Senator from Rhode Island did say so, and that is what I objected to. The RECORD can be read.

Mr. PASTORE. If I said it, I am sorry, but I believe I said——

Mr. THYE. Now I am happy. All I wanted to do was to not have the Senator from Rhode Island hang the statement on the Republican policy committee. Now that the Senator from Rhode Island has made a proper apology, I accept it.

Mr. CAPEHART. Mr. President, I should like to have the Senate get on with its business, but I would like to make one observation. It looks to me as though the able Senator from Rhode Island got caught in his own trap. Being caught in his own trap he wants to lay the blame on someone else. He made a motion to recommit, and it was carried. He has all sorts of alibis for having made his motion to recommit. I appreciate the fact that he is new in the Senate and possibly did not realize what he was doing.

Mr. PASTORE. I am not caught in any trap. I explained my position. I am not apologizing to anyone. I said that I asked that the bill be recommitted so as to give the cosponsors of the bill an opportunity to decide what they want to do about it. I believe I have made my position abundantly clear, and I am not apologizing to the Senator from Indiana or any other Senator.

Mr. CAPEHART. I understood the able Senator from Rhode Island to say that he asked that the bill be recommitted because the able Senator from Ohio [Mr. TAFT] had decided to be against it, and because other Senators had also decided to be against it. That is what I heard the Senator from Rhode Island say, if my ears are still hearing, and if I understand what I hear. In other words, it looks to me as though he is offering an alibi for his own defeat.

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

Mr. CAPEHART. Yes.

Mr. TAFT. As I understood the position taken by the distinguished Senator from Rhode Island, it was that the amendment was proposed in order to get the votes of the South. When it was defeated he no longer had the votes of the southern Senators, and therefore he moved to recommit the bill to committee. That is the implication I drew from the presentation which he made. I am willing to take responsibility for opposing the bill. But, as I understand, my opposition was not the motive of the Senator from Rhode Island. It was that he did not believe he had the votes, when the amendment was defeated because he had offered it in order to get the votes of some of the southern Senators. That is what I understood him to say.

Mr. PASTORE. I did not use the word "southern" at all.

Mr. TAFT. The Senator from Rhode Island referred to the southern schools wanting it one way and the northern schools wanting it another way.

Mr. PASTORE. I did not say that. The Senator from Minnesota said that.

Mr. DIRKSEN and Mr. SMITH of North Carolina addressed the Chair.

Mr. CAPEHART. I yield first to the Senator from Illinois. Then I shall be glad to yield to the Senator from North Carolina.

Mr. DIRKSEN. Mr. President, evidently the junior Senator from Illinois is the one who is most content with the outcome of this matter. I was opposed to the bill. I assailed it as vigorously as I could. I was opposed to the amendment. I believe the Senate showed great prudence and rare judgment in voting to recommit the bill to the committee. I trust it will remain there serenely and peacefully for some time to come.

Mr. CAPEHART. I now yield to the Senator from North Carolina.

Mr. SMITH of North Carolina. Mr. President, I have been a little surprised by the heated discussion on both sides. I have always taken it for granted that Republicans got sick just as often as Democrats got sick. Therefore I thought they needed medical attention and hospitalization just as much as Democrats did. I do not see any occasion for any great excitement or viciousness on either side of the question. I myself resent a little bit the inference that some few of the Senators on my side of the aisle consider everything as wrong unless they can have their own way.

I am interested in medical education. For more than 25 years I have been a trustee of the largest medical school in the South, Duke Medical School. I have been chairman of the board for 6 or 7 years. I have had close contact with medical education, and I am as much interested in medical schools as any other Member of the Senate.

I was in favor of the bill, with one or two exceptions. One of the exceptions was that I did not want any bureaucrat in Washington to get control of the medical profession or any of the medical schools. With that provision taken out of the bill I had expected to support it.

I was opposed to—not in favor of, as has been reported—the Pastore amendment. I am one of the southern Senators in the Senate who at first was in favor of it. However, after I had carefully studied the amendment I became convinced that I should not vote for it. I felt that we should not set up fly-by-night medical schools, and build them all over the country, to catch government dollars, as was the case after the last war, when we attempted to help veterans with their educational processes.

I expected to support the bill when the amendment had been eliminated. Assuming that we could secure the deletion of the control provision of the bill, I would be in favor of it. I am not in favor of anyone in Washington, no matter who he may be, controlling medical education. I am not in favor of controlling the North Carolina situation in that way.

I am proud to say that my State of North Carolina has done a good job. We started 26 years ago with the Duke Medical School. I think it is one of the largest in all America. Certainly it is the largest in the South. About 50 or 60 percent of the students in the medical school come from the North and East. We want to help those sections take care of their health also.

The Bowman-Gray School of Medicine of Wake Forest College is a great institution. It has recently been enlarged, and it is building a great plant in Winston-Salem. The President of the United States has seen fit to say that he would go there on the 15th of October to dedicate some new buildings. So that is a great medical school.

Neither of our medical schools has ever made any distinction between students, no matter where they have come from.

Furthermore, the State of North Carolina now is spending between $5,000,000 and $6,000,000 to enlarge its medical school. Although it does make some distinction in regard to the admission of students, in respect to requiring some of its students to come from North Carolina, yet to some extent it is opening its doors to others from outside the State.

This morning I talked to the man in charge of admissions to the University of North Carolina; and he is in favor of the bill as originally planned, assuming that the restrictions which might be placed on the admission of students would be removed. However, he and others in my State have said that unless they can have a bill which treats every school and everyone fairly and in the same way; unless they can have a bill which does not place restrictions upon the States; then they would prefer not to have any bill at all.

It is not fair to say that the junior Senator from Rhode Island [Mr. PASTORE] was trying to bait the southern Senators, for if the vote is studied it will be found that most of the southern Senators voted differently from the way some said.

So, Mr. President, if the Senator from Rhode Island is able to bring back from the committee a bill which does not contain the features which I consider to be obnoxious, I believe such a bill should be passed.

Mr. BRICKER. Mr. President, will the Senator from Indiana yield to me?

Mr. CAPEHART. I yield.

Mr. BRICKER. Mr. President, I realize the importance of this matter, and I realize the force of the arguments which have been made regarding the bill. This subject is important to those of us who come from Ohio, because in our State we have three medical schools.

Mr. President, my concern about this subject is that by means of such a bill, even though it contains a prohibition against Federal control, ultimately Federal control will follow the dollar.

I wonder whether the Senator from North Carolina is as concerned as I am about constant vigilance to keep Federal control out of the medical field.

Mr. SMITH of North Carolina. I do have that fear. When I first read the bill, I was not too much concerned on that point, until I read the paragraph at the top of page 41, in large print. However, in small print we find the following in the committee report:

LIMITATIONS ON FEDERAL CONTROL

Section 383 specifically prohibits Federal interference with or control over the curriculum or administration of any school or the admission of applicants thereto, except—

And the exception is what prompted me to say that I wished an amendment made to the bill—

in the few instances in which the bill carries specific requirements on this score.

Then the report proceeds to name them. That statement in the report prompted me to say that I would want the bill amended before I would vote for it. Certainly we do not want the Federal Government to control who shall attend these medical schools.

Mr. MAYBANK. Mr. President, I wish to add a word to what the Senator from North Carolina has said.

In South Carolina there is a close association between the Duke Foundation and other funds going to the charitable institutions of our State. They are most generous in their provisions for hospitals and otherwise.

The city from which I come, Charleston, has the oldest medical college in the South, and one of the oldest in America.

That medical college has been rated class A for generations.

I would favor the bill, provided certain amendments are made to it; but certainly I do not intend to have this medical college which has been supported by the taxpayers of our State for more than 100 years, turned over to the control of someone who would determine who would attend it and who would not attend it.

My colleague the junior Senator from South Carolina [Mr. JOHNSTON] and I have in the past served as chairmen of the board of that college. However, while serving in that position, we did not determine who should be admitted. That determination was made by the board of trustees; and the college has been well conducted and well managed.

This school has a wonderful history and enjoys an excellent standing among the medical schools of the Nation. Its faculty, under excellent management and direction, has served the State and the Nation in peace and in war. Graduates have gone forth and taken their places in the medical profession where they have served and will continue to serve with honor and distinction. I do not want to see this changed, Mr. President.

To permit someone in Washington to determine who would attend and who would not attend that school would be wrong; it would be a disservice to this and other honorable institutions; and it never will be done by means of my vote.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

The Senate resumed the consideration of the bill (S. 2170) to amend the Defense Production Act of 1950, as amended.

Mr. CAPEHART. Mr. President, on behalf of myself, the Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from Illinois [Mr. DIRKSEN], I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. HUNT in the chair). The amendment will be stated.

The CHIEF CLERK. On page 1, it is proposed to strike out all after line 5 over to and including line 3 on page 3, and insert the following:

(4) After the enactment of this paragraph no individual or industrywide ceiling price on any material (other than an agricultural commodity) or on any industrial service shall become effective which is below the lower of (A) the price prevailing just before the date of issuance of the regulation or order establishing such ceiling price, or (B) the price prevailing during the period January 25, 1951, to February 24, 1951, inclusive. Nothing in this paragraph shall prohibit the establishment or maintenance of an individual or industrywide ceiling price with respect to any material (other than an agricultural commodity) or industrial service which (1) is based upon the highest price (or in the case of industrywide ceilings, the highest level of prices) between January 1, 1950, and June 24, 1950, inclusive, if such ceiling price reflects adjustments for increases or decreases in costs occurring subsequent to the date on which such highest price or level of price was received and prior to July 26, 1951, or (2) is established under a regulation issued prior to the enactment of this paragraph. Upon application and a proper showing of his prices and costs (or the prices and costs of the industry in case of an industrywide ceiling) by any person or persons subject to a ceiling price, the President shall adjust such ceiling price in the manner prescribed in clause (1) of the preceding sentence. For the purposes of this paragraph the term "costs" includes material, indirect and direct labor, factory, selling, advertising, office and all other production, distribution, transportation, and administration costs, except such as the President may determine to be unreasonable and excessive.

Mr. MAYBANK. Mr. President, the mere fact that I rise at this time to urge that the so-called Capehart amendment to the original Defense Production Act of 1950 be amended should be convincing proof to my colleagues that it must be urgent and important that we do so. I, as much as the distinguished senior Senator from Indiana [Mr. CAPEHART] share full responsibility for section 402 (d) (4). I was chairman of the conference committee and a member of the subcommittee of the conference that drafted it. You can be certain, Mr. President, that unless I was convinced beyond all doubt that the conference amendment was not workable and inflationary, I would not urge that it be amended. You can be equally certain that I would not detain the Congress in its efforts to complete its work and adjourn unless I was convinced that the failure of Congress to amend section 402 (a) (4) would to a large extent nullify the good work that has finally gotten underway and which Congress can claim credit for instituting and, in some cases, forcing.

The American people are a rather optimistic and hopeful people. We have a tendency to forget that we are economically preparing for war, if we are not actually at war. We are sharply transforming our economy from its peacetime ways to an economy capable of supporting the most tremendous war machine ever conceived by man. Because we are not face to face with an all-out war and because our economy is still enjoying peacetime prosperity, it is difficult to gear our thinking and our economic concepts to a controlled economy. If we approach our task realistically and with a full realization of the implications of what we are attempting to do when we try to control inflation, I think there will be little dispute about what we should do about section 402 (d) (4).

Without going into the details, I should like to say, Mr. President, that the objective of the conferees in drafting the conference amendment was to provide a means by which the Office of Price Stabilization could roll back industrial prices which were out of line, and at the same time provide fair and reasonable treatment to industry as a whole. In an effort to provide the proper safeguards against roll-backs that might cripple industry, we ended up with an amendment that careful scrutiny has revealed it is not possible to administer unless we are ready to accept a much higher level of prices than would otherwise be the case. The purpose of the Millikin amendment, which the Senate sent to conference, was to permit roll-backs below the freeze date, but with proper safeguards for cost increases. Neither the Millikin amendment nor the House language provided, nor did the conferees intend, that the so-called roll-back amendment would in practice be used as a means of securing roll-forwards, regardless of whether the industry or the company concerned needed them. I repeat that the Congress did not intend that.

Neither the distinguished Senators from Indiana and Virginia nor, as I recall, Representatives PATMAN, SPENCE, and WOLCOTT, had any intention of doing something which would have made roll-forwards possible. Yet as the committee report irrefutably points out, section 402 (d) (4) would give every individual company a right to get a ceiling price on a single material that would cover every cost increase up to July 26, above the highest price for that material during the period January 1 to June 24, 1950, whether the price was rolled back or not. The OPS would be forced to accept whatever allocation of overhead costs to a single material a particular company made so long as it followed one of the possible 17 acceptable methods of allocating the overhead cost. The OPS would have to accept the proper allocation of overhead costs regardless of whether it increased the price 10 cents or 50 cents. Naturally the company would tend to pick the cost system that would be more profitable than less profitable, and that could only mean higher prices.

Physically it would be impossible to administer such a provision, and the practical effect would be that every individual seller would set his own ceiling for his own material, unless OPS set a general ceiling price for that material sufficiently high to take care of the most inefficient producer who took the most generous type of overhead cost allocation for a particular material.

Your committee heard testimony requesting the outright repeal of this section, thus giving OPS broad discretion to fix ceilings. Those who advocated this method, it seemed to your committee, Mr. President, expected industry to absorb far too much of its cost increases.

I again want to remind the Senate and to state for the RECORD that the Banking and Currency Committee did not report a provision to repeal the so-called Capehart amendment and to return to the previously existing legislation, because we thought that would be unfair to industry. We had before us several bills which had been introduced by Senators, and we had the request of the President. We endeavored to change the amendment written into the law by the conferees to make it more workable.

Your committee, on the other hand, heard testimony advocating the retention of the conference amendment or something similar to it.

Your committee took the middle way. Our amendment provides protection to industry against drastic future roll-backs. It provides protection to every individual producer against financial hardship, whether from roll-backs or otherwise. It removes the unworkable features of section 402 (d) (4) and

permits the manufacturers' ceiling program of OPS to go forward, subject to congressional safeguards for individual cases. It permits OPS to issue regulations, such as uniform dollars and cents price ceilings, which will be fair to both producer and consumer, and which the public can help to enforce because the public will know what it can legally be charged for the things it buys. It allows the continuation of existing regulations, but individual companies suffering a hardship under them may get their price ceiling adjusted under the formula in clause (1) of the amendment to the extent necessary to remove the hardship.

The fact that the minority members have accepted in part the clarifying amendments in the committee bill is a tribute, to be sure, to themselves, but even more so it is a recognition, although not a full recognition, of the logic of the majority's views.

As I believe the junior Senator from Virginia [Mr. ROBERTSON] so ably pointed out in the RECORD more than a week ago, the Capehart substitute would for all practical purposes be the same as the conference amendment, since it would be physically impossible during the whole life of the act, no less within 60 days as provided in the substitute, to make the surveys necessary to set price ceilings for every industry on the basis of the formula set forth in the amendment. One unworkable provision would be substituted by another just as unworkable.

I am referring to S. 2155 which I understood the Senator from Indiana would offer as a substitute for the committee bill, but since that time the Senator from Indiana has sent to the desk a new amendment in the nature of a substitute. Senate bill 2155, was presented last week by the Senator from Indiana on behalf of the minority. So what I have just been saying about the Capehart substitute does not apply to the amendment of the Senator from Indiana in the nature of a substitute, numbered 10–2–51—A, which I have not had an opportunity to study. I am just informed that the Senator from Indiana has also offered as an amendment in the form of a substitute the language of S. 2155. It is numbered 10–3–51—A, and that is the amendment to which I am referring.

In addition to the unworkability of the amendment, it would compel roll-backs, perhaps on an industry suffering depressed prices in the first half of 1950, whether the application of the roll-back were fair or not. Also, it would prohibit generous treatment for certain industries which needed the additional incentive to maximize production, like the machine-tool industry.

Allowing increased labor costs beyond July 26 to be reflected in higher ceiling prices, as the conference amendment proposes, would be unfair to industries with low labor-cost ratios, as opposed to those with high labor-cost ratios. And since one industry's labor costs are another industry's material costs, it would play all kinds of havoc with our ability to maintain a stable and reasonably well-balanced economy. It would be an invitation to break down our wage-stabilization program. What we must do is to hold prices from going up any further, so that we can, in turn, hold wages from going up. We must at some point stop the vicious cycle of higher prices and higher wages, and the profit statements of industry indicate that stabilizing at about the present levels will be stabilizing at just short of the most profitable period in industry's history. In other words, we stabilize at a little less than the levels of the most profitable periods business has ever had.

There are newspaper ads and talk about industry profits being off 20 percent. The comparison is presumably between the post-Communist invasion, Christmas-period fourth quarter of 1950, and the post-freeze let-down second quarter of 1951. Is the implication that we should fix price ceilings at a period during which inflationary profiteering was so great that we in Congress demanded that controls be put into effect?

I again want to remind the Senate that it was the Congress which demanded that these controls be put into effect. We passed the bill last September. It was not put into effect until after many appeals had been made on the part of the Congress. It was not put into effect until January or February of this year.

If we look at manufacturers' profits, which the amendment we are considering mainly deals with, the decline in profits, even after taxes, was not 20 percent, but only 4 to 6 percent.

There is talk about the discrimination in favor of farmers and workers. What are the facts? Wages and salaries, including salaries and bonuses of corporation executives, were up 58 percent, and farm incomes, before taxes, were up about half of what corporation profits were before taxes in the second quarter of 1951, as compared to the first half of 1950.

How can anyone fear that our present high profit rate does not provide ample incentive to produce. With record profits, in addition to the Government encouragement through tax amortization, loans, long term purchase contracts, Government orders and other assistance, we can have all the investment that our economy can support without an intolerable burden of inflationary pressures. It almost seems that we have too much investment. We simply do not have the steel, the copper, the aluminum, the machine tool capacity to build the plants and machines that industry wants.

One of the best examples of that is in the present military defense bill. The Air Force was unable to show the Committee on Armed Services where and when they could use the money.

Let me conclude by saying that we listened to Mr. Wilson, Mr. Johnston and Mr. DiSalle explain their pricing standards and policies and their philosophy and standards as to profits, much of their testimony being directed by our questioning. They repeatedly stated that no industry will have to absorb cost increases to such an extent as to prevent it from making excess profits. On the contrary, an industry which falls out of the excess profits bracket is entitled at once to a price increase which will bring it up to the excess profits bracket. To guarantee that ceilings will not put an industry below the excess profits bracket is hardly placing a severe squeeze on industrial earnings. The base period for the excess profits tax constitutes one of the most profitable periods in the history of American enterprise. No industry's prices, Mr. President, will be reduced simply because its profits exceed this standard. But its prices will be increased if the profits fall below it.

I am satisfied that your committee, in not doing all that the representatives of industry wanted us to do, and, on the other hand, in not doing all that the representatives of labor wanted us to do, but instead by recommending a fair, reasonable and workable amendment, is doing what the majority of all the people want us to do. And they want us to make it possible to control inflation and make ourselves economically strong.

Mr. MOODY. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. MOODY. I should like to comment that the distinguished chairman of the Committee on Banking and Currency has provided some real leadership, in my judgment, in working out changes in what are certainly very serious loopholes in the bill which Congress passed on that memorable evening in September last.

Mr. MAYBANK. I appreciate what the Senator says, but I assure him that it was the committee that did the work and not the chairman of the Banking and Currency Committee.

Mr. MOODY. I am very conscious of the fact that the committee as a whole worked on this matter, but I think the Senator from South Carolina should be commended for the leadership he provided.

I had intended to speak on the subject, but I think I shall not do other than to participate in the discussion. I think there is no member of the committee, though there may be one or two, who does not feel that the law should be changed and should be strengthened. I believe it is the sense of the Senate that there should not be inflation in America, and that we must not, in the process of making ourselves strong enough so that any attack on us by aggressors would be tantamount to suicide for them, permit our economy to be destroyed from within.

I hope the Senate will act promptly on the bill and send it to the House, so that Congress can adjourn after having done a good job on the inflation question. I think a great deal more might be done when we return in January, for in my opinion, the law is not entirely adequate. As Mr. Wilson and Mr. Johnston have said, other changes may be needed later. The changes which are now proposed are in the nature of emergency alterations, and there can be no question that they should be written into the law.

Mr. MAYBANK. Mr. President, I appreciate the kind remarks of the distinguished Senator from Michigan. I had hoped that we would not have to amend the law. I thought at the time the De-

fense Production Act was passed in September that it would be workable, but circumstances have made it necessary to amend it. It is certainly the intention of the watchdog committee to make certain that a most careful check is made during the recess of the Congress to see how the law works and what recommendations may be necessary.

Mr. MOODY. I believe an unfortunate situation would result if we did not correct the language of the law.

Mr. MAYBANK. I think the Senator is correct, because there are not enough accountants in America to make proper enforcement of the present law possible.

Mr. MOODY. Nor do we want to have a vast army of accountants going over the books of American business. It seems to me it is imperative that we hold the line against inflation.

Mr. ROBERTSON. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. ROBERTSON. I merely wish to endorse the splendid statement made by the chairman of the committee, and to point out that in order to save time the junior Senator from Virginia, on two occasions, inserted statements in the RECORD expressing his views about the bill which is now before the Senate and about the two Capehart amendments. We now have before us a third Capehart amendment. As the Senator from South Carolina has pointed out, none of the amendments was workable. In the opinion of the junior Senator from Virginia, we should make an adequate approach to the problem. If we do not want controls, we should vote to repeal all controls. We should not insist on an unworkable control bill and then point later to the fact that it is unworkable and ask for repeal.

Mr. MAYBANK. The Senator from Virginia, the Senator from Indiana [Mr. CAPEHART], and I were all together in the conference. We worked long and hard. We held hearings for months, and when we finally wrote the original bill last September we thought it was workable. I am now convinced, and I regret to say so, that it is not workable.

Mr. CAPEHART. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. I yield.

Mr. CAPEHART. Will the able Senator tell us wherein it is unworkable?

Mr. MAYBANK. My thought would be that there are hardly a sufficient number of accountants in America to check three or four thousand items of a firm such as du Pont or a firm such as the General Electric Co., and let them have a rise in price on each item.

Mr. CAPEHART. I do not agree with the able Senator.

Mr. MAYBANK. That is all right.

Mr. CAPEHART. I thought it was workable; but that is a debatable point. The substitute which I have offered, and which is now before the Senate, completely clears up that situation.

Mr. MAYBANK. I have not yet had an opportunity to study it.

Mr. CAPEHART. The amendment gives business the right to set prices industry-wide, to set average prices, and it completely eliminates the setting of individual prices. That is what the substitute which is now before the Senate provides.

Mr. MAYBANK. Mr. President, I understand that the Senator from Virginia [Mr. ROBERTSON], who was the chairman of the subcommittee, desires to speak for a few minutes.

Mr. ROBERTSON. Mr. President, I wish to ask the Senator from South Carolina another question. While it is true, as he stated, that, late one night, we agreed to the so-called Capehart amendment in conference, and we did not know whether it was workable or not, is it not also true that we did agree to a statement prepared by the junior Senator from Virginia declaring what our intention was?

Mr. MAYBANK. The Senator is correct. As a matter of fact, the conference amendment was the result of the intent of the Senator from Virginia, who is opposed to inflation and who wanted to stop inflation, and who said—I think I remember his exact words, and if I do not quote them properly the Senator will correct me—"We want to do something that will catch the gougers and the crooks and protect honest businessmen." That was transformed into more elegant language in the report. Is that correct?

Mr. ROBERTSON. That is correct.

Is it not also true that when we were holding hearings on the Presidential request for some modification of, or change in, or complete elimination of the Capehart amendment, the junior Senator from Virginia asked Mr. Wilson to send us suggestions?

Mr. MAYBANK. The Senator is correct.

Mr. ROBERTSON. And on the basis of those suggestions the Senator from South Carolina introduced the plan as proposed by Mr. Wilson.

Mr. MAYBANK. That is correct.

Mr. ROBERTSON. And he designated the junior Senator from Virginia to conduct hearings.

Mr. MAYBANK. I am very thankful to the Senator from Virginia for conducting the hearings. I may say that while he was conducting them the Senator from Arkansas [Mr. FULBRIGHT] was conducting hearings on the subject of fats and oils, and hearings were also being conducted on the subject of meat slaughtering. That was done in order that we might place on the calendar a bill which was workable. The bill we have placed on the calendar is a compromise between what the executive branch wanted and what business may have wanted and what labor may have wanted. We worked out that compromise ourselves.

Mr. ROBERTSON. Is it not true that in those hearings the junior Senator from Virginia came to the conclusion that the amendment proposed by Mr. Wilson to the original Capehart amendment did not go quite far enough?

Mr. MAYBANK. The Senator is quite right, and the Senator himself suggested an amendment.

Mr. ROBERTSON. I suggested an amendment designed to provide a reasonable and fair profit for manufacturers and processors, and included industrial services, but did not carry into the pending bill, which was reported from the committee by a vote of 9 to 4, the unworkable feature of the original Capehart amendment that every price had to be individually fixed, and that allowance had to be made for all costs, direct and indirect, since the Korean war started.

Mr. MAYBANK. The Senator is correct.

Mr. ROBERTSON. It provided though for the allowance of all direct labor and material costs, and transportation, and a reasonable allowance for all indirect costs, generally referred to as overhead.

Mr. MAYBANK. And an allowance for all unavoidable costs.

Mr. ROBERTSON. And an allowance for all unavoidable costs. Is it not true that it also, in the last paragraph, carried a provision that where a manufacturer or processor could show financial hardship he should get relief under the very same formula that would be used in a general price fixing?

Mr. MAYBANK. That is correct.

Mr. ROBERTSON. The distinguished Senator from Indiana [Mr. CAPEHART] has asked the Senator from South Carolina in what respect the third amendment he proposed is unworkable, and I shall be glad to answer. It is unworkable because it seeks to go back as far as possible to the first Capehart amendment, and carries in it the unworkable feature of the first Capehart amendment, that the OPS must individually process thousands of individual applications for price ceilings, and that the OPS must assume the administratively impossible task of assignment and allocation of overhead in making all those individual ceiling prices. In that respect it is just as unworkable as the first Capehart amendment, and in the opinion of the Senator from Virginia, is not so good as the second Capehart amendment, and that was not good enough to secure the support of the majority of our committee.

Mr. MAYBANK. I suggest the absence of a quorum, because I think we are going to have a debate at which more Senators should be present.

Mr. CAPEHART. Mr. President, will the Senator withhold his request for a moment so I may offer an amendment?

Mr. MAYBANK. Of course.

Mr. CAPEHART. Mr. President, I send to the desk an amendment in behalf of myself only to the substitute amendment which was offered a moment ago on behalf of myself, the Senator from Ohio [Mr. BRICKER], the Senator from Kansas [Mr. SCHOEPPEL], and the Senator from Illinois [Mr. DIRKSEN] and I ask that it be read.

The PRESIDING OFFICER (Mr. MONRONEY in the chair). The amendment to the amendment will be stated.

The CHIEF CLERK. In the substitute amendment, on page 3, after line 3, it is proposed to insert the following:

SEC. 2. The last sentence of section 101 of the Defense Production Act of 1950, as amended, is amended to read as follows: "No restrictions, quotas, or other limitations, upon the slaughter of livestock shall be maintained which would limit the quantity of

livestock slaughtered by processors to less than 100 per centum of the total quantity of livestock offered for sale to all such processors for slaughter. Whenever the number of livestock offered for sale in a particular area for slaughter exceeds the quotes previously established for the period upon the basis of anticipated marketings, the President shall promptly adjust quotas to permit the marketing of all such livestock. Whenever the President invokes the power given him in this title to provide for the distribution of a species of livestock among the slaughterers of such species, he shall also provide for the allocation of the product of such species in such manner as to assure nonslaughtering processors and wholesalers thereof in the normal channels of distribution their normal share of the available civilian supply."

SEC. 3. The fourth sentence of section 402 (d) (3) of the Defense Production Act of 1950, as amended, is amended by inserting before the period at the end thereof a colon and the following: *"Provided further,* That no ceilings or compliance prices shall be established on any grade of beef cattle below the level of the ceilings or compliance prices for that grade in effect on July 31, 1951."

Mr. MAYBANK, Mr. ROBERTSON, Mr. MOODY, and Mr. CAPEHART addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. MAYBANK. Mr. President, I yielded to the Senator from Indiana so that he might offer an amendment. He has done so, and I now move to lay the amendment on the table.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Bricker	Hayden	Monroney
Bridges	Hendrickson	Moody
Butler, Nebr.	Hunt	Mundt
Capehart	Ives	Neely
Carlson	Johnson, Colo.	Pastore
Connally	Johnston, S. C.	Robertson
Douglas	Kefauver	Saltonstall
Dworshak	Kilgore	Schoeppel
Ellender	Langer	Smith, N. J.
Ferguson	Martin	Smith, N. C.
Flanders	Maybank	Stennis
Frear	McCarran	Thye
George	McFarland	Williams
Gillette	McKellar	
Green	McMahon	

The PRESIDING OFFICER. A quorum is not present.

Mr. MCFARLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BENNETT, Mr. BENTON, Mr. CAIN, Mr. CASE, Mr. ECTON, Mr. HILL, Mr. HOEY, Mr. HUMPHREY, Mr. JENNER, Mr. KERR, Mr. KNOWLAND, Mr. LEHMAN, Mr. LODGE, Mr. LONG, Mr. MALONE, Mr. MILLIKIN, Mr. O'CONOR, Mr. O'MAHONEY, Mr. SPARKMAN, Mr. WATKINS, Mr. WELKER and Mr. YOUNG entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the motion of the Senator from South Carolina to lay on the table the amendment of the Senator from Indiana to the amendment submitted by the Senator from Indiana for himself and other Senators.

Mr. CAPEHART. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Indiana will state it.

Mr. CAPEHART. Is the pending question on agreeing to the motion to lay on the table?

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from South Carolina [Mr. MAYBANK] to lay on the table the amendment of the Senator from Indiana [Mr. CAPEHART] to the amendment submitted by the Senator from Indiana for himself and other Senators.

Mr. CAPEHART. In other words, do I correctly understand that the pending question is on agreeing to the motion to lay on the table the amendment on slaughtering quotas, which I offered to the amendment submitted by me, on behalf of myself and other Senators?

The PRESIDING OFFICER. That is correct.

Mr. ROBERTSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Virginia will state it.

Mr. ROBERTSON. Is the Capehart amendment to the Capehart substitute for S. 2170 the same provision for the establishment of quotas as is contained in the committee bill on quotas which is scheduled to come up for action after the Senate completes action on S. 2170?

The PRESIDING OFFICER. That is not a parliamentary inquiry.

Mr. CAPEHART. Mr. President, let me say that the suggestion made by the Senator from Virginia is 100-percent correct.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina to lay on the table the amendment of the Senator from Indiana to the amendment submitted by the Senator from Indiana on behalf of himself and other Senators.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE (when his name was called). Mr. President, a parliamentary inquiry: I understand that this vote is on the question of laying on the table the Capehart amendment.

The PRESIDING OFFICER. That is correct.

Mr. CASE. I vote "yea."

Mr. CONNALLY (when his name was called). Mr. President, is this vote being taken on the Capehart amendment?

The PRESIDING OFFICER. The pending question is on agreeing to the motion of the Senator from South Carolina to lay on the table an amendment to the so-called Capehart amendment.

Mr. CONNALLY. I vote "yea."

The roll call was concluded.

Mr. MCFARLAND. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Florida [Mr. HOLLAND] are absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Montana [Mr. MURRAY], and the Senator from Kentucky [Mr. UNDERWOOD] are absent on official business.

The Senator from Texas [Mr. JOHNSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I announce further that if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. HENNINGS], the Senator from Florida [Mr. HOLLAND], the Senator from Texas [Mr. JOHNSON], and the Senator from Washington [Mr. MAGNUSON] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Maine [Mrs. SMITH] are absent by leave of the Senate.

The Senator from Maryland [Mr. BUTLER] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness.

The Senator from Missouri [Mr. KEM] is absent on official business.

The Senator from Nebraska [Mr. WHERRY] is necessarily absent.

The Senator from Maine [Mr. BREWSTER], the Senator from Oregon [Mr. CORDON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], the Senators from Wisconsin [Mr. WILEY and Mr. MCCARTHY], the Senator from Oregon [Mr. MORSE], the Senator from California [Mr. NIXON], and the Senator from Ohio [Mr. TAFT] are detained on official business.

If present and voting, the Senator from Wisconsin [Mr. MCCARTHY] and the Senator from Oregon [Mr. MORSE] would each vote "yea."

The result was announced—yeas 49, nays 16, as follows:

YEAS—49

Benton	Humphrey	Monroney
Butler, Nebr.	Hunt	Moody
Carlson	Ives	Mundt
Case	Johnson, Colo.	Neely
Connally	Johnston, S. C.	O'Conor
Douglas	Kefauver	O'Mahoney
Dworshak	Kerr	Pastore
Ecton	Kilgore	Robertson
Ellender	Langer	Saltonstall
Frear	Lehman	Schoeppel
George	Lodge	Smith, N. J.
Gillette	Long	Smith, N. C.
Green	Malone	Sparkman
Hayden	Maybank	Stennis
Hendrickson	McFarland	Welker
Hill	McKellar	
Hoey	McMahon	

NAYS—16

Bennett	Flanders	Thye
Bricker	Jenner	Watkins
Bridges	Knowland	Williams
Cain	Martin	Young
Capehart	McCarran	
Ferguson	Millikin	

NOT VOTING—31

Aiken	Fulbright	Nixon
Anderson	Hennings	Russell
Brewster	Hickenlooper	Smathers
Butler, Md.	Holland	Smith, Maine
Byrd	Johnson, Tex.	Taft
Chavez	Kem	Tobey
Clements	Magnuson	Underwood
Cordon	McCarthy	Wherry
Dirksen	McClellan	Wiley
Duff	Morse	
Eastland	Murray	

So the motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question recurs on the amendment offered by the Senator from Indiana [Mr. CAPEHART] on behalf of himself and other Senators.

Mr. MAYBANK. Mr. President, I should like to state that the amendment offered by the distinguished Senator from Indiana to the substitute amendment was the so-called meat-slaughter provision contained in Senate bill 2180, which is on the calendar and which can be brought up separately. Regardless of how any Senator voted on the question, I made the motion to table the amendment so it would not be confused with the proposal to repeal the so-called Capehart amedment to the Defense Production Act of 1950.

Mr. CAPEHART. Mr. President, will the Senator from South Carolina yield?

Mr. MAYBANK. Mr. President, I have the floor, if the Senator does not mind.

The PRESIDING OFFICER. The Senator from South Carolina declines to yield.

Mr. MAYBANK. I did not want anyone to misunderstand why the chairman of the Banking and Currency Committee wanted to have the amendment tabled. The motion to table was made for the reason that we set up three subcommittees, one, on the so-called repeal of the Capehart amendment which is on the calendar; the second on the meat-slaughter provision which is contained in Senate bill 2180, and the third on fats and oils, of which the Senator from Arkansas was chairman. We made that arrangement in order that we might expedite the business of the Senate, as we hoped it would, and to facilitate adjournment. I want to make it clear to the Senate that Senate bill 2180, which, of course, is the meat-slaughter amendment, is on the calendar and can be called up and voted upon.

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

Mr. MAYBANK. I promised to yield first to the junior Senator from Michigan [Mr. MOODY], after which I shall be glad to yield to the Senator from Indiana.

IRREGULARITIES IN DETROIT OFFICE OF THE BUREAU OF INTERNAL REVENUE

Mr. MOODY. I thank the Senator very much.

Mr. President, I have been serving as chairman of a subcommittee of the Select Committee on Small Business, which has been investigating certain phases of the mobilization effort in the city of Detroit and elsewhere. We have been checking into the gray market in steel, and in the course of that investigation the investigators for the committee have found certain irregularities in the intelligence unit of the Bureau of Internal Revenue in that city.

The committee investigators have been checking into this situation for more than a month, and have now compiled a rather extensive report, which is somewhat in the nature of the unevaluated files of the FBI. We had an affidavit, we had charges, we had allegations made, and we checked into as many of those as we could.

The five members of the subcommittee, consisting of the Senator from Iowa [Mr. GILLETTE], the Senator from Louisiana [Mr. LONG], the Senator from Pennsylvania [Mr. DUFF], the Senator from Massachusetts [Mr. SALTONSTALL], and myself, are today sending their report to Mr. Dunlap, Commissioner of Internal Revenue. I believe it is quite clear that, in view of the nature of certain of the allegations which were unfounded and unsubstantiated, the entire report should not be made public at this time. However, I have before me a summary of those portions of the report in which our investigators, headed by Mr. Charles M. Noone, a former agent of the Federal Bureau of Investigation, were able to nail down specifically certain matters. We limited our inquiry principally to the phases of this question which had to do with the subject of our committee investigation, namely, the gray market in steel.

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

Mr. MOODY. I yield.

Mr. MAYBANK. Mr. President, I have the floor.

Mr. SALTONSTALL. Just a moment.

Mr. MOODY. Mr. President, I want only one more minute.

Mr. MAYBANK. I did not know what the Senator from Michigan was going to bring up. I thought it was something else. But I ask unanimous consent that I may yield to the Senator from Massachusetts for the purpose of his addressing a question to the Senator from Michigan, provided I do not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Senator from Massachusetts may proceed.

Mr. SALTONSTALL. I thank the Senator from South Carolina.

My question is directed to the Senator from Michigan. I have read the statement of the investigator, and I desire to inquire whether it is not true that the investigator's report was made to the subcommittee. The subcommittee, as such, has not looked into the matter in any way, has it?

Mr. MOODY. The subcommittee is merely transmitting the investigator's report to General Dunlap.

Mr. SALTONSTALL. That is correct.

Mr. MOODY. And at the same time I have written to General Dunlap a covering letter, in which I have explained what this is about, and I have also had the investigator, Mr. Noone, draft a summary of those points in his report which he was able to nail down definitely. In the letter, I may say for the information of the Senate—the Senator from Massachusetts knows about it already—we are advising Mr. Dunlap that the uncompleted phases of this inquiry are being referred to the permanent Senate investigating committee, headed by the Senator from North Carolina [Mr. HOEY], who I am sure will take any action that may be pertinent. In this letter I have suggested that Mr. Dunlap take whatever action he deems appropriate in regard to the intelligence unit at Detroit. The purpose of this, of course, is to see that anything which may be wrong in Detroit is immediately corrected.

Mr. SALTONSTALL and Mr. DIRKSEN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield, and if so, to whom?

Mr. MOODY. I yield first to the Senator from Massachusetts.

Mr. SALTONSTALL. The Senator is taking this action, and he has so reported it to the other members of the subcommittee, because it is obvious that if there is falsifying and graft taking place in the Bureau of Internal Revenue, it is entirely outside the province of our subcommittee. Is not that correct?

Mr. MOODY. I may say to the Senator that, as he knows, the inquiry is not into the activities of the Internal Revenue Bureau. This inquiry has to do with the mobilization effort.

The senior Senator from Michigan [Mr. FERGUSON] and the Senator from Connecticut [Mr. BENTON] came to Detroit and sat in on the committee hearings. In the course of following up some of the leads uncovered, a piece of information came to me personally which indicated that there was irregularity in the intelligence unit of the internal revenue office in Detroit. I put our chief investigator to work on it immediately. He received assistance from other Government agencies, and I believe he has done an excellent job. However, I felt that some of the leads disclosed in the confidential report were outside the purview of our committee, and for that reason I felt they should be referred to the permanent investigating committee of the Senate. I felt that it was within the jurisdiction of our committee to nail down any connection with the gray market in steel, and I also felt that the committee should report definitely any other irregularities which we were able definitely to establish as a by-product of the investigation.

Those particular points are included in a summary which I am about to offer for the RECORD, together with my letter to Hon. John B. Dunlap, Commissioner of Internal Revenue, referring the other report, which is in the nature of an unevaluated file, similar to the FBI files, to the committee of which the Senator from North Carolina [Mr. HOEY] is chairman, for whatever action it may see fit to take.

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

Mr. MOODY. I yield.

Mr. SALTONSTALL. The Senator has shown me his report, and with what he has done I am in accord.

Mr. CAPEHART. Mr. President, I demand the regular order.

The VICE PRESIDENT. The Senator from South Carolina has the floor.

Mr. FERGUSON. Mr. President——

Mr. MAYBANK. Mr. President, without losing my right to the floor, I should like to yield to the senior Senator from Michigan to make a statement.

The VICE PRESIDENT. Without objection, the Senator from Michigan may proceed.

Mr. FERGUSON. Mr. President, I should like to have the floor at this particular time.

Mr. MAYBANK. Mr. President, I have the floor. Much as I should like to yield to my distinguished friend, I cannot do so, because I have assured other Senators that I would yield to them.

Mr. MOODY. Mr. President, will the Senator from South Carolina yield to me in order that I may make an insertion in the RECORD?

Mr. MAYBANK. I yield.

Mr. MOODY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD my letter to Mr. Dunlap and the summary of the investigation which I have just described.

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

OCTOBER 4, 1951.

The Honorable JOHN B. DUNLAP,
Commissioner of Internal Revenue,
Bureau of Internal Revenue,
Washington, D. C.

MY DEAR COMMISSIONER: You will recall that I spoke to you previously about certain allegations received by me concerning Henry R. Sunball, special agent in charge of the intelligence unit at Detroit, and Joseph J. Weyn, a special agent in Mr. Sunball's office. You will also recall that Mr. Charles M. Noone, special counsel to this committee, called on you at my request on August 22 and gave you and Mr. Harry Woolf, chief of the intelligence unit, the details as to the original allegations. You agreed that the allegations were sufficiently serious to require a thorough investigation and offered the full cooperation of your staff to Mr. Noone in conducting such an investigation.

I am enclosing a copy of a report which sets forth the results of Mr. Noone's investigation at Detroit. The report, although negative in many particulars, has been prepared in detail in order that you may have the full benefit of the investigation and may follow up on any points which you feel might require further attention.

There is one aspect of this matter which gives me considerable concern. As you know, the subcommittee of which I am the chairman has been studying the steel situation throughout the country and particularly in the Detroit area. We have received complaints from several small users of steel to the effect that they cannot get steel except through gray-market operators and that they have to pay high prices for steel or go out of business. The intelligence unit, backed by the income-tax laws, is in the best position to ferret out these gray-market operators and put them out of business.

Under present conditions, however, I doubt seriously that the Detroit office of the intelligence unit is in a position to deal effectively with these people. It is my understanding that Special Agent Weyn has handled all of the important steel cases in the Detroit office for the past several years, and that until very recently he was the only agent investigating these cases. It is apparent from the information contained in the attached report that Agent Weyn has a close personal relationship with many people in the steel business, some of them of questionable background. Despite his protestations to the contrary, it is doubtful that he could deal objectively with these people if he were called upon to investigate them. Certainly it is improper for him to have steel cases under his jurisdiction. I therefore strongly recommend that Agent Weyn be replaced by another agent or agents in the investigation of steel cases.

It is also apparent that the morale in the Detroit office is poor and that Mr. Sunball's handling of the personnel is in some degree responsible for that condition. While I would be most reluctant to damage the career of a veteran employee such as Mr. Sunball, I strongly recommend that you take steps to see to it that the situation outlined in the report is corrected.

You will note that the report iself is labeled "confidential." This is because it would be unfair to many persons mentioned in the report, which recounts numerous unsubstantiated and probably unfounded allegations, to make the entire report public. In a sense this document is analogous to the unevaluated files of the Federal Bureau of Investigation, which are not made public for the same reason.

However, I believe several of the allegations made in the Noone report merit further investigation by you. I am familiar with your efforts to remove any questionable practice from the Bureau and hope you will deal vigorously with this situation. Publication of unsubstantiated charges would serve merely as a smear. The tendency to careless allegations damaging personal reputation is one that any responsible official of Government or Member of Congress should reject.

In view of the obvious leaks and the prevalence of rumors in the Detroit office of the intelligence unit, I urge that you not allow any of the personnel of the Detroit office to read this report. I suggest that the report be made available only to Mr. Woolf and such of his top assistants as may have an official interest in it.

You will also note that the identities of some of the sources quoted in this report have not been disclosed. You will recognize the need for this. According to Mr. Noone, Mr. Sunball on several occasions indicated that he knew the identities of some of the agents who supplied Mr. Noone with derogatory information. Mr. Sunball made it clear that he was going to see to it that these men were called to account. In one instance Mr. Sunball told another agent, the latter declared, that he was going to get one of the agents "if it is the last thing I do." I believe you should caution Mr. Sunball against any such action. No agent in Mr. Sunball's office should be disciplined because of information which he furnished to Mr. Noone during his investigation.

In my opinion, certain of the information contained in the report is of such a nature as to deserve the attention of the general public. Accordingly, I have had Mr. Noone prepare a summary of the investigation and I am taking steps to have the summary and this letter incorporated in the CONGRESSIONAL RECORD. I am also making a copy of the full letter available to the permanent Senate investigating committee, headed by Senator HOEY.

I want you to know that our whole purpose in going into this matter was to get at the truth. Mr. Noone, a former investigator for the FBI, who wrote the report, has done an objective and constructive job. It is my sincere hope that our efforts will prove of value to you and to the entire service. The intelligence unit has enjoyed the confidence of the public for many years, and I hope that our inquiry into this matter will serve to enable the unit to continue to enjoy that confidence.

Mr. Noone has advised me that you and Mr. Woolf and the members of your staff have been most cooperative throughout the investigation. I want to thank you sincerely for that help.

With best wishes and kind regards, I am,

Very truly yours,

BLAIR MOODY,
United States Senator.

UNITED STATES SENATE SELECT COMMITTEE ON SMALL BUSINESS, SUMMARY OF INVESTIGATION

A subcommittee of the Senate Select Committee on Small Business, headed by Senator BLAIR MOODY, held hearings on the steel situation at Detroit on July 14, and 16, 1951. During the hearings the subcommittee heard testimony from witnesses who stated that there was a flourishing grey market in steel and other metals.

Following the close of the hearings, Senator MOODY received a report from Detroit alleging that personnel of the Intelligence Unit of the Bureau of Internal Revenue at Detroit were in effect fostering the grey market in steel by engaging in steel transactions and otherwise protecting persons in the steel business.

Feeling that the intelligence unit, backed by the income-tax laws, should be in the forefront of the fight against grey market steel operators, Senator MOODY ordered a full investigation of the charges.

The investigation, which has now been completed, disclosed that Joseph J. Weyn and Frank Cashman, special agents of the intelligence unit, netted $1,120 apiece on a steel transaction which occurred in 1948. Cashman located 100 tons of waster steel in a tool shop in Hamtramck, Mich. Weyn spoke to Herman Golanty, a steel dealer, about the steel and Golanty agreed to pay Weyn and Cashman a finder's fee for it. Golanty sold the steel and paid Weyn $2,240. Weyn split this amount with Cashman.

Herman Golanty maintains an office and residence at 1859 Detroit Leland Hotel, Detroit, Mich. He was a defendant in an action brought by the Government in Federal court at Detroit in 1947 to recover overcharges allegedly received by Golanty on steel transactions in the amount of $50,506.60 during the period from June 11, 1946, to October 11, 1946. The Government suit sought treble damages under the Emergency Price Control Act of 1942. The action was dismissed on January 6, 1950, after Golanty and Government attorneys agreed on a settlement.

According to Weyn, Golanty is a friend of Moe Dalitz, an individual who figured prominently in the Kefauver committee hearings; Weyn stated that he met Dalitz in Golanty's apartment in the Detroit Leland Hotel on one occasion and added that it is his understanding that Dalitz asked Golanty to be a witness to Dalitz's will.

Dalitz is described in reports of the Kefauver committee as having been among the top of Cleveland's bootleggers during the prohibition era and as having an interest now in some of the country's largest gambling establishments. Dalitz evaded the service of a Kefauver committee subpena during hearings held by that committee in Cleveland.

Weyn admitted a close personal friendship for Golanty, describing him as one of the two closest friends he has in Detroit. Herman Golanty was questioned by the Macy committee early in 1948. The Macy committee, which was headed by former Congressman W. Kingsland Macy of New York, was a subcommittee of the House Committee on Public Works. Weyn admitted that he met with Golanty prior to the latter's appearance before the Macy committee and outlined to him the form in which he should prepare his records for presentation to the committee. The records of the Macy committee do not indicate what action was taken by the committee with respect to Golanty.

Weyn admitted that he borrowed $2,900 from Golanty, interest free, in 1950, in order to purchase his present residence at 1010 North Melborn, Dearborn, Mich. He also admitted that Golanty paid him a $400 commission on the sale of Golanty's Cadillac early this year. He stated that he frequently dines with Golanty as the latter's guest and that he sends gifts to Golanty on the latter's birthday and at Christmastime in order to repay in part Golanty's hospitality.

Weyn also admitted a close personal friendship for Sol Eisenberg, president of the Kenwal Products Co., a steel concern at 9300 Central, Detroit. He stated that his relations with Eisenberg are similar to his relations with Golanty and that the two are the closest friends he has in Detroit. He said that he has arranged for the purchase of automobiles for friends of Eisenberg. The investigation failed to indicate that Weyn profited through these automobile transactions.

The investigation did disclose that Weyn gave his 1950 Mercury plus $100 to officials of Production Steel Coil, Inc., 20001 Sherwood, Detroit, in January 1951, in exchange for a Chrysler Newport and thereby netted approximately $300 based on the value of the cars.

The investigation disclosed that Weyn handles all important steel investigations coming to the attention of the Detroit office of the intelligence unit, and that until recently Weyn was the only agent in the office assigned to this type of case. The records of the intelligence unit do not indicate that any investigation has ever been conducted by that office with regard to Herman Golanty, Sol Eisenberg or Production Steel Coil, Inc.

Henry R. Sunball, who became special agent in charge of the Detroit office of the intelligence unit on July 1, 1951, stated that he and his predecessor, Albert C. Grunewald, learned of the 1948 steel transaction of Weyn and Cashman following its completion and warned them against any repetition of this type of activity. No other action was taken with respect to this transaction. Regulations of the Bureau of Internal Revenue prohibit outside employment by personnel without the approval of the special agent in charge.

Sunball admitted that he obtained a new automobile early in 1951 through the efforts of a Detroit attorney who is representing a company which is currently under investigation by the intelligence unit for tax fraud. He also admitted that he recommended against criminal prosecution of the officers of the company in a conference held in his office and attended by the same attorney. Sunball stated that the attorney merely enabled him to get delivery on his new car ahead of schedule and denied that the attorney's help had any bearing on his handling of the case involving the attorney's client. He also denied that he was aware of the fact that the attorney was representing the company at the time of the automobile transaction although records of the intelligence unit show that the attorney was retained by the company as attorney of record in February 1950.

Sunball also admitted that he purchased a deepfreeze through Herman Golanty in May 1951. The purchase was arranged by Weyn. Sunball made out a check to Golanty for $129.78. Investigation disclosed that the least expensive comparable model deepfreeze sells at list price at $219.95 and that the price to a dealer on such a unit is $148.24. Sunball denied, however, that he was aware of the amount he had saved on purchasing the unit through Golanty.

The investigation failed to disclose that personnel of the intelligence unit engaged in any steel transactions other than the one in which Weyn and Cashman participated in 1948. Nor did the investigation establish any evidence of collusion between personnel of the intelligence unit and alleged gray-market steel operators.

In view of the highly questionable activities of some of the personnel of that office a full report of the investigation has been turned over to John B. Dunlap, Commissioner of Internal Revenue, for his information and appropriate action. The full report, recounting all charges made and their investigation, is not being made public since it contains numerous unsubstantiated and probably unfounded allegations, which properly should be checked by Mr. Dunlap. In addition the report sets forth the names of several individuals who would not properly be subject to censure. The result of publication might be to smear without serving any public interest. The report also contains information of a purely administrative nature relating to the operation of the Detroit office, information which properly should not be publicized but which should receive the personal attention of Mr. Dunlap.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 283. An act for the relief of Akiko Mitsuhata;

S. 617. An act for the relief of Pascal Nemoto Yutaka;

S. 1013. An act for the relief of Sister Monica Grant;

S. 1277. An act for the relief of John R. Willoughby;

S. 1437. An act for the relief of Maiku Suzuki;

S. 1464. An act for the relief of Peter Therkelsen Kirwan and Ernest O'Gorman Kirwan;

S. 1499. An act for the relief of Georgette Sato;

S. 1713. An act for the relief of Charles Cooper;

S. 1718. An act for the relief of Elizabeth Bozsik;

S. 1775. An act for the relief of Heinz Harald Patterson; and

S. 1994. An act to authorize the use of the incompleted submarine *Ulua* as a target for explosive tests, and for other purposes.

The message also announced that the House has passed a joint resolution (H. J. Res. 341) making appropriations for rehabilitation of flood-stricken areas for the fiscal year 1952, and for other purposes, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 41) favoring the suspension of deportation of certain aliens.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 341) making appropriations for rehabilitation of flood-stricken areas for the fiscal year 1952, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

The Senate resumed the consideration of the bill (S. 2170) to amend the Defense Production Act of 1950, as amended.

Mr. MAYBANK. Mr. President, I ask unanimous consent to yield to the Senator from Indiana [Mr. CAPEHART], to make a statement.

The VICE PRESIDENT. Is there objection to the Senator from South Carolina yielding to the Senator from Indiana for the purpose indicated? The Chair hears none, and the Senator from Indiana may proceed.

Mr. CAPEHART. Mr. President, now that we have voted down the slaughtering quota amendment, I should like to ask the able majority leader and the able chairman of the Banking and Currency Committee when the slaughtering-quota bill will be taken up on the floor of the Senate.

Mr. MAYBANK. Mr. President, we did not vote down slaughtering quotas. The bill dealing with that subject is Senate bill 2180. The Banking and Currency Committee, of which my distinguished friend from Indiana is a member, believed that because of the shortness of time we should divide the three so-called amendments to the price-control bill introduced by the Senator from Michigan and the Senator from California into three parts so that we might hold hearings. We have had 60 witnesses before the committee since the President's message came to the Congress. We did not report what the President asked for.

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

Mr. MAYBANK. I yield.

Mr. CAPEHART. If I remember correctly, the President asked us to repeal the Capehart amendment, to restore slaughtering quotas, and to repeal the provisions of the bill on fats and oils. The Banking and Currency Committee acted on all three subjects in separate bills. All that I was endeavoring to do this afternoon was to get them all into one bill so that we could get quick action—either vote them up or vote them down. I failed because the Senate voted against me and, as I have said, voted down slaughtering quotas. The question is, when will we take up the fats and oils bill and when will we take up slaughtering quotas? I intend to offer a slaughtering-quota amendment to the pending bill. Let us quit kidding ourselves and quit kidding the country. Let us get this price-control business settled. I am ready to vote upon it, but I want to vote on all three bills. I do not want to have the Senator pick out the Capehart amendment and amend it or repeal it and find that 3 weeks from now we are going to adjourn and that nothing has been done on slaughtering quotas or on fats and oils.

My question is to the majority leader: When are we going to take up the slaughtering-quota bill?

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Indiana to permit him to ask questions of the majority leader?

Mr. MAYBANK. I yield.

Mr. McFARLAND. Mr. President, I would not undertake at this time to say when we shall take up the slaughtering-quota bill. We have announced our program. I thought possibly we would take up next the second of the amendments to the Defense Production Act, Senate bill 2104 dealing with oi and fat imports, but the Senator from Nevada [Mr.

McCARRAN] has given us sufficient reasons for taking up his judgeship bill next. Thereafter we shall have the supplemental appropriation bill, H. R. 5215, to consider, and then I anticipate conference reports. We shall take up the bills which are on the calendar just as rapidly as we can. When they will be considered, and what disposition will be made of them, I cannot say at this time. The slaughtering-quota bill has nothing to do with the bill which is now before the Senate. Let us dispose of the bills one at a time, and we shall give consideration to other bills when the time comes.

Mr. MAYBANK. Mr. President, I am hopeful, because this bill is imperative, as are all the other bills which have been mentioned, that the Senate might remain in session tonight and finish the consideration of the bill now pending, and then take up the bill of the Senator from Nevada.

Mr. CAPEHART. I should like to speak about 10 or 15 minutes on my substitute bill, and then I shall be ready to vote upon it.

Mr. MAYBANK. Mr. President I ask unanimous consent that we vote on the pending measure at 6 o'clock this evening, and that the Senator from Indiana [Mr. CAPEHART] have 1 hour and that I have 1 hour. I suppose I really have no right to make the proposal——

Mr. McFARLAND. That is perfectly all right.

The VICE PRESIDENT. The Chair does not understand the request.

Mr. MAYBANK. I ask the majority leader if he will make the request that we vote on the pending bill at 6 o'clock this evening, the time from 3:30 on to be divided between the majority leader and the acting minority leader, that no amendment not germane to the subject be received, and that there be 10 minutes on each amendment.

Mr. McFARLAND. Mr. President, I see no reason why we cannot vote on the bill well before 6 o'clock this evening. If we have a limitation of debate on amendments, I do not see any reason why the Senate cannot recess by 5 o'clock.

Mr. SALTONSTALL. Mr. President, I would respectfully say to the majority leader that if he or the Senator from South Carolina would amend the request so as to put a time limit on debate on each amendment and on the bill, we could get through before 6 o'clock.

Mr. McFARLAND. Very well, Mr. President I ask unanimous consent that the debate be limited as follows: 30 minutes on each amendment, 15 minutes to each side, the time of those favoring the amendment to be controlled by the proponent of the amendment, and the time of those in opposition by the distinguished Senator from South Carolina [Mr. MAYBANK] in the event he is against the amendment; if he is in favor of the amendment, then by the acting minority leader; that all amendments must be germane, and that the debate on the bill be limited to 1 hour, 30 minutes to each side, to be controlled by the Senator from South Carolina and the Senator from Indiana, and that the limitation apply to motions and appeals.

The VICE PRESIDENT. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

Mr. CAPEHART. Mr. President.

The VICE PRESIDENT. The Senator from Indiana.

Mr. MAYBANK. Mr. President, I yielded to the majority leader to make a unanimous-consent request.

The VICE PRESIDENT. The Chair thought the Senator from South Carolina yielded the floor, and recognized the Senator from Indiana.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

Mr. CAPEHART. Mr. President, just a moment. Let me see if I understand the situation. The parliamentary situation, as I understand, is that we have now entered into a unanimous-consent agreement to limit debate to 30 minutes on each amendment, 15 minutes to each side. The pending amendment is the substitute offered by me to the bill, on which I have 15 minutes and the opponents have 15 minutes. I am very happy to yield to the Senator from Michigan with the understanding that the time consumed by him will not be taken out of my time, and that he will not exceed 5 minutes.

The VICE PRESIDENT. The Chair cannot control any such thing. The Chair is bound by the unanimous-consent agreement as to limitation. He cannot recognize other Senators unless they are yielded to.

Mr. FERGUSON. Mr. President, will the Senator from Indiana yield to me so I may make a parliamentary inquiry?

Mr. CAPEHART. I yield for that purpose.

Mr. FERGUSON. Do I understand that the senior Senator from Michigan, who was attempting to get the floor, has been cut off from any debate unless he obtains consent from the Senator from Indiana or the minority leader?

The VICE PRESIDENT. That is practically correct. The time is controlled now by unanimous consent.

Mr. MAYBANK. Mr. President——

The VICE PRESIDENT. Will Senators suspend and let the Chair state the situation. The Chair cannot recognize Senators promiscuously for any purpose. They must have time allotted to them by Senators in control of the time.

Mr. FERGUSON. Mr. President, I wish to submit a unanimous-consent request.

The VICE PRESIDENT. Does the Senator from Indiana yield for that purpose?

Mr. CAPEHART. I yield for that purpose.

Mr. FERGUSON. Mr. President, I ask unanimous consent that I may be given the period of 10 minutes to speak upon the matter the junior Senator from Michigan has just spoken on.

The VICE PRESIDENT. At what time?

Mr. FERGUSON. At the present time.

The VICE PRESIDENT. Is there objection to the request?

Mr. CAPEHART. Mr. President, reserving the right to object, does that mean that the Senator will speak for 10 minutes, after which the unanimous-consent agreement will become effective?

The VICE PRESIDENT. That is the object of the request; that the time consumed not be taken out of the time allotted under the unanimous-consent agreement. Is there objection?

Mr. CAPEHART. Mr. President, I have no objection.

The VICE PRESIDENT. The Chair hears no objection, and it is so ordered.

IRREGULARITIES IN THE DETROIT INTERNAL REVENUE OFFICE

Mr. FERGUSON. Mr. President, the senior Senator from Michigan was consulted by the junior Senator from Michigan in relation to the matter that was brought up by the junior Senator in relation to the alleged irregularities in the Detroit internal revenue office, and is glad to join in the suggestion that the Senate investigations subcommittee proceeded to make a full investigation.

Mr. President, rumors and evidence have come to the attention of the press in the city of Detroit, that things were not well in the internal revenue office of that city. I hope this matter will not end where the Small Business Committee left it. Naturally it is within the province of the Small Business Committee to investigate steel and to see whether the proceedings with respect to the delivery of steel and the allotment of steel are being interfered with. Now it appears that the special agent in charge of the internal revenue intelligence unit at Detroit had something to do with the delivery and allotment of steel. I will ask my colleague if that is correct? That is, there was an investigation, was there not?

Mr. MOODY. Will my colleague yield?

Mr. FERGUSON. I yield.

Mr. MOODY. I am sure the senior Senator from Michigan has not had time to read the letter and the statement, because I told him about it only a little while ago. I will say for his benefit that the connection of the internal revenue office at Detroit with people in the steel market was through one of the special agents there. The report will show the relationship of the head of that unit to the situation. He was not directly dealing in any steel himself, but one of his principal agents, as a matter of fact, two of the agents, did complete a transaction in steel.

I am very glad the senior Senator from Michigan approved the action of our committee. We ran across this thing in the course of investigating the gray market, and we felt that if any further investigation should be made it should be made by the Hoey committee.

However I should like to point out to the senior Senator from Michigan that we did put Mr. Noone, a former FBI investigator, and now connected with the committee, on this matter, and he made a very thorough check of it. All the information which related to the steel situation, and any information he was able definitely to establish in connection therewith we nailed down and included in the summary. The confidential report is a lengthy document. I

should be glad to make it available if the Senator would like it.

Mr. FERGUSON. The senior Senator from Michigan would like to see it.

Going on, Mr. President, the letter and the report indicate that the men mentioned therein at least were in a position to look into the matter of income tax and revenue matters in the city of Detroit, and to determine that if unreported excessive profits, or any unreported profits at all, were made out of the handling of steel or the manipulation of orders on steel, those accounts could be and properly should be investigated by the Internal Revenue Bureau.

Mr. MOODY. Mr. President, will my colleague yield?

Mr. FERGUSON. I yield.

Mr. MOODY. Not only that, but there is evidence to indicate that there was a close friendship existing between at least one agent and certain people who were dealing in the steel market, and there was an interrelationship of friendship between one of these steel people and a Cleveland man who was described as one of the top bootleggers in Cleveland, who was subpenaed by the Kefauver committee I believe, and who did not appear before that committee. So, in general I felt, of course, that this was something which should not be overlooked. I am sure the senior Senator from Michigan realizes that General Dunlap, who has just taken over the Internal Revenue Bureau, is making an effort to clean out just this sort of thing. I felt that he ought to be given an opportunity to take any action he sees fit to take in regard to these people. I appreciate the support of the senior Senator from my State in cleaning up this situation.

Mr. FERGUSON. Mr. President, that is just what I wanted to call to the attention of the Senate. Mr. Dunlap should be given this opportunity, because if we have bad apples in the barrel, the good apples are always in danger of being contaminated. While the Hoey committee is conducting its investigation, I urge Mr. Dunlap to look into this matter personally so that he may clean out the bad apples that are in this barrel in Michigan, so that when the investigation is made by the Hoey committee—and that is what I want to urge now—there be a fair examination of the whole Internal Revenue Office in the city of Detroit.

Mr. MOODY. I may point out to the Senator that that is precisely what we have suggested.

Mr. FERGUSON. I appreciate that.

Mr. MOODY. In the full report, which goes to the nature of some of the charges, we suggest to the Hoey committee that it go into the subject and we hope they will go into it.

I may add that in a preliminary way we made a very vigorous effort to get all the information we could obtain of this nature. We felt that in general this was a subject for the general investigating committee of the Senate rather than for the Small Business Committee.

Mr. FERGUSON. The senior Senator from Michigan, having been formerly the chairman of that committee of the Senate, feels that it can do this job if it will direct its efforts to this particular task. That is why I wish at this time to urge upon the Senate that this be done.

Let us look at the Internal Revenue Bureau. It has the task of collecting some $66,000,000,000 taxes from the people of the United States. Every person who files an income-tax return or pays revenue to the United States Government places such revenue in the hands of the Internal Revenue office. There is not a place in the United States Government where there is greater opportunity for shake-downs, for corruption, or for favors, than in the Bureau of Internal Revenue.

I say the time has come for action. The scandal has hit four major offices, one of which was the office in San Francisco. Certain employees were discharged there on the ground that they were not competent. That does not describe what was going on. There was misconduct.

We find similar situations at Boston, and in New York; and now it is revealed in the city of Detroit. The people of the United States will not be satisfied until there has been a complete and thorough examination of these offices. The fact that the previous Commissioner of Internal Revenue has resigned, and that we have a new one should not satisfy the people that everything will be all right. If there was wrongdoing under the old Commissioner of Internal Revenue, the men who were in the jobs will remain there, and there will be no house cleaning.

The VICE PRESIDENT. The time of the Senator from Michigan has expired.

Mr. FERGUSON. One more sentence. I urge the committee, when it investigates job selling in Michigan, to investigate the office of Collector of Internal Revenue. It is now indicated that there is strong evidence of real corruption in this very fundamental agency of the United States involving the collection of money from the citizen.

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

Mr. FERGUSON. My time has expired.

The VICE PRESIDENT. The Senator's time has expired.

AMENDMENT OF DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

The Senate resumed the consideration of the bill (S. 2170) to amend the Defense Production Act of 1950, as amended.

Mr. CAPEHART. Mr. President——

The VICE PRESIDENT. The Senator from Indiana is recognized for 15 minutes.

Mr. CAPEHART. Mr. President, I have 15 minutes to talk about something which affects the life of every American. It affects price and wage controls in the United States for at least the next 9 months.

As Senators know, on last September 8, 1950, Congress enacted a law known as the 1950 Defense Production Act. The President placed that act in effect by freezing prices on January 25 this year.

A few weeks ago Congress amended the 1950 act. The President of the United States objected very vigorously to three phases of that act. One he called the Capehart amendment, to which he objected most vigorously. He objected to the fact that Congress failed to give him the right to establish slaughtering quotas; and he objected to the fact that Congress wrote limitations in respect to fats and oils.

A bill was introduced by the able Senator from Michigan [Mr. FERGUSON], the Senator from California [Mr. NIXON], and the Senator from Idaho [Mr. WELKER] to repeal all three of those amendments.

Individual bills were also introduced to cover those three subjects, namely, the so-called Capehart amendment, the fats-and-oils amendment, and slaughtering quotas. The Senate Banking and Currency Committee held hearings on all three of those subjects. It reported to the Senate three separate bills, one to repeal the fats-and-oils amendment, the second to amend the Capehart amendment, and the third to restore to the administration the right to establish slaughtering quotas.

The bill before us is Senate bill 2170. It was reported from the Committee on Banking and Currency by a vote of 9 to 4. I voted against it. I have offered to that bill an amendment in the nature of a complete substitute. I wish to tell the Senate exactly what Senate bill 2170 does. It is the committee bill which is now under consideration.

Senate bill 2170 is the outgrowth of a bill written by Mr. Wilson, Director of Defense Mobilization. The bill does not compel the President of the United States to do a single thing which he does not have the right to do under the 1950 act, with one exception, and that is that it gives every individual seller in the United States the right to make an individual application for what is known as a financial-hardship classification. A regulation has already been issued setting forth what is meant by financial hardship. A concern or a seller who has been losing money for at least 30 days, or can prove that he will lose money in the future, may file an individual application. Senate bill 2170 makes it mandatory upon the President to receive any such financial-hardship applications and to act upon them under a formula stipulated in the bill.

Aside from that, the bill is absolutely meaningless. It does not force the President to do anything. He does not have to roll back a single price if he does not wish to do so. He does not have to permit a single price to be rolled forward. The bill does provide, as did the Capehart amendment, that if prices are rolled back they must be rolled back under the formula written in the bill.

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

Mr. CAPEHART. I will not yield, because I have only 15 minutes. The Senator may then have 15 minutes.

That is all the bill does. The weakness of the bill, and the thing which we have tried to correct in the substitute, is that it does not protect the individual sellers of America. I for one will never vote for any piece of legislation which

denies to any citizen of the United States, whether he be a wage earner, whether he be in business, whether he be a big-business man, or a little-business man, the right to petition his Government for relief. That was the strength of the original Capehart amendment, and therein lies the strength of the substitute on which we shall vote in a few minutes.

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

Mr. CAPEHART. The big argument against the original Capehart amendment—and I admit that there was room for argument about it—was that it was hard to administer, for the reason that it dealt with the highest and lowest prices. It said nothing about the level of prices. It said nothing about industry-wide prices. The argument was that it tied the hands of the administration and denied the flexibility which was necessary to administer the law.

I have always recognized that there was some merit to that argument. Therefore, in the substitute which I have offered for Senate bill 2170, in my opinion and in the opinion of many others, we correct that situation 100 percent. The original Capehart amendment dealt with the lowest or the highest price. The proposed substitute deals with industry-wide prices. In other words, we give the Administrator and the President the right to set industry-wide prices. In other words, we give them the right to make rules and regulations to set prices industrywise, individually, or in any way they care to do so. But we retain a provision, which I believe should be included in every piece of legislation, giving every American the right to petition his Government if he feels that his own Government, by regulation or rules, has injured him. I shall never vote for a piece of legislation which takes that right away from an American.

The pending bill, S. 2170, takes that right away from him, except when he is losing money, and then he must prove that he has been losing for 30 days, or he must prove that he will lose money in the future.

I hope the Senate will accept the substitute. I have been disappointed that the managers of Senate bill 2170 have not themselves accepted my substitute, because I know that the regulations which the Price Administrator has been preparing to put into effect the Capehart amendment have been written along the lines outlined in my substitute.

I hope the Senate will accept the substitute, because it protects the individual seller. We started out in the Capehart amendment to give the President the right to roll back the price of the gouger, and to permit the individual seller to increase his prices under a formula.

He has that right under either the bill S. 2170 or my substitute. The President has the right to permit an individual to do so. However, there is nothing mandatory in the bill which requires the President to do it one way or another. Under the substitute there is still nothing mandatory about it, except that if he sets any price for any industry, group, or individual in the United States which is working a hardship on them—and I am not thinking of the individual hardship feature which is in the bill—such industry, group, or individual have the right to petition their Government. They must do so under a formula. Then the President has the right to require the petitioner, in making his application, to make it under an industrywide schedule of costs, rather than on an individual price basis.

How much time do I have remaining?

The VICE PRESIDENT. Four minutes.

Mr. CAPEHART. I relinquish the floor, and I reserve the 4 minutes for a later time.

Mr. ROBERTSON. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina [Mr. MAYBANK] is in control of the time for the opposition.

Mr. ROBERTSON. The chairman of the committee, the Senator from South Carolina [Mr. MAYBANK], asked the Senator from Virginia to control the time if the Senator from South Carolina did not return before the Senator from Indiana had completed his remarks.

The VICE PRESIDENT. The Senator from Virginia is recognized.

Mr. MOODY. Mr. President, will the Senator from Virginia yield me 5 minutes?

Mr. ROBERTSON. I yield 5 minutes to the junior Senator from Michigan.

Mr. MOODY. Mr. President, I shall not take much time of the Senate. The original Capehart amendment, as I understand the Senator from Indiana now admits, was unworkable. So would this Capehart amendment be unworkable. I should like to read the language in the substitute which I believe is the key language of the amendment offered by the Senator from Indiana. It says:

> Upon application and a proper showing of his prices and costs—
>
> And so on—
>
> the President shall adjust such ceiling price in the manner prescribed—
>
> And so on.

Under that wording it is entirely mandatory upon the President to do so. He has no discretion whatever. The Senator from Indiana has said that every American should have the right to petition his Government and to make application. Of course, every American has the right to petition and to make application. There is nothing in the Maybank amendment which would prevent it. If the Senate wants a workable price-control bill—and I believe the Senate does want one—it must reject the substitute amendment. Under the substitute amendment all that an applicant would have to do would be to file an application and make a showing, and then the President would be forced to increase the price of the ceiling and change it in accordance with the application.

There were two or three things fatally wrong with the Capehart amendment as it is now in the law. This provision was one of them, and the substitute would keep that provision in the law. It would vitiate entirely what the Senate is trying to do, namely, to provide a workable law.

Mr. MONRONEY. Mr. President, will the Senator from Michigan yield?

Mr. MOODY. I am delighted to yield to the Senator from Oklahoma.

Mr. MONRONEY. Is it not also a fact that the substitute amendment would permit a pyramiding of all types of costs, regardless of their essentiality, while the Maybank amendment would limit the accounting of costs to those which are absolutely essential?

Mr. MOODY. That is precisely correct.

Mr. MONRONEY. Under the Capehart amendment any manufacturer could build his costs up to whatever point he desired to do so, by means of administration, excessive advertising, distribution, or transportation? In other words, he could fly an article which normally would move by freight. Thus he could pyramid his costs under the formula in the substitute amendment.

Mr. MOODY. That is correct. I may say that if he then applied—merely applied, Mr. President—and showed what his costs were, it would be mandatory upon the President of the United States, Mr. Wilson, Mr. Johnston, Mr. DiSalle, or whoever was administering the law, to increase the prices charged by him. If we want to build inflation into this law, if we want higher prices or if we want to subject the economy of America to the burning out that inflation would bring, we should adopt the amendment offered by the Senator from Indiana. However, if we want to have a law which will protect the American consumer and American businessman—and the American farmer, I may add—from the disaster which would come to everyone from an inflationary spiral, the amendment offered by the Senator from Indiana must be rejected and the committee amendment must be adopted.

Mr. President, I yield back the remainder of my time.

Mr. ROBERTSON. Mr. President, I yield myself 5 minutes.

The junior Senator from Virginia was chairman of the subcommittee which had the pending bill, S. 2170, under consideration. He has done his best to view the Capehart substitute through the Capehart glasses, but he has been unable to do so.

The junior Senator from Virginia will briefly point out why he cannot do so.

On page 1, line 2, of the Capehart substitute in lieu of "level of prices" the words "individual or industrywide ceiling price" has been substituted. The purpose of that change, in effect, therefore is to require individual pricing not only for every manufacturer but possibly for every item in his line. That makes the amendment utterly unworkable and impossible. We could not possibly assemble in Washington a staff large enough to examine all the books of every manufacturer and go into the fullest detail with respect to every element of manufacturer's costs.

The same language is found on page 2, line 3. Instead of "the highest level of prices," which is the language contained in the bill, the Capehart substitute still

carries the words "is based upon the highest price." This means the individual highest price. That makes the amendment unworkable.

Mr. CAPEHART. Mr. President, will the Senator yield for one second?

Mr. ROBERTSON. In my own time or in the time of the Senator from Indiana.

Mr. CAPEHART. Make it in my time. Why does not the Senator from Virginia read all of the language? The amendment goes on to say: "or in the case of industry-wide ceilings, the highest level of prices." Why does the Senator from Virginia read only half of the sentence?

Mr. ROBERTSON. Because the Senator from Indiana adds to the language of the bill as it refers to industry-wide ceilings, and gives the manufacturer the privilege of setting individual prices. That is the reason why the Senator from Indiana inserted the words "highest price." Otherwise the Senator from Indiana would not have added "highest price," but would have let it read "level of prices."

Mr. CAPEHART. "In the case of industry-wide ceilings, the highest level of prices." Why does not the Senator from Virginia read that language?

Mr. ROBERTSON. Because that language is not pertinent to my criticism. It is the language of the committee bill that I want the Senate to adopt. The Senator from Indiana wishes to set aside that language. He adds the words "highest price." He does it for good and sufficient reasons. It is to give an opportunity to every individual to come forward and say, "I claim a higher price. Look over my books. You cannot deny me a higher price." The amendment is highly inflationary and will force up the general level of prices.

In addition to what is carried in the committee bill, to the effect that a manufacturer would be allowed all necessary and unavoidable costs, including selling, advertising, office and all other production, distribution and administration costs, the Capehart substitute says, in effect, "Yes; and all indirect costs and all overhead costs; and we shall have the privilege of allocating those; and catch us if you can." Mr. President, there are not two economists in the Nation who, if at the head of some great industrial empire, would agree on how to allocate costs.

Mr. CAPEHART. Mr. President, will the Senator yield, either in his time or in my time?

Mr. ROBERTSON. I yield to the Senator from Indiana.

Mr. CAPEHART. I read from page 2 of the Senator's own bill; the bill of which the Senator from Virginia is a cosponsor, "reflects the highest level of prices."

Evidently the Senator from Virginia has not read Senate bill 2170, because it talks about "the highest level of prices."

Mr. ROBERTSON. Mr. President, evidently the Senator from Indiana has not been listening to what I have been saying. I have repeatedly said that the bill of which I am a cosponsor provides for "the highest level of prices," but not "the highest price." The latter is injected by the substitute about which I have been complaining.

The VICE PRESIDENT. The time of the Senator from Virginia has expired.

Mr. ROBERTSON. Mr. President, I yield myself one additional minute, because I have yielded some time to the Senator from Indiana.

The VICE PRESIDENT. The Senator from Virginia is recognized for one more minute.

Mr. ROBERTSON. Mr. President, in conclusion, I wish to make this very definite statement: In my humble opinion, a vote in favor of the adoption of the substitute will be a vote to push up the general level of prices, regardless of how much the increased volume of production may increase net profits above a fair and reasonable level. Under the substitute, every manufacturer can force the OPS to allow every penny of indirect costs as well as every penny of direct costs, and can refuse to absorb anything, regardless of how excessive his net profits may be. The provision which will bring that about is to be found in the last sentence on page 2 of the amendment in the nature of a substitute, and it departs from the very wise provision contained in the bill reported by the committee, in that the amendment in the nature of a substitute allows no discretion whatsoever to the OPS with respect to the absorption of some portion of the indirect costs.

The VICE PRESIDENT. The time of the Senator from Virginia has again expired.

Mr. ROBERTSON. Mr. President, I reserve the remainder of my time.

Mr. CAPEHART. Mr. President, I yield 2 minutes to the able junior Senator from Ohio [Mr. BRICKER].

The VICE PRESIDENT. The Senator from Ohio is recognized for 2 minutes.

Mr. BRICKER. Mr. President, I wish to take only a minute or two in which to call attention to the fact that this is a poor way to legislate in regard to what is a most important and vital matter. Not more than 8 or 10 Senators are now on the floor, and very few of them are among those who attended the committee hearings and understand the pending bill. Those of us who are in the Chamber at this time are merely campaigning among ourselves. A matter of such great importance should never be handled in this way.

Let me state that I favor the Capehart amendment as it now appears in the law. If it is to be amended, I am in favor of the Capehart amendment in the nature of a substitute for the pending bill.

I am opposed to the committee's recommendation for the reason that it would not give any person in the United States the right to appeal, except in hardship cases, and the OPS will not consider hardship cases unless there has been an actual monetary loss. If there are monetary losses on the part of business in the United States, no money will come to the Government in the form of taxes from those businesses. However, the Government must have money with which to pay the costs of conducting the war, and in order to have the implements of war produced by our domestic economy we must make it possible for the marginal producer as well as the low-cost producer to operate.

There must be ample production of materials if we are to prevent inflation. Furthermore, as I have just said, if the industries of the United States are unable to make profits, the Government will not be able to obtain from them in taxes the funds with which to conduct the war. Moreover, if industry is unable to make a profit, industry will not operate, and then there will be a failure to produce the needed implements of war, although the original purpose of the Defense Production Act was to increase the production of the needed implements of war.

Mr. President, the pending measure is not fundamentally a control measure. Fundamentally, it is an anti-inflation measure and a measure to secure production. The quickest way to defeat production is for us to adopt the committee amendment and to deny to a person or to a firm which is engaged in production the right to go to the Government and to arrange for the allowance of a fair profit from the business.

The VICE PRESIDENT. The question is on agreeing to the amendment in the nature of a substitute, submitted by the Senator from Indiana [Mr. CAPEHART], for himself and other Senators.

Mr. MAYBANK. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Chair assumes that the suggestion of the absence of a quorum is made on the assumption that debate on this matter has concluded.

Mr. CAPEHART. Yes, Mr. President; I have finished.

The VICE PRESIDENT. The absence of a quorum is suggested, and the Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bennett	Hayden	McFarland
Benton	Hendrickson	McKellar
Brewster	Hill	Millikin
Bricker	Hoey	Monroney
Bridges	Humphrey	Moody
Butler, Nebr.	Hunt	Mundt
Capehart	Ives	Neely
Carlson	Jenner	Nixon
Case	Johnson, Colo.	O'Conor
Chavez	Johnston, S. C.	Pastore
Connally	Kefauver	Robertson
Cordon	Kerr	Saltonstall
Dirksen	Kilgore	Schoeppel
Douglas	Knowland	Smith, N. J.
Duff	Langer	Smith, N. C.
Dworshak	Lehman	Sparkman
Ecton	Lodge	Stennis
Ellender	Long	Taft
Ferguson	Malone	Thye
Flanders	Martin	Watkins
Frear	Maybank	Welker
George	McCarran	Wiley
Gillette	McCarthy	Williams
Green	McClellan	Young

The VICE PRESIDENT. A quorum is present. The question is on the amendment in the nature of a substitute offered by the Senator from Indiana [Mr. CAPEHART] for himself and other Senators.

Mr. CAPEHART and other Senators requested the yeas and nays, and they were ordered.

Mr. MAYBANK. Mr. President, I understand I have a few minutes left.

The VICE PRESIDENT. Strictly speaking, the quorum call took up all the time.

Mr. MAYBANK. I should like to make a statement, and I ask unanimous consent that I may be permitted to speak for 1 minute.

The VICE PRESIDENT. Without objection, the Senator may proceed.

Mr. MAYBANK. Mr. President, I do not intend to discuss the amendment, because I have already done so, but I have talked with the distinguished Senator from Indiana [Mr. CAPEHART]. I do not know what other amendments will be presented, but it was our understanding that if we could vote on this amendment we would not take the time allotted to us for further debate. If Senators will remain here, we can vote on the amendment, have a yea-and-nay vote on the bill, and then the majority leader can advise the Senate of anything further he would like to have the Senate do this afternoon or later. I do not know of any other amendment to be offered.

A parliamentary inquiry, Mr. President.

The VICE PRESIDENT. The Senator will state it.

Mr. MAYBANK. Have any other amendments been submitted?

The VICE PRESIDENT. Other amendments have been printed and lie on the desk.

Mr. MAYBANK. I understand that the Senator from Indiana will not bring up any further amendment. Regardless of what the Senate does with the pending amendment, I hope we can have a yea-and-nay vote on the bill.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FERGUSON. On what is the Senate about to vote?

The VICE PRESIDENT. On the substitute offered by the Senator from Indiana [Mr. CAPEHART].

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. McFARLAND. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Florida [Mr. HOLLAND] are absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Connecticut [Mr. McMAHON], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Kentucky [Mr. UNDERWOOD] are absent on official business.

The Senator from Texas [Mr. JOHNSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I announce further that if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. HENNINGS], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. MAGNUSON], and the Senator from Connecticut [Mr. McMAHON] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from Maine [Mrs. SMITH] are absent by leave of the Senate.

The Senator from Maryland [Mr. BUTLER] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness.

The Senator from Missouri [Mr. KEM] is absent on official business.

The Senator from Nebraska [Mr. WHERRY] is necessarily absent.

The Senator from Washington [Mr. CAIN], and the Senator from Oregon [Mr. MORSE] are detained on official business. If present and voting, the Senator from Oregon [Mr. MORSE] would vote "nay."

On this vote, the Senator from Washington [Mr. CAIN] is paired with the Senator from Maine [Mrs. SMITH]. If present and voting, the Senator from Washington would vote "yea" and the Senator from Maine would vote "nay."

The result was announced—yeas 28, nays 44, as follows:

YEAS—28

Bennett	Dworshak	Millikin
Brewster	Ecton	Mundt
Bricker	Ferguson	Schoeppel
Bridges	Flanders	Taft
Butler, Nebr.	Gillette	Watkins
Capehart	Hendrickson	Welker
Carlson	Jenner	Wiley
Case	Malone	Williams
Dirksen	Martin	
Duff	McCarthy	

NAYS—44

Benton	Johnson, Colo.	Monroney
Chavez	Johnston, S. C.	Moody
Connally	Kefauver	Neely
Cordon	Kerr	Nixon
Douglas	Kilgore	O'Conor
Ellender	Knowland	Pastore
Frear	Langer	Robertson
George	Lehman	Saltonstall
Green	Lodge	Smith, N. J.
Hayden	Long	Smith, N. C.
Hill	Maybank	Sparkman
Hoey	McCarran	Stennis
Humphrey	McClellan	Thye
Hunt	McFarland	Young
Ives	McKellar	

NOT VOTING—24

Aiken	Hennings	Murray
Anderson	Hickenlooper	O'Mahoney
Butler Md.	Holland	Russell
Byrd	Johnson, Tex.	Smathers
Cain	Kem	Smith, Maine
Clements	Magnuson	Tobey
Eastland	McMahon	Underwood
Fulbright	Morse	Wherry

So the amendment in the nature of a substitute offered by Mr. CAPEHART for himself and other Senators was rejected.

The VICE PRESIDENT. If there be no further amendments to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 2170) was ordered to be engrossed for a third reading and read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. MAYBANK, Mr. CAPEHART, and other Senators asked for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. McFARLAND. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Florida [Mr. HOLLAND] are absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Missouri [Mr. HENNINGS], the Senator from Connecticut [Mr. McMAHON], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Kentucky [Mr. UNDERWOOD] are absent on official business.

The Senator from Texas [Mr. JOHNSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

I announce further that if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Missouri [Mr. HENNINGS], the Senator from Florida [Mr. HOLLAND], the Senator from Washington [Mr. MAGNUSON], and the Senator from Connecticut [Mr. McMAHON] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Maine [Mrs. SMITH] are absent by leave of the Senate.

The Senator from Maryland [Mr. BUTLER] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness.

The Senator from Missouri [Mr. KEM] is absent on official business.

The Senator from Nebraska [Mr. WHERRY] is necessarily absent.

The Senator from Washington [Mr. CAIN], the Senator from Pennsylvania [Mr. DUFF], the Senator from Massachusetts [Mr. LODGE], and the Senator from Oregon [Mr. MORSE] are detained on official business.

If present and voting, the Senator from Massachusetts [Mr. LODGE] and the Senator from Oregon [Mr. MORSE] would each vote "yea."

On this vote, the Senator from Maine [Mrs. SMITH] is paired with the Senator from Washington [Mr. CAIN]. If present and voting, the Senator from Maine would vote "yea" and the Senator from Washington would vote "nay."

The result was announced—yeas 49, nays 21, as follows:

YEAS—49

Benton	Hunt	Neely
Brewster	Ives	Nixon
Chavez	Johnson, Colo.	O'Conor
Connally	Johnston, S. C.	Pastore
Cordon	Kefauver	Robertson
Douglas	Kerr	Saltonstall
Ellender	Kilgore	Smith, N. J.
Ferguson	Langer	Smith, N. C.
Frear	Lehman	Sparkman
George	Long	Stennis
Gillette	Maybank	Thye
Green	McCarran	Watkins
Hayden	McClellan	Welker
Hendrickson	McFarland	Wiley
Hill	McKellar	Young
Hoey	Monroney	
Humphrey	Moody	

NAYS—21

Bennett	Dirksen	Martin
Bricker	Dworshak	McCarthy
Bridges	Ecton	Millikin
Butler, Nebr.	Flanders	Mundt
Capehart	Jenner	Schoeppel
Carlson	Knowland	Taft
Case	Malone	Williams

NOT VOTING—26

Aiken	Hennings	Murray
Anderson	Hickenlooper	O'Mahoney
Butler, Md.	Holland	Russell
Byrd	Johnson, Tex.	Smathers
Cain	Kem	Smith, Maine
Clements	Lodge	Tobey
Duff	Magnuson	Underwood
Eastland	McMahon	Wherry
Fulbright	Morse	

So the bill (S. 2170) was passed.

AMENDMENT OF THE EXPORT-IMPORT BANK ACT OF 1945, AS AMENDED

Mr. MAYBANK. Mr. President, at this time I ask unanimous consent to introduce and send to the desk a bill which is an amendment to the Export-Import Bank Act of 1945, as amended. The bill I am now introducing relates to the management of that bank, and is also for other purposes.

I am introducing the bill because the conference report on the Mutual Security Act, which was agreed to by the Senate the day before yesterday, contained a provision which would have made the Director for Mutual Security a member of the board of directors of the Export-Import Bank. I discussed that matter at some length at that time. The bill I am now introducing would have the effect of repealing that provision if it should become law.

There being no objection, the bill (S. 2222) to amend the provisions of the Export-Import Bank Act of 1945, as amended, relative to the management of the Export-Import Bank, and for other purposes, introduced by Mr. MAYBANK, was read twice by its title and referred to the Committee on Banking and Currency.

Mr. ELLENDER. Mr. President, I send to the desk for immediate attention the conference report on——

Mr. McFARLAND. Mr. President, will the Senator withhold the submission of the conference report for a moment?

Mr. ELLENDER. Certainly.

AUTHORIZATION FOR APPROPRIATIONS COMMITTEE TO SUBMIT REPORT

Mr. McFARLAND. Mr. President, I ask unanimous consent that the Appropriations Committee may file a report on House bill 5215, the supplemental appropriation bill for 1952, during the recess of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

APPROPRIATIONS FOR LEGISLATIVE BRANCH, 1952—CONFERENCE REPORT

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1203.

The VICE PRESIDENT. The Chair feels that the conference report should come first.

Mr. McFARLAND. I thought the Senator from Louisiana [Mr. ELLENDER] withheld the submission of the report.

Mr. ELLENDER. I simply yielded to the majority leader.

Mr. McFARLAND. I will wait. I merely wanted Senators to know what we were going to do.

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4496) making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes. I ask unanimous consent for the immediate consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see page 12606, House proceedings, CONGRESSIONAL RECORD, October 4, 1951.)

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 4496, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
October 4, 1951.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 10, 12, 13, 14, 15, 16, 18, 21, 24, 25, 32, 33, 36, 38, 41, 42, 43, 44, 45, 46, 49, 50, 52, 53, 54, to the bill (H. R. 4496) making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate No. 65, to said bill and concur therein with the following amendment:

In lieu of the matter proposed by said amendment insert:

"Not to exceed 10 positions in the Library of Congress may be exempt from the provisions of the section of the chapter entitled 'General Provisions' of the Supplemental Appropriation Act, 1952, concerning the employment of aliens, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress."

Mr. ELLENDER. I move that the Senate agree to the amendment of the House to the amendment of the Senate No. 65.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Louisiana [Mr. ELLENDER].

The motion was agreed to.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1203.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1203) to provide for the appointment of additional circuit and district judges, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 4, after the word "Senate", to strike out:

Two additional circuit judges for the ninth circuit. In order that the table contained in section 44 (a) of title 28 of the United States Code will reflect the change made by this section in the number of circuit judges for the ninth circuit, such table is amended to read as follows with respect to said circuit:

"Circuits	*Number of judges*
* * * * *	
Ninth	9
* * * * *	

And in lieu thereof to insert:

One additional circuit judge for the fifth circuit. In order that the table contained in section 44 (a) of title 28 of the United States Code will reflect the change made by this section in the number of circuit judges for the fifth circuit, such table is amended to read as follows with respect to said circuit:

"Circuits:	*Number of judges*
* * * * *	
Fifth	Seven
* * * * *	

On page 2, line 15, after the name "Colorado", to strike out "one additional district judge for the district of Connecticut,"; in line 17, after the name "Delaware", to strike out "two" and insert "one"; in line 18, after the word "district", where it occurs the first time, to strike out "judges" and insert "judge"; in line 22, after the name "Nevada", to strike out "three additional district judges for the southern district of New York," and insert "one district judge for the eastern, middle, and western districts of North Carolina"; on page 3, line 1, after the name "Ohio", to insert "one additional district judge for the eastern district of Pennsylvania"; in line 3, after the amendment just above stated, to strike out "one additional district judge for the middle district of", and insert "one district judge for the middle and western districts of"; in line 7, after the word "and", to strike out "two" and insert "one"; in the same line, after the word "district", where it occurs the second time, to strike out "judges" and insert "judge"; in line 13, after "(56 Stat. 1083)", to insert "the existing judgeship for the southern district of Texas created by section 2 (d) of the act entitled "An act to provide for the appointment of additional circuit and district judges and for other purposes," approved August 3, 1949 (63 Stat. 495)"; on page 4, after line 10, to strike out:

Connecticut	3
* * * * *	

In line 17, after the word "Southern", to strike out "5" and insert "4"; on page 5, after line 8, to strike out:

New York:	
* * * * *	
Southern	19
* * * * *	

After line 12, to insert:

North Carolina:	
* * * * *	
Eastern, Middle, and Western	1
* * * * *	

After line 19, to insert:

Pennsylvania:	
Eastern	8
* * * * *	

On page 6, after line 2, to strike out:

Middle	2
* * * * *	

After line 4, to insert:

Middle and Western	1

After line 8, to insert:

Southern	4
* * * * *	

In line 16, after "Western", to strike out "4" and insert "3."

After line 21, to insert:

(b) (1) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Arizona. The first vacancy occurring in the office of district judge in said district shall not be filed.

On page 7, line 3, to renumber the subsection from "(b) (1)" to "(2)"; in line 8, to change the subsection number from "(2)" to "(3)"; after line 13, to insert:

(4) Subsection (c) (6) of section 90 of title 28, United States Code, is amended by striking out the word "Washington", so that the subsection will read as follows:

"(6) The Swainsboro Division comprises the counties of Bullock, Candler, Emanuel, Jefferson, Jenkins, and Toombs.

"Court for the Swainsboro Division shall be held at Swainsboro."

In line 22, to change the subsection number from "(3)" to "(5)"; on page 8, line 3, to change the subsection number from "(4)" to "(6)"; in line 8, to change the subsection number from "(5)" to "(7)"; after line 14, to insert:

(8) The present incumbent of the judgeship for the southern district of Texas created by section 2 (d) of the act entitled "An act to provide for the appointment of additional circuit and district judges, and for other purposes," approved August 3, 1949 (63 Stat. 495), shall henceforth hold such office under section 133 of title 28 of the United States Code, as amended by this act.

In line 22, to change the subsection number from "(6)" to "(9)"; on page 9, line 3, after the word "while", to strike out "such" and insert "the present"; after line 7, to strike out:

(7) The existing judgeship for the eastern and western districts of Washington is abolished. In order that the table contained in section 133 of title 28 of the United States Code will reflect the change made by this paragraph, the portion thereof relating to Washington is amended by striking out "Eastern and western ---------- 1."

On page 10, after line 16, to strike out:

SEC. 5. The first sentence of the fourth paragraph of section 371 of title 28, United States Code, is amended to read as follows: "Whenever any circuit or district judge eligible to resign under this section or to retire under this section or section 372 does neither, and the President finds that such judge is unable to discharge efficiently all the duties of his office by reason of permanent mental or physical disability and that the appointment of an additional judge is necessary for the efficient dispatch of business, the President may make such appointment by and with the advice and consent of the Senate."

And in lieu thereof to insert:

SEC. 5. Section 371 of title 28 of the United States Code is amended to read as follows:

"§ 371. Resignation or retirement for age; substitute judge on failure to retire.

"(a) Any justice or judge of the United States appointed to hold office during good behavior who resigns after attaining the age of 70 years and after serving at least 10 years continuously or otherwise shall, during the remainder of his lifetime, continue to receive the salary which he was receiving when he resigned.

"(b) Any justice or judge of the United States appointed to hold office during good behavior may retain his office but retire from regular active service after attaining the age of 70 years and after serving at least 10 years, continuously or otherwise. He shall, during the remainder of his lifetime, continue to receive the salary of the office.

"The President shall appoint, by and with the advice and consent of the Senate, a successor to a justice or judge who retires.

"(c) Whenever any circuit or district judge eligible to resign under this section or to retire under this section or section 372 does neither, and the President finds that such judge is unable to discharge efficiently all the duties of his office by reason of permanent mental or physical disability and the appointment of an additional judge is necessary for the efficient dispatch of business, the President may make such appointment by and with the advice and consent of the Senate. If such additional judge is appointed, the vacancy subsequently caused by the death, resignation, or retirement of the disabled judge shall not be filled.

"Any circuit or district judge whose disability causes the appointment of an additional judge, shall, for purposes of precedence, service as chief judge, or temporary performance of the duties of that office, be treated as junior in commission to the other judges of the circuit or district."

On page 12, after line 14, to insert:

SEC. 6. (a) The first sentence of section 26 of the Organic Act of the Virgin Islands of the United States, as amended (48 U. S. C. 1405y), is amended to read as follows:

"The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of the Virgin Islands who shall hold office for the term of 8 years and until his successor is chosen and qualified unless sooner removed by the President for cause, and a district attorney who shall hold office for the term of 4 years and until his successor is chosen and qualified unless sooner removed by the President for cause."

(b) This section shall take effect upon its approval but shall not affect the term of any incumbent whose term has not yet expired.

So as to make the bill read:

Be it enacted, etc., That the President shall appoint, by and with the advice and consent of the Senate, one additional circuit judge for the fifth circuit. In order that the table contained in section 44 (a) of title 28 of the United States Code will reflect the change made by this section in the number of circuit judges for the fifth circuit, such table is amended to read as follows with respect to said circuit:

"Circuits	*Number of judges*
* * * * *	
Fifth	Seven
* * * * *	

SEC. 2. (a) (1) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the southern district of California, one additional district judge for the district of Colorado, one additional district judge for the district of Delaware, one additional district judge for the southern district of Florida, one additional district judge for the northern district of Georgia, one district judge for the northern and southern districts of Indiana, one additional district judge for the district of Nevada, one district judge for the eastern, middle, and western districts of North Carolina, one additional district judge for the northern district of Ohio, one additional district judge for the eastern district of Pennsylvania, one district judge for the middle and western districts of Tennessee, one additional district judge for the eastern district of Texas, one additional district judge for the eastern district of Virginia, and one additional district judge for the western district of Washington.

(2) The existing judgeship for the eastern and western districts of Missouri, created by the act entitled "An act to provide for the appointment of an additional district judge for the eastern and western districts of Missouri," approved December 24, 1942 (56 Stat. 1083), the existing judgeship for the southern district of Texas created by section 2 (d) of the act entitled "An act to provide for the appointment of additional circuit and district judges and for other purposes," approved August 3, 1949 (63 Stat. 495), and the existing judgeship for the northern and southern districts of West Virginia, created by the act entitled "An act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia," approved June 22, 1936 (49 Stat. 1805), shall be permanent judgeships.

(3) In order that the table contained in section 133 of title 28 of the United States Code will reflect the changes made by this subsection in the number of permanent judgeships for certain districts, such table is amended to read as follows with respect to said districts:

"Districts	*Judges*
* * * * *	
California:	
* * * * *	
Southern	11
* * * * *	
Colorado	2
* * * * *	
Delaware	3
* * * * *	
Florida:	
* * * * *	
Southern	4
* * * * *	
Georgia:	
Northern	3
* * * * *	
Indiana:	
* * * * *	
Northern and Southern	1
* * * * *	
Missouri:	
* * * * *	
Eastern and Western	2
* * * * *	
Nevada	2
* * * * *	
North Carolina:	
* * * * *	
Eastern, Middle, and Western	1
* * * * *	
Ohio:	
Northern	5
* * * * *	

Pennsylvania:	
Eastern	8
* * * * *	
Tennessee:	
* * * * *	
Middle and Western	1
Texas:	
* * * * *	
Eastern	2
Southern	4
* * * * *	
Virginia:	
Eastern	3
* * * * *	
Washington:	
* * * * *	
Western	3
* * * * *	
West Virginia:	
* * * * *	
Northern and Southern	1
* * * * *"	

(b) (1) The President shall appoint, by and with the advice and consent of the Senate, one additional district judge for the district of Arizona. The first vacancy occurring in the office of district judge in said district shall not be filled.

(2) The President shall appoint, by and with the advice and consent of the Senate, two additional district judges for the southern district of New York. The first two vacancies occurring in the office of district judge in said district shall not be filled.

(3) The second sentence of section 89 (b) of title 28 of the United States Code is hereby amended to read as follows: "Court for the Southern District shall be held at Fernandina, Fort Myers, Fort Pierce, Jacksonville, Key West, Miami, Ocala, Orlando, Tampa, and West Palm Beach."

(4) Subsection (c) (6) of section 90 of title 28, United States Code, is amended by striking out the word "Washington", so that the subsection will read as follows:

"(6) The Swainsboro Division comprises the counties of Bullock, Candler, Emanuel, Jefferson, Jenkins, and Toombs.

"Court for the Swainsboro Division shall be held at Swainsboro."

(5) The second sentence of section 102 (a) (2) of title 28 of the United States Code is hereby amended to read as follows: "Court for the northern division shall be held at Bay City, Port Huron, and Flint."

(6) The last sentence of section 128 (b) (2) of title 28 of the United States Code is amended to read as follows: "Court for the southern division shall be held at Tacoma and at one other place in such division to be designated by the district judges for the western district of Washington."

(7) The present incumbent of the judgeship created by the act entitled "An act to provide for the appointment of an additional district judge for the eastern and western districts of Missouri", approved December 24, 1942 (56 Stat. 1083), shall henceforth hold such office under section 133 of title 28 of the United States Code, as amended by this act.

(8) The present incumbent of the judgeship for the southern district of Texas created by section 2 (d) of the act entitled "an act to provide for the appointment of additional circuit and district judges, and for other purposes," approved August 3, 1949 (63 Stat. 495), shall henceforth hold such office under section 133 of title 28 of the United States Code, as amended by this act.

(9) The present incumbent of the judgeship created by the act entitled "An act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia", approved June 22, 1936 (49 Stat. 1805), shall henceforth hold such office under section 133 of title 28 of the United States Code, as amended by this act. If, while the present incumbent is holding such office, a vacancy arises in the office of district judge for the northern district of West Virginia, such incumbent shall thereupon become a district judge for the northern district of West Virginia.

SEC. 3. The first paragraph of section 4 of the Act approved June 6, 1900 (31 Stat. 322; title 48, U. S. C., sec. 101), as amended, is amended to read as follows:

"There is established a district court for the District of Alaska with the jurisdiction of district courts of the United States and with general jurisdiction in civil, criminal, equity, and admiralty causes; and five district judges shall be appointed for the district, each at an annual salary of $15,000. The court shall consist of four divisions, which shall also be recording divisions. Two of the judges of the court shall be assigned by the President to the third division and one each shall be assigned by the President to the first, second, and fourth divisions. During the terms of office these judges shall reside in the divisions of their district to which they may be respectively assigned."

SEC. 4. That the act entitled "An act to clarify the law relating to the filling of the first vacancy occurring in the office of district judge for the eastern district of Pennsylvania, and to provide for the appointment of an additional United States district judge for the eastern, middle, and western district of Pennsylvania", approved July 24, 1946 (60 Stat. 654), is amended by adding at the end of section 2 a new sentence to read as follows: "If a vacancy arises in the office of district judge for the middle district of Pennsylvania while the judge appointed pursuant to this section is holding the office created by this section, such judge shall thereafter be a district judge for the middle district of Pennsylvania."

SEC. 5. Section 371 of title 28 of the United States Code is amended to read as follows:

"§ 371. Resignation or retirement for age; substitute judge on failure to retire

"(a) Any justice or judge of the United States appointed to hold office during good behavior who resigns after attaining the age of 70 years and after serving at least 10 years continuously or otherwise shall, during the remainder of his lifetime, continue to receive the salary which he was receiving when he resigned.

"(b) Any justice or judge of the United States appointed to hold office during good behavior may retain his office but retire from regular active service after attaining the age of 70 years and after serving at least 10 years, continuously or otherwise. He shall, during the remainder of his lifetime, continue to receive the salary of the office.

"The President shall appoint, by and with the advice and consent of the Senate, a successor to a justice or judge who retires.

"(c) Whenever any circuit or district judge eligible to resign under this section or to retire under this section or section 372 does neither, and the President finds that such judge is unable to discharge efficiently all the duties of his office by reason of permanent mental or physical disability and the appointment of an additional judge is necessary for the efficient dispatch of business, the President may make such appointment by and with the advice and consent of the Senate. If such additional judge is appointed, the vacancy subsequently caused by the death, resignation, or retirement of the disabled judge shall not be filled.

"Any circuit or district judge whose disability causes the appointment of an additional judge, shall, for purposes of precedence, service as chief judge, or temporary performance of the duties of that office, be treated as junior in commission to the other judges of the circuit or district."

SEC. 6. (a) The first sentence of section 26 of the Organic Act of the Virgin Islands of the United States, as amended (48 U. S. C. 1405y), is amended to read as follows:

"The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of the Virgin Islands who shall hold office for the term of 8 years and until his successor is chosen and qualified unless soon removed by the President for cause, and a district attorney who shall hold office for the term of 4 years and until his successor is chosen and qualified unless sooner removed by the President for cause."

(b) This section shall take effect upon its approval but shall not affect the term of any incumbent whose term has not yet expired.

LEGISLATIVE PROGRAM

Mr. McFARLAND. Mr. President, it is my intention, after Senators have had an opportunity to make insertions in the RECORD or to make such remarks as they wish to make, to move that the Senate take a recess until Monday so as to give members of the Appropriations Committee every opportunity to complete work on the appropriation bill, and also to permit conferees on other bills an opportunity to meet without interruption to facilitate their reaching agreements.

I want it understood that if the supplemental appropriation bill, H. R. 5215, is ready on Monday we shall temporarily lay aside the unfinished business and begin immediate consideration of it. We want to dispose of appropriation bills as rapidly as we can.

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

Mr. McFARLAND. I yield.

Mr. SALTONSTALL. The unfinished business is the bill providing for the appointment of additional circuit and district judges. The Senator from Arizona has mentioned the supplemental appropriation bill. Can the Senator give us any idea as to what the program is for the further consideration of bills after those two bills?

Mr. McFARLAND. I shall make an announcement on Monday. We must dispose of the Bowles nomination. The Senator from Arkansas [Mr. FULBRIGHT] is anxious to have Senate bill 2104, concerning fats and oils, which is an amendment to the Defense Production Act, considered promptly. The program for the remainder of next week will depend on the status of conference reports and appropriation bills and how we get along, but Senators should be ready to consider the judgeship bill, the Bowles nomination, the fats and oils amendment, and whatever other pending matters possible next week.

Mr. SALTONSTALL. In other words, the Senator proposes to take up the other two control bills which are on the calendar sometime next week, when, as, and if reached.

Mr. McFARLAND. I will not say that both remaining control amendments will be considered next week, but I want Senators to be prepared to take them up. Our first order of business is conference reports and appropriation bills. What we consider depends on how much progress we make. We must dispose of the Bowles nomination. We have one bill before us now, the bill providing for the appointment of additional judges, which may take a day. I do not know how

long the supplemental appropriation bill will require.

Mr. SALTONSTALL. Does the Senator still feel that he will get to Arizona by October 21?

Mr. McFARLAND. I hope so; I believe that when the two Houses dispose of the appropriation bills, including, of course, the conference reports on them, and the conference report on the tax bill, we shall be ready to adjourn almost any time. We shall do the best we can to dispose of other pending legislation, but the measures to which I have referred represent the "must" legislation.

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

Mr. McFARLAND. I yield the floor.

Mr. CHAVEZ. No. I wish to ask the Senator from Arizona a question.

Mr. McFARLAND. I yield.

Mr. CHAVEZ. I hold in my hand a copy of the Executive Calendar. Probably there will be some objection to one nomination, but there are also some routine nominations on the Executive Calendar. Would it be possible to have an executive session now to consider routine nominations on the Executive Calendar?

Mr. McFARLAND. Certainly. Probably we can dispose of all the nominations this evening, except the Bowles nomination.

Mr. SALTONSTALL. Mr. President, I know of no objection to the nominations other than to the Bowles nomination.

Mr. McKELLAR. Mr. President, the Senator from Arizona said something about waiting on appropriation bills. We are up on all appropriation bills with one exception, and that exception is in the House of Representatives. The Senate is not behind with its appropriation bills. All appropriation bills can be disposed of during the next week without any trouble at all except for the one which is in the House of Representatives. We shall first have to get it from the House. I wanted to make that explanation.

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

Mr. McFARLAND. Yes.

Mr. BRIDGES. I wonder whether the distinguished chairman of the Appropriations Committee has in mind another bill also. There is a supplemental appropriation bill pending in committee, but in addition to that there are two appropriation bills, if I am not mistaken. One is an appropriation bill for military construction, on which we have had no hearings, and the other is an appropriation bill for foreign aid.

Mr. McKELLAR. They are both in the House. I thought there was only one bill. If there are two bills, the House is behind on them. It is not the Senate which is behind. We are essentially up with our bills.

Mr. McFARLAND. I am happy to know that the committee is making progress.

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

Mr. McFARLAND. I yield.

Mr. HENDRICKSON. I wonder if the distinguished majority leader will inform the Senate whether there will be another and final call of the calendar before Congress adjourns.

Mr. McFARLAND. I believe we should have at least another call of the calendar before Congress adjourns.

Mr. HENDRICKSON. I thank the Senator.

DEATH OF REPRESENTATIVE STEFAN—COMMITTEE TO ATTEND FUNERAL

The VICE PRESIDENT. Under the resolution adopted yesterday regarding the funeral of Representative STEFAN, of Nebraska, it is provided that the Chair appoint a committee of five Senators. The Chair makes three appointments at the moment, and he will appoint the other Members later. The Chair appoints the senior Senator from Nebraska [Mr. BUTLER], the junior Senator from Nebraska [Mr. WHERRY], and the junior Senator from South Dakota [Mr. CASE].

THE WATER SHORTAGE IN THE COLUMBIA RIVER BASIN

Mr. WELKER. Mr. President, the people of my State at this time are very vitally concerned as to whether or not a water shortage in fact exists in the Columbia River Basin, thus reducing the electrical energy production to the point that the defense mobilization program is being curtailed. Idahoans are concerned to the extent of being alarmed, because of the fact that just recently we have had statements from Dr. Paul Raver, of the Bonneville Power Administration, and certain other individuals connected with the Department of the Interior, including Oscar Chapman, the Secretary, to the effect that the Columbia River, Snake River, and tributary rivers in the basin are at the lowest ebb in history. I do not believe that they are at the lowest ebb in history. It is my opinion that there has been some tremendous pressure and lobbying put on the people of the Northwest to try to convince them that the river is low and that it will mean the building of new and greater dams throughout the country. They seem to forget that these proposed dams, if authorized, will take 5 to 7 years to construct and there may be delays because of critical material shortages.

Without discussing the merits of any dam proposed or the question of private power as against public power, I believe without doubt that the Department of the Interior and the Bonneville Power Administration owe a duty to the people of the Northwest to explain to them certain broad publicity that has been given as to whether or not a water shortage actually exists. They have omitted to tell the people of the Northwest that any water shortage is caused by the storing of water in Grand Coulee and Hungry Horse Dams. If it does exist, why has the Harvey Machine Co., of Torrance, Calif., been approved by the Secretary of the Interior and the Defense Production Administration for a loan of $46,000,000 to erect a new aluminum plant within the State of Montana, which would make it the fourth largest aluminum plant in the United States? This company would use the much-needed power from the Columbia River Basin through the Hungry Horse Dam, thus lessening the power at some other critical production point.

In view of recent disclosures of influence peddling and high-pressure lobbying the people of my State, whether for or against more Government dams, want a fair, true, and complete disclosure of one Jebby Davidson, former Assistant Secretary of the Interior, who resigned last spring to enter private practice in Portland, Oreg. Mr. Davidson's principal client was the public power people called the Bonneville Power Administration, who handles the power under his old boss, the Secretary of the Interior. Now our people are informed he has a new client in the name of Harvey Machine Co., of Torrance, Calif., which recently, and after Davidson was appointed as their attorney, had a loan of the Taxpayers' money in the amount of $46,000,000, approved by Davidson's old employer, the Department of the Interior, and also by the Defense Production Administration. My people, both public and power people, are concerned that the foregoing facts smell of some more influence peddling and contract work. The people of Idaho demand and will receive a full accounting of this whole picture. I have asked the Senator from Delaware [Mr. WILLIAMS], a fair and able procurer of facts, to assist me in getting the simple truth for the people of the Northwest who can smell fraud and high pressure for a long distance.

Mr. President, over 2 weeks ago Representative BUDGE, of Idaho, wrote to Secretary Chapman demanding a full disclosure of Davidson's connection with the Department of the Interior, the Bonneville Power Administration, and the Harvey Machine Co. Although this letter was written over 2 weeks ago the Secretary, up to now, has remained mute to his requests. Now, Mr. President, the people of the Northwest want an explanation. They, of all groups and factions, do not want to be pressurized and above all, they will not be a party to any activity that might tend to mislead, and play for a sucker our pioneer people in the West.

A very enlightening article, to which I invite the attention of my colleagues, was written by John Corlett, and published in the Boise (Idaho) Daily Statesman of Sunday morning, September 30, 1951. Mr. Corlett is one of the leading political and economic writers of the West, writing in Idaho's oldest newspaper, the Idaho Daily Statesman.

I ask unanimous consent that the article be printed in the body of the RECORD following my remarks.

The VICE PRESIDENT. Is there objection?

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

POLITICALLY SPEAKING

(By John Corlett)

No one in Government spent as much time in furthering a Columbia Valley administration than C. Girard "Jebby" Davidson, until early this year an Assistant Secretary of the Interior.

Davidson was the "father" of the Columbia Valley Administration. He had a major hand in drafting of legislation creating a CVA and in drafting of President Truman's special message of April 1949, asking Congress to create such an authority.

Davidson was a CVA booster long before that date and there is no reason to believe he since has changed his mind.

When he resigned as Assistant Secretary of the Interior in December 1950, he was kept on as a special consultant and was given a specific job by his boss, Oscar Chapman.

Davidson came out to the Pacific Northwest armed with the following letters from Chapman and Mr. Truman. Both letters were addressed to "Dear Jebby," and Chapman signed his "Oscar."

Wrote Oscar on December 19, 1950, in part:

"I realize that your generous offer of continued service to the Department involves some further interference with your plans. But since I know that the offer is sincerely made out of your characteristic sense of duty, I intend to take you up on it immediately. We are faced with an urgent problem which you, because of your experience as general counsel for the Bonneville Power Administration and of your responsibility for Pacific Northwest matters here in the Department for several years, are peculiarly well qualified to handle.

"Defense industry desperately needs the large blocks of cheap hydroelectric power that can be developed from the Columbia River system. While everyone in the region would like to see that latent power developed, there is as yet no large body of opinion united behind a single program for accomplishing this. I am asking you, therefore, to consult with the public and private agencies and other individuals in the region, and to recommend to me as soon as possible a unified plan which will result in the quickest and most effective development of the great power resources of the area for defense purposes."

On December 21, 1950, President Truman wrote to "Jebby" in part:

"You have made a splendid record during your years of Government service as you have advanced from one post to another on the basis of merit and ability. I am especially appreciative of the fine work you have done over the last several years as Assistant Secretary of the Interior. You have been imaginative in approaching the duties of your office, and untiring in working for sound and progressive policies in the field with which you have been associated. You should feel particularly proud of the work you have done in helping to build a better and stronger America through the wise development and use of our natural resources.

"I am very glad to know that you are not severing your connection with the Government completely, and that you will be advising Secretary Chapman in the near future on the proper basis for proceeding with Federal power development in the Northwest in the light of the present emergency. I know he will be asking for your judgment from time to time on other matters as well. I, too, shall expect to call on you in the future for your help."

Davidson came into the Northwest intent on doing his job. He met with all the governors of the northwest States and representatives of both public and private agencies.

As far as is known, he made only one stop in Idaho, and that was in Boise in February.

He made his report to Chapman but it has never been made public.

No one, even among his friends, has been able to figure out exactly why he was given the special consultant job. Some think it merely gave him a chance to contact the right people and pick up clients for the private practice of law he was to enter.

It would, however, be interesting to learn what plan Davidson evolved for the development of the great power resources of the Northwest. Has he, for example, veered away from the CVA type of development?

Perhaps his report never will be made public.

The report completed, Davidson was ready to really start practicing law. And so it came about that the man who knew the interior of Interior like no other man of top position, became the legal counsel for the Harvey Machine Co., of Torrance, Calif.

He began lobbying to get the firm a $46,000,000 loan to open an aluminum reduction plant at Kalispell, Mont., an alumina plant at Everett, Wash., and to buy ore boats to ship the raw bauxite from Arkansas and the Gulf States.

This reporter is too far from the scene to dig into the dates when Harvey first was proposed for the loan and when Interior men themselves began pushing it into the No. 4 spot among the Nation's aluminum producers.

Perhaps Davidson was pushing the Harvey Co. forward before he quit his post as assistant secretary.

Dr. Paul J. Raver, Bonneville power administrator, was doing it.

In the September 19 CONGRESSIONAL RECORD, Representative MIKE MANSFIELD, of Montana, seeking to extricate himself from any inference that he was a party to an "inside" deal in getting the Harvey loan, said:

"On July 18, 1950, I asked Dr. Paul Raver, administrator of the Bonneville Power Administration, the following question:

" 'What is your opinion of the Harvey outfit?'

"Dr. Raver answered:

" 'I have been sizing them up * * * they are a typical small business. As I see it, I think we ought to do everything we can to encourage this company to keep its head above water and I think they have a whale of a lot of initiative.' "

One would infer from Raver's remarks that the company was not in good financial condition and he said it was necessary to keep its head above water.

Five months before Davidson left Interior, Dr. Raver was on the Harvey bandwagon. Was Davidson on the same bandwagon?

The question then becomes:

Where does influence begin and where does it end?

Should persons holding top position in the department which initiates such huge loans as proposed for Harvey, be working in behalf of that specific firm?

Is a firm that would be virtually given all the wherewithal to establish itself as a titan in industry, just picked out of thin air?

There are a lot of questions. When and where did the Harvey brothers enter the picture? When did their influence begin?

Drew Pearson alleged the Harvey brothers "bulldozed" their way into the top rungs of the Democratic Party.

Yet the company could not meet the $7,000,000 condition of the $46,000,000 loan and Chapman came to the rescue by approving a proposal to cut the conditioning sum in half. And part of the half—who knows how much—could be raised by Harvey in "equipment, land, and engineering."

Perhaps the current congressional investigations can bring up the answers.

Just as an interesting aside at this point, the September 24 issue of Western Advertising carries this item:

"The Harvey aluminum division of the Harvey Machine Co., Inc., Torrance, Calif., has named Tilds and Cantz, Hollywood advertising agency, to handle advertising. The agency handles other advertising for Harvey. The company recently received a $46,000,000 Government loan for development of its aluminum division."

The loan, of course, is being held up, pending further investigation.

APPOINTMENT OF ADDITIONAL CIRCUIT AND DISTRICT JUDGES

Mr. KEFAUVER. Mr. President, in the hope that it may expedite the consideration of the so-called judgeship bill, S. 1203, particularly with reference to the dispute as to whether or not a district judge in Tennessee should be appointed exclusively for the middle district or whether a roving judge should be appointed to serve the middle and western districts, and in the hope of shortening the debate on that issue, I ask unanimous consent that there be printed in the body of the RECORD at this point in my remarks a resolution adopted by the Dyer County Bar Association; a resolution adopted by the Lake County Bar Association; a resolution of the Weakley County Bar Association; an editorial entitled "A Thoughtless Answer," published on September 6, 1951, in the Memphis Press-Scimitar, the largest daily newspaper in west Tennessee; an editorial entitled "A Roving Judge If Any," published in the Commercial Appeal of September 16, 1951; an editorial entitled "Logic Demands a Roving Judge," published on October 4, 1951, in the Nashville Tennessean, the largest daily newspaper in middle Tennessee; and several telegrams and letters from prominent lawyers in west Tennessee.

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

Whereas it has come to the attention of the Dyer County Bar Association that the Honorable ESTES KEFAUVER, through his efforts as Senator and a member of the Judiciary Committee an additional judgeship for the State of Tennessee; and

Whereas the Dyer County Bar Association recognizes the necessity of an additional Federal judgeship for the State of Tennessee to relieve the congested dockets of the various courts: Now, therefore, be it

Resolved by the Dyer County Bar Association, met in a special called meeting on this the 24th day of August 1951, That said bar association extend its thanks to the Honorable ESTES KEFAUVER and commend his actions in this matter; be it further

Resolved, That the secretary of the Dyer County Bar Association be instructed to forward this resolution to the Honorable ESTES KEFAUVER.

Adopted:

GEORGE W. PIGUE,
President.
GRANGER LATTA,
Secretary.

Whereas the United States District Court for the Western District of Tennessee now convenes in Memphis and Jackson; and

Whereas the distance from these two cities to points in those counties situated in the northwestern section of Tennessee including the counties of Dyer, Lake, Obion, Weakley, Lauderdale, and others, results in great, and at times, prohibitive expense and inconvenience to litigants, witnesses and jurors alike attending this court; and

Whereas the city of Dyersburg in Dyer County, Tenn., is centrally located in said northwestern section of the State and is conveniently accessible to all points in said section; and

Whereas the public convenience and necessity of this area would best be served by having the United States district court also convene in said city of Dyersburg in regular session: Now, therefore, be it

Resolved by the Lake County Bar Association met in a special called meeting on this 27th day of August 1951, That it favors the designation of Dyersburg as an additional point for the establishment of a regular session of the United States District Court for the Western District of Tennessee, and that said bar association take all reasonable measures to bring about the establishment of such a court in Dyersburg; be it further

Resolved, That the secretary of said Lake County Bar Association be instructed to forward copies of this resolution to Senator K. D. McKellar, to Senator Estes Kefauver, and to Representative Jere Cooper.

Adopted:

H. O. Donaldson,
President,
John L. West,
Acting Secretary.

Weakley County,
Dresden, Tenn., August 27, 1951.

Senator Estes Kefauver,
Senate Office Building, Washington, D. C.

Dear Senator: At a recent meeting of the Weakley County Bar Association held in Dresden, Tenn., a resolution was unanimously passed appointing the undersigned as a committee to communicate with you and memoralize you to support the bill to create a roving Federal judgeship as reported out of the Senate Judiciary Committee for middle and west Tennessee. It is an evident fact that more and more litigation is being filed in the Federal district courts, and we think these courts should be made as geographically available as is possible, not only from the standpoint of the convenience of the litigants, but from the standpoint of members of the bar. Due to the increase in litigation in the Federal courts, it is our understanding that, while the docket in west Tennessee is fairly current, it has become very difficult for it to be kept that way, and we believe that it is only a question of time until there will be a positive necessity of an additional judge in west Tennessee. We especially urge you to lend your support to designate Dresden as the place where said court will be held in the northern part of west Tennessee.

About April of last year, Weakley County completed the construction of an $800,000 courthouse exclusive of equipment), which is located in Dresden, the county seat of Weakley County. This courthouse is modern in every respect and has all modern facilities and conveniences. This courthouse has four stories, including a basement and has installed therein a modern elevator service. There are three well equipped courtrooms, and all of said courtrooms and the entire building are well furnished. While there may be larger courthouses in the State of Tennessee, there are none better equipped or appointed than this courthouse building. We have discussed this matter with the county judge of Weakley County and satisfactory arrangements can be made for the holding of the United States district court in the building and space will be made available for all court officials.

The undersigned further state that Dresden is the logical place for the holding of said court from a geographical standpoint and without question will be the most convenient place for the northern counties of west Tennessee. We further call your attention to the fact that Dresden is 11 miles from the Henry County line and 21 miles from Paris, the county seat of Henry County; that Dresden is 15 miles from the Carroll County line and 25 miles from Huntingdon, the county seat of Carroll County; that Dresden is 35 miles from the Benton County line and 42 miles to Camden, the county seat of Benton County; that Dresden is 15 miles from the Gibson County line and 27 miles from Trenton, the county seat of Gibson County; that Dresden is 13 miles from the Obion County line and 21 miles from Union City, the county seat of Obion County; that Dresden is approximately 42 miles from the Lake County line and 45 miles to Tiptonville, the county seat of Lake County. This court would serve practically all of the Ninth Congressional District and serve counties in the Eighth Congressional District. The present location of the District Federal Court is a considerable distance from the northern tier of counties in west Tennessee and incurs burdensome expense to the lawyers and litigants in attending said court.

We earnestly request that you use your influence in having the court to set at Dresden in the event the bill is passed creating a roving judgeship for this territory.

Respectfully submitted.

Harry E. Jones,
Dresden, Tenn.
Homer Bradberry,
Dresden, Tenn.
R. E. L. Gallimore,
Martin, Tenn.

A Thougthless Answer

Senator Estes Kefauver's proposal that a new Federal judge for middle Tennessee be given authority to "rove" in west Tennessee, if needed, is a sensible one.

The Memphis-Shelby County Bar Association's reply to Kefauver's query on the advisability of that matter didn't show much thought.

Kefauver introduced an amendment to a bill providing for the new middle Tennessee judge to extend jurisdiction to west Tennessee, then asked the bar association what it thought.

The bar association replied that Judge Marion Boyd was handling his west Tennessee docket speedily and that there was no need for services of a roving judge in west Tennessee.

As Senator Kefauver carefully pointed out in his letter to the bar association, circumstances could change.

Judge Boyd has been doing a good job—but Judge Boyd could become ill, as did the middle Tennessee judge recently. Or there could be a trial running for many weeks.

West Tennessee could be confronted with a whopping docket and a sick judge, either separately or together.

The simple provision of additional jurisdiction for the new middle Tennessee judge is a look into an unpredictable future.

It is preparing for rainy days.

Abruptly deciding that things are fine right now and assuming they always will be is looking at the end of your nose and no farther.

We believe the statesmanlike forethought of Senator Kefauver in this judge matter is commendable.

We are not proud of our local bar association for acting something like the ostrich, and without much grace, either.

A Roving Judge, if Any

A proposal by Senator McKellar was that an additional Federal judgeship be created in Tennessee to serve the middle portion of the State exclusively. When this proposition reached the Senate Judiciary Committee of which Senator Kefauver is a member, he suggested that the bill be amended to provide that the new judge divide his time between west and middle Tennessee. There is far more involved than a contest between our junior and senior Senators.

At the present time the docket in middle Tennessee is badly congested due to the extended illness of Judge Elmer Davies. At the same time, Judge Marion Boyd, in this area, has his work well up to date. It is easily conceivable, however, that both of these conditions are temporary and certainly provision should be made on the assumption that they will change.

If a judge qualified to serve in both middle and west Tennessee were now available the congestion in Judge Davies' court would be speedily cleared up. There is no reason to believe that enough business would remain in that district to keep two men busy regularly.

It seems to us that Judge Boyd has done and is doing a good job, but that very fact dictates against overtaxing him and his court. Memphis is growing more rapidly than any other section of Tennessee. The greater the population the greater the load for the Federal court. Another highly pertinent item is that Memphis' growth involves constant additions to the sizable and substantial commercial and industrial facilities of the city and section. This state of affairs will also inevitably enlarge the duties and responsibilities of the court.

If there were a roving Federal judge available for middle and west Tennessee, Federal court could be held at locations other than Memphis and Jackson and this would mean a material convenience for lawyers, jurors, witnesses and persons concerned in legal actions. Presumably the people in a number of middle Tennessee communities would be similarly favored by a judge with what we believe the lawyers call concurrent jurisdiction.

All the circumstances seem to put logic on the side of creating a roving judgeship if there is to be any new one at all.

Logic Demands a Roving Judge

Senator Estes Kefauver has done well to abstain from personalities in support of the Tennessee Federal judgeship bill which is now ready for a vote in the Senate. In defense of his proposal for a roving judge to serve both middle and west Tennessee, rather than one who will operate in the mid-State alone, he has relied upon logic and an array of convincing facts.

From every standpoint, it is unfortunate that this bill should have become a matter of controversy, with Senator Kenneth D. McKellar leading a determined fight against the measure as approved by the Senate Judiciary Committee. The issue does not seem important enough to germinate such heat.

The Senate membership, it is to be hoped, will view the matter on its merits and provide for the existing and future judicial needs in our State.

Tennessee is entitled to one additional judge, and in view of the past illness of Judge Elmer Davies, of the middle Tennessee district, it is conceded that the new jurist should lend a hand to ease the present load. Although Judge Davies' health is reportedly improved, he is entitled to this assistance.

The important questions are whether there would be sufficient business for two full-time Federal judges in the middle district, and whether the new judge could not better serve by helping to care for the case load in two districts. Senator Kefauver insists that two judges would be superfluous in the middle district, but that a roving judge for the middle and west districts would serve an important purpose.

By dint of arduous work, Federal Judge Boyd in west Tennessee has kept his docket current, but since his is a rapidly growing section the case load is almost certain to increase. For reasons of illness or a trial running many weeks, it is pointed out, the west Tennessee docket could as easily become overcrowded as that in middle Tennessee.

Among the lawyers of the northern part of west Tennessee there is strong support for Senator Kefauver's amendment which is coupled with the expressed desire that the roving judge be permitted to hold court in that thickly populated area because of the in-

convenience to lawyers and litigants now required to attend court in Memphis or Jackson. The Dyer and Weakley County Bar Associations have so gone on record, and many lawyers in adjoining counties have given enthusiastic support to the plan.

Both of Memphis' daily newspapers have given strong editorial support to the roving judge measure, although the bar association in that city has taken an opposite stand.

Senator KEFAUVER has summed it all up in a letter to his colleagues, a letter, by the way, which is a restrained answer to one previously written by Senator MCKELLAR. He says:

"West Tennessee has a larger population and is growing more rapidly than middle Tennessee; the case load is heavier; west Tennessee has more lawyers; a roving judge in west Tennessee would make it possible for court to be held at Dyersburg or some other suitable place in the northwest section for the convenience of lawyers and litigants of those areas; the time of the judge would be fully utilized if he sat in both districts."

That is a concise and convincing summation which justifies the concluding statement that "the facts sustain the present provisions of the bill in question, and it would be illogical to change it."

Middle Tennesseans have a direct interest in relief for Judge Davies, but in their minds there is no sectional or political issue involved. In the light of facts, the institution of a roving judge for service in two districts is both practical and advisable. The layman has been impressed by Senator KEFAUVER's declaration that he would be entirely willing for a middle Tennessean to be appointed to the post, in agreement with his protesting colleague.

By deciding the judgeship controversy on its merits, the Senate has the opportunity of meeting the judicial needs of two Tennessee districts, instead of establishing two judges in one district. A vote to this desirable end would be a public service.

UNION CITY, TENN., *September 18, 1951.*

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.:

The undersigned members of Union City and Obion County bar association earnestly urge passage of roving judgeship bill for middle and west Tennessee. The site of the present court in Memphis and Jackson works a handicap to lawyers and litigants in our part of west Tennessee. We believe that a roving judge would be desirable in view of the large increase in population in west Tennessee and rapid industrialization in this and surrounding sections.

Paul G. Hudgins, Tom Elam, Robert Fry, Sam C. Nailling, E. H. (Tito) Lannon, David G. Caldwell, Hardy M. Gramham, Chas. B. Fields, W. E. Hudgins, W. M. Miles, C. W. Miles 3d, George Cloys, Fenner Heathcock.

MILAN, TENN., *September 18, 1951.*

Hon. ESTES KEFAUVER,
United States Senator,
Senate Office Building,
Washington, D. C.:

Undersigned members of Gibson County bar strongly urge passage of amendment to bill creating additional judgeship in Tennessee, so as to make such judgeship cover west Tennessee. Site and present court sittings work great handicap to lawyers and litigants in this portion of west Tennessee. Due to increase of Federal practice, increase of population and rapid industrialization, we feel definite need of roving judge.

Z. D. Atkins, Hal Holmes, W. R. Kenton, W. R. Kenton, Jr., Curry Drake, L. L. Harrell, A. H. Schoonover, Ralph R. Lawler.

DYERSBURG, TENN.,
August 28, 1951.

Hon. ESTES KEFAUVER,
Senator from Tennessee,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KEFAUVER: Enclosed herewith is a resolution adopted by the Lake County Bar Association, which resolution is self-explanatory. This resolution is an endorsement of the resolution by the Dyer County Bar Association forwarded to you on August 25, 1951. We would appreciate your earnest consideration of this matter.

Yours very truly,
DYER COUNTY BAR ASSOCIATION,
By GRANGER LATTA, *Secretary.*

MEMPHIS, TENNESSEE,
August 21, 1951.

Hon. ESTES KEFAUVER,
United States Senate Office Building,
Washington, D. C.

DEAR SENATOR: As a practicing attorney at the Memphis bar, and in the United States court in the western district of Tennessee, I am interested in the bill pending in the Congress to provide a new Federal judge. My information is that there is some question as to whether the jurisdiction of this new judge is to be extended to the western district of Tennessee.

I am strongly in favor of the extension of jurisdiction of the proposed new judge to cover west Tennessee. The work in Federal court here has grown tremendously in the last several years, due largely to—first, the increase in the population of the city of Memphis, and, second, the extension of the Federal jurisdiction by congressional legislation. This increase is calculated to be much more substantial during the next 4 or 5 years. Cases are likely to be brought in the Federal court, here, which will take as much as 30 to 60 days to try. I know of such cases now existing in neighboring districts. In such event the docket would very quickly get beyond control of one judge. Already the present judge has a docket which calls for heavy work at this hands.

In my opinion, 90 percent of the west Tennessee lawyers would, unless controlled by political considerations, be favorable to west Tennessee being included in the jurisdiction of the proposed new judge.

You know how closely I feel toward you, and I believe you know I am sincere in the beliefs expressed above.

Your friend,
R. GARLAND DRAPER.

MEMPHIS, TENN.,
September 26, 1951.

Hon. ESTES KEFAUVER,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KEFAUVER: I note from the papers that Mr. Charles Morgan, secretary of the Memphis and Shelby County Bar Association, has written you in regard to the creation of a new Federal judgeship, stating that the bar association does not approve your proposal of the roving judge.

As a member of the Memphis and Shelby County Bar Association in good standing, I would like to go on record in saying that I have never been afforded the opportunity to vote on this matter, and as a member I feel that is my right; I certainly do not like the idea of someone speaking for me without authority.

I have heard the matter discussed very intelligently, and wish to say that I think you are 100 percent correct in proposing the roving Federal judge, and hope you are successful in your endeavor.

You are at liberty to use this letter in any manner you see fit if it will help your cause in any way.

With best regards to you and Dick, I am

Yours truly,
GEORGE A. MCCORMICK.

TAYLOR & TAYLOR,
Memphis, Tenn., September 27, 1951.

Senator ESTES KEFAUVER,
Washington, D. C.

DEAR SENATOR: I am of the opinion that your stand on the judgeship issue has met general approval throughout west Tennessee. Most of the lawyers in Memphis that I have heard speak of it have approved your stand. I was up in Gibson County and talked to the lawyers and the laymen there and I talked to them in several other counties, and the opinion is the same everywhere that I went or have heard from. I have been very friendly to Senator MCKELLAR but I think this is the worst mistake he ever made and it is hurting him very badly. I have not heard anyone either in Memphis or outside criticize your stand and so far as I know it has the general approval of the public.

I am very fond of Judge Boyd and I do not feel that your action is any reflection on him whatever. Some of the lawyers here and elsewhere are making a bitter fight on him, however. But I see no reason for it.

I just thought I would write you what the real situation is in west Tennessee.

With best wishes, I am

Sincerely yours,
HILLSMAN TAYLOR.

MEMPHIS, TENN.,
September 21, 1951.

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR ESTES: This letter is to inform you that I am wholeheartedly behind you in your efforts to secure the roving Federal judgeship for Tennessee.

I can think of no logical reason for Senator MCKELLAR's position in the matter and I believe that most of the lawyers in Memphis feel the same way as I. The mere fact that Judge Boyd's calendar is up to date is no argument against confering jurisdiction over west Tennessee on the new office.

With the kindest regards to you and the members of your family, I am

Sincerely yours,
HAM PATTERSON.

MEMPHIS, TENN.,
September 20, 1951.

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR SIR: I am behind you in your fight to secure the roving Federal judgeship for Tennessee. Senator MCKELLAR's position is inexplicable.

Respectfully your,
A. WEEKS.

MEMPHIS, TENN.,
September 20, 1951.

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR ESTES: I would like to give you my support on the position you have taken with reference to the proposed new judgeship for Tennessee. I can see no reason for anyone to feel personally affronted by your proposal which seems very definitely to be the best plan.

Though the final decision should not rest with lawyers in a matter of this kind, I believe you have a very strong support in the lawyers in west Tennessee, including Memphis. I feel sure that the sentiment of the

members of the Memphis bar have not been properly communicated to you, except by what individual letters you have received.

I would suggest that if you think it feasible an inquiry be sent to the members of the bar in west Tennessee inquiring of their position in the matter.

At any rate, I desired that you should know how I feel about it.

Very truly yours,

HOMER L. ARMSTRONG.

MEMPHIS, TENN.,
September 7, 1951.

Senator ESTES KEFAUVER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR: I have read with interest in the newspapers of Memphis, Tenn., your proposal to have the President appoint a roving Federal judge for middle and west Tennessee.

I understand it is your idea that such a judge would sit and hold court in either middle or west Tennessee when and as needed, and probably hold court in sections where Federal court is not now held, thus affording great convenience to litigants and lawyers in those sections.

If your purpose and intent are as indicated above, I want to say that I am heartily in favor of your proposal, and to wish you success in your endeavors.

Incidentally, the newspapers here gave the impression, I think, that all of the lawyers in Memphis and Shelby County are opposed to your plan, in stating that the Memphis and Shelby County Bar Association opposed it. I am a member of the bar association and have been for many years, and wish to state to you that I knew nothing about the position and attitude to be taken by the bar association until I read the newspaper accounts. To my knowledge, there was no meeting of the bar association held to determine the wishes of its members, and, to my knowledge, the rank and file of the lawyers were not consulted.

I speak only for myself, but I am sure there are many lawyers here who feel the same way I do about your proposal, although some of them would doubtless hesitate to say so or to take any part in the controversy.

Very truly yours,

RICHARD M. BARBER.

HALLS, TENN., *September 12, 1951.*

Senator ESTES KEFAUVER,
Washington, D. C.

DEAR SIR: I have been requested to write you in regard to establishing a branch of the Federal court for west Tennessee, at Dyersburg, for the convenience of those counties lying in the northwest corner of the State, and being a member of that part of the bar naturally I would be glad to see this done.

If it is not too burdensome on the finances and you could support such a bill in the Senate if and when it reaches the Senate floor, I would like to know that you would support this bill.

I am yours truly,

W. C. PATTON.

PARIS, TENN., *August 17, 1951.*

Senator ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: Your usual good sense appears to be in evidence to your Federal judgeship bill. It seems to be conceded that such a judge should be available for necessary work in west Tennessee, but some make the strange insistence that the judge must be a middle Tennessee judge and a resident of that part of the State. Nothing could be more obviously fair than that the west Tennessee lawyers should now and in the future be eligible for the judgeship that serves them.

It is true that our friend, Judge Boyd, is young, able and commendably industrious, with the result that west Tennessee work is being well taken care of. He must be doing more than his share, however, and should not be expected to continue that load indefinitely.

I am sure west Tennesseans appreciate your position.

Yours truly,

FISHER NEAL.

DRESDEN, TENN., *August 27, 1951.*

Senator ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: You no doubt have received a copy of the resolutions adopted by the Weakley County Bar Association, which is self-explanatory.

The bar has asked me to write you further regarding this roving judgeship, and as you will note from the resolutions, geographically, Dresden should be the logical place to hold Federal Court.

Anything you can do, I assure you will be greatly appreciated by me and the Weakley County Bar Association.

Very truly yours,

MALCOLM R. DUKE.

DYERSBURG, TENN., *August 25, 1951.*

Senator ESTES KEFAUVER,
Senate Office Building,
United States Senate,
Washington, D. C.

DEAR ESTES: Yesterday the Dyer County Bar Association passed two resolutions regarding the Federal courts—one endorsing the idea of the creation of an additional judgeship in support of your position in the matter, and the other favoring the establishing of a regular session of the Federal district court in Dyer County. These resolutions are being forwarded to you by the secretary of our bar association.

Concerning the resolution about establishing a court session at Dyersburg, we are taking steps to enlist the support of the bars in the surrounding counties that would be served and benefited by the court, and we hope to have them forward to you endorsements of this plan at a very early date.

I am enclosing herewith a newspaper clipping from today's Commercial Appeal explaining the action of our bar association. We will appreciate your continued efforts to establish the additional judgeship for middle and west Tennessee, and to give serious consideration to the location of a session of the United States district court at Dyersburg.

With kindest personal regards.

Yours very truly,

BARRET ASHLEY.

MEMPHIS, TENN.,
August 27, 1951.

Hon. ESTES KEFAUVER,
United States Senate,
Washington, D. C.

DEAR ESTES: Press releases in the Memphis daily newspapers state that the board of directors of the Memphis and Shelby County Bar Association are opposing your efforts to secure the appointment of a roving judge to serve the middle and western divisions of the United States Court in Tennessee.

In my opinion, this action by the Memphis and Shelby County Bar Association is purely political in nature and does not reflect the views of the rank and file of lawyers of the local bar.

So far as I know, there was nothing to prevent the officials of the local bar association from calling a special meeting for the purpose of ascertaining the views of the members of the bar.

Memphis is one of the fastest growing cities in the United States, and certainly the western district of Tennessee, on a geographical basis, is far more populous than either of the other grand divisions of the State. This must necessarily increase the workload of our district court. The Congress is continually adding to the jurisdiction of Federal courts, and it would be to the manifest interest and advantage of the citizenry and the practitioners to have a judge available in case the workload became too heavy under any circumstances for the judge sitting in this division.

I respectfully urge that you continue your efforts to secure the appointment of a roving judge for the State of Tennessee.

Sincerely yours,

ROBERT A. TILLMAN.

MEMPHIS, TENN.,
August 27, 1951.

HON. ESTES KEFAUVER,
United States Senate,
Washington, D .C.

DEAR ESTES: I see from the press that you and Senator MCKELLAR are having differences with respect to the appointment of an additional Federal judge.

I think the Western District of Tennessee should have the services of this new judge available. I can see no argument whatsoever against it. Why should middle Tennessee have the exclusive services of an additional Federal judge, when at the same time west Tennessee might be given his services also when it became necessary?

It is not a question of the heavy workload or the condition of the docket of Judge Boyd in this district. We do not know when the work might become a burden, so why not have the services of an additional judge available when they are needed.

Memphis is growing, west Tennessee is growing, and Congress is passing laws adding to the jurisdiction of the Federal courts: I am for you in your efforts and hope you will continue them to give the western district the services of the additional judge.

I do not know and have not tried to find out the processes brought into action in the movement of the directors of the bar association here. I do not regard it as significant one way or the other. I am looking at the matter from the standpoint of merit only.

With best wishes, I am,

Sincerely yours,

GROVER MCCORMICK.

HARSH, PIERCE, COCHRAN,
RICKEY & CAREY,
Memphis, Tenn., August 23, 1951.

Senator ESTES KEFAUVER,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KEFAUVER: Lucius Burch has mentioned the matter of the Federal judgeship in Tennessee to me, and has given me a copy of his letter to you of August 20, and I am in accord with his opinion.

With reference to the condition of Judge Boyd's docket, I think this is due to two things: one is Judge Boyd's unusual efficiency in handling his cases; and, second, the purely accidental circumstance that there has been no lengthly litigation in his court of the type mentioned by Mr. Burch in which Mr. Walter Armstrong has been involved in another district. There was an antitrust case here that would have required a long time to try, and would have left Judge Boyd's docket in a crowded condition, set for trial a couple of years ago, which was settled before trial, and to the best of my knowledge no single case tried by Judge Boyd recently has required more than a week, which I believe is unusual.

I certainly cannot understand what objection any one would have to the availability

of the services of an extra judge in this district should they be needed.

With personal regards, I am

Cordially yours,

ALBERT C. RICKEY.

MEMPHIS, TENN., *August 21, 1951.*

Hon. ESTES KEFAUVER,
United States Senate Office Building,
Washington, D. C.

DEAR SENATOR KEFAUVER: It is my understanding that the roving judge for the United States courts in Tennessee may extend to the western district which is very pleasing to hear and this is to request that you exert your efforts in this direction. Being a member of the local bar and having some Federal practice, I am personally interested and feel that quite a number of lawyers here are likewise interested. However, under the political set-up in Shelby County, some of the lawyers may be reluctant to express their views in this matter.

There has been a very remarkable growth in the population of Memphis during the last several years, consequently the volume of work has increased and will steadily increase in the Federal court as the city continues to grow. Also the jurisdiction of Federal courts has been increasing and will continue to increase in the future. Unquestionably in my judgment, there is need for another judge in this jurisdiction which need will be more urgent in the future.

Best regards to you.

SAM F. COLE.

MEMPHIS, TENN., *August 21, 1951.*

Senator ESTES KEFAUVER,
United States Senate,
Washington, D. C.

DEAR ESTES: As a member of the Memphis and Shelby County Bar Association, the Bar Association of the State of Tennessee, and of the American Bar Association, I would like to express my desire of having a roving judge appointed to hold court in the United States District Court for the Western Division of the Western District of Tennessee. In my opinion, there is a great need for such a judge.

Memphis is a rapidly growing metropolis. There will be increasing business and litigation in this court, and one judge cannot physically take care of the work.

Very truly yours,

HUNTER LANE.

MEMPHIS, TENN., *August 22, 1951.*

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KEFAUVER: Mr. Lucius Burch of the Memphis bar has suggested I write you and tell you what I think of your proposal that, if an additional Federal judgeship is created in Tennessee, the new judge should have jurisdiction both in middle and west Tennessee and should try cases in both districts where and as needed.

While the committee appointed by the board of directors of the Memphis and Shelby County Bar Association to investigate this proposal has found "western Tennessee does not need a new roving Federal judge because the record shows the docket of Judge Boyd's court is in better shape than any other in the United States," no one can foresee that Judge Boyd or his successor may not become ill and the court docket become congested because of the judge's illness. I believe the newly created judgeship's jurisdiction should include both the middle and western districts of Tennessee.

Kindest personal regards.

Yours very truly,

THOMAS C. RHEM.

MEMPHIS, TENN., *August 21, 1951.*

Hon. ESTES KEFAUVER,
United States Senate Office Building,
Washington, D. C.

DEAR SENATOR KEFAUVER: With reference to the appointment of a roving Federal judge for the State of Tennessee, it seems there is some doubt as to the limits of this judge's jurisdiction. As a member of the Memphis and Shelby County Bar, I am interested in the western division of the western district of Tennessee. At the present time this court is handling a large volume of business due to the increased criminal and civil jurisdiction by recent congressional enactments and I think that the new judge should have jurisdiction in the western division of the western district. I respectfully urge you to sincerely consider this matter. With the kindest regards, I beg to remain,

J. E. MADDEN.

TRENTON, TENN., *August 14, 1951.*

The Honorable ESTES KEFAUVER,
The United States Senate,
Washington D. C.

DEAR SENATOR: It has come to my attention through newspaper reports that you have been successful in amending the omnibus judicial bill in the Senate Judiciary Committee to provide that an additional United States district judge of Tennessee be a roving jurist in the middle and western districts.

I wish to endorse this bill wholeheartedly, and to advise you that I believe that all the members of the bar in Gibson County heartily endorse this type of district judge.

Sincerely,

GAYLE I. MALONE.

BOLIVAR, TENN., *August 14, 1951.*

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KEFAUVER: I have been glad to learn of your success in amending the omnibus judicial bill in the Judiciary Committee to provide that any additional United States district judge for Tennessee would be a roving jurist in the middle and western districts.

I am convinced that this is a much better plan than to have an additional judge for the middle district. I am glad to recommend this plan and will ask other members of the local bar to express their approval to you.

Very truly yours,

EWING J. HARRIS.

BURCH, PORTER & JOHNSON,
Memphis, Tenn., August 20, 1951.

Hon. ESTES KEFAUVER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR KEFAUVER: On Saturday Mr. Wallace, your administrative assistant, called to inquire the sentiment of the local bar regarding your proposal that, if an additional Federal judgeship is created in Tennessee, the new judge should have jurisdiction both in middle and west Tennessee and should try cases in both divisions where and as needed.

As I understand it, there are really two questions involved—first, whether any additional judgeship is needed. The directors of the Memphis and Shelby County Bar Association made a study of the matter and, after talking with Judge Martin and Judge Boyd, concluded there was no present need for any additional Federal judgeship in west Tennessee. My own observation is in accord with that conclusion. Judge Boyd is current with his docket, and if west Tennessee alone were to be considered it would seem a useless burden on the taxpayers to saddle them with an additional judicial salary.

However, as I understand the matter, the condition of the docket is very bad in middle Tennessee because of the illness of Judge Davies and the case load of both judges is such, in the opinion of the Judiciary Committee, as to justify the creation of a new judgeship. If a new judgeship is to be created, it seems to me plain that it would be better for the judge to have jurisdiction to hear cases in both divisions where and as needed. It is true that Judge Boyd is presently current with his docket but he, as well as Judge Davies or any other man, may become ill. At the moment Mr. Walter Armstrong, Jr., of this bar is trying a case in the United States district court at Vicksburg which has been on trial for several months and seems likely to continue for several months more. Similar cases may be tried here at any time, and it can be imagined what such a case will do to the docket of any court. If the Judiciary Committee has decided upon the creation of an additional judgeship, I would be in favor of a proposal to allow us to get maximum service from the new judge and not confine his jurisdiction to a small area which temporarily has a congested docket because of the illness of the district judge.

With best personal regards, I remain,

Yours very truly,

LUCIUS E. BURCH, Jr.

Mr. KEFAUVER. Mr. President, a few days ago reference was made in the CONGRESSIONAL RECORD to my not answering a letter from Mr. Charles G. Morgan, secretary of the Memphis and Shelby County Bar Association. The letter was answered under date of August 28. I ask unanimous consent that my reply also be printed in the body of the RECORD.

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

AUGUST 28, 1951.

Mr. CHARLES G. MORGAN,
Secretary, Memphis and Shelby County Bar Association, Memphis, Tenn.

DEAR MR. MORGAN: Thank you for your letter of August 18 advising me that the board of directors of your association feels that there is no need for an additional United States judge for the Western District of Tennessee at this time. I am glad to have the opinion of your association that Judge Boyd is current in his district and does not presently need any help. That is exactly in line with all of the information I have received. Everyone speaks well of Judge Boyd's ability to keep his docket current. Indeed, if only Judge Boyd's court were considered, the question of the additional judgeship would not have arisen at this time.

The question about which I wish your association would advise me is, If an additional judgeship is created should the additional judge have jurisdiction in both middle and west Tennessee?

As you know, the docket in middle Tennessee is very badly congested, largely because of an extended illness of Judge Davies. Since the case load in both middle and west Tennessee is higher than the national average, it was the opinion of the Judiciary Committee that an additional judgeship was warranted to serve both jurisdictions. It seemed to me that if such a judgeship was created it should be upon a basis where the litigants and the lawyers would get maximum service from the additional judge, and I thought it would be well for the judge to have jurisdiction in both middle and west Tennessee rather than confine his jurisdiction solely to middle Tennessee. My reasons for this are as follows:

First. The congested docket in middle Tennessee is due to the illness of the trial judge. Undoubtedly two judges will clear this up

quickly, and then there will not be sufficient business in that one district to occupy two judges, in my opinion. While Judge Boyd is in excellent health, and we hope he will remain so, he, like all of us, is subject to the ills of the flesh and may himself be indisposed, in which event the additional judge would be available to lighten his load.

Second. The population of Memphis is growing more rapidly than any other section of the State and the increase in population will naturally result in a heavier case load. (As you know, the eastern district already is split with two divisions.)

Third. The growth of industrial and commercial activity in the Memphis area exceeds that of any other section of the State. Commercial and industrial disputes result in long litigation and a series of extended lawsuits can wreck any judge's docket. A member of your bar is presently engaged in a litigation in Vicksburg that has been on trial for several months and may continue for several months more. It is reasonably to be expected that Memphis might be the forum of such a suit or, indeed, several of them at any time. It would be a great convenience to the jurors, witnesses, litigants, and lawyers in other parts of west Tennessee if court might be held elsewhere than at Memphis and Jackson. There is considerable interest in this throughout west Tennessee, and I have resolutions from other bar associations in west Tennessee supporting the roving judge, undoubtedly, with the idea that other places of holding court will be established.

In short, it seems to me that Judge Boyd is working to capacity right now and that it would be a good thing to create a judicial reserve, so to speak, that might be drawn on as the need arises.

Judgeships with concurrent jurisdiction are quite common in the Federal judiciary and elsewhere. The best example of their usefulness that I know of is to be found right in Shelby County, where you have four circuit judges of concurrent jurisdiction and two chancellors.

I would be glad to have the ideas of your association on the specific question, "If an additional Federal judgeship is to be created, should jurisdiction extend to west Tennessee?"

Thanking you for your help in this matter, I remain

Sincerely,

ESTES KEFAUVER,
United States Senate.

EXECUTIVE SESSION

Mr. McFARLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona. [Putting the question.]

On this question, the result of a vote is a tie; and the Chair votes in favor of the motion. [Laughter.]

Mr. McFARLAND. Mr. President, does that carry the motion?

The VICE PRESIDENT. Yes, that carries it; and the Senate is now in executive session.

Mr. McFARLAND. I thank the Chair.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of Francis Xavier Chapados, of Alaska, to be United States marshal for division No. 4, District of Alaska, vice Frank Barr, resigned, which was referred to the Committee on the Judiciary.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

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

Maj. Gen. George Anthony Horkan, United States Army, for appointment as the Quartermaster General, United States Army;

Lt. Gen. Stephen J. Chamberlin, commanding general, Fifth Army (major general, U. S. Army), to be placed on the retired list in the grade of lieutenant general;

Maj. Gen. James George Christiansen, and sundry other officers for appointment in the Regular Army of the United States;

Alfred O. Heldobler, and sundry other persons, for appointment in the Regular Army of the United States;

Robert Walker Robinson, and sundry other officers for promotion in the United States Air Force;

Lt. Gen. Richard Emmel Nugent, Deputy Chief of Staff, Personnel, United States Air Force (major general, U. S. Air Force), to be placed on the retired list in the grade of lieutenant general;

Maj. Gen. Reginald Carl Harmon (colonel, Regular Air Force), United States Air Force, for appointment in the permanent grade of major general in the Regular Air Force;

Maj. Gen. Bryant LeMaire Boatner and sundry other officers for appointment in the United States Air Force;

Brig. Gen. Alfred August Kessler and sundry other officers for temporary appointment in the Air Force of the United States;

Bernt Balchen and sundry other persons for appointment in the United States Air Force;

Rear Adm. Murrey L. Royar, Supply Corps, United States Navy, to be Paymaster General and Chief of the Bureau of Supplies and Accounts in the Department of the Navy;

Rear Adm. Charles W. Fox, Supply Corps, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving under a Presidential designation as Chief of Naval Material;

Eugene H. Pillsbury and Spencer A. Barrow, officers of the Supply Corps of the Navy for permanent appointment as ensign in the line of the Navy;

Gordan A. Anderson, and sundry other line officers of the Navy for permanent appointment as ensign in the Civil Engineer Corps of the Navy;

Gordon A. Anderson, for permanent promotion to the grade of lieutenant (junior grade) in the Civil Engineer Corps of the Navy;

James A. Stuart, for permanent appointment to the grade of brigadier general, in the Marine Corps; and

Homer L. Litzenberg, Jr., for temporary appointment to the grade of brigadier general in the Marine Corps.

The VICE PRESIDENT. If there are no further reports of committees, the clerk will proceed to state the nominations on the calendar.

UNITED STATES ATTORNEY

The legislative clerk read the nomination of Charles S. Vigil, of Colorado, to be United States attorney for the district of Colorado.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George L. Robertson, of Missouri, to be United States attorney for the eastern district of Missouri.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of Lucius Marshall Walker, Jr., of Virginia, to be United States marshal for the eastern district of Virgina.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the Public Health Service.

The VICE PRESIDENT. Without objection, the nominations in the Public Health Service are confirmed en bloc.

Without objection, the President will be notified forthwith of all confirmations of nominations.

LEGISLATIVE SESSION

The Senate resumed the consideration of legislative business.

AUTHORIZATION FOR VICE PRESIDENT TO SIGN ENROLLED BILLS DURING THE RECESS

Mr. McFARLAND. Mr. President, I ask unanimous consent that the Vice President be authorized to sign duly enrolled bills during the recess of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

RECESS TO MONDAY

Mr. McFARLAND. I now move that the Senate stand in recess until 12 o'clock noon on Monday, next.

The motion was agreed to; and (at 4 o'clock and 31 minutes p. m.) the Senate took a recess until Monday, October 8, 1951, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate October 4 (legislative day of October 1), 1951:

UNITED STATES MARSHAL

Francis Xavier Chapados, of Alaska, to be United States marshal for division No. 4, district of Alaska, vice Frank Barr, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 4 (legislative day of October 1), 1951:

UNITED STATES ATTORNEYS

Charles S. Vigil to be United States attorney for the district of Colorado.

George L. Robertson to be United States attorney for the eastern district of Missouri.

UNITED STATES MARSHAL

Lucius Marshall Walker, Jr., to be United States marshal for the eastern district of Virginia.

PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE

To be senior assistant pharmacists (equivalent to the Army rank of captain), effective date of acceptance

Howard E. Fleischer
Edwin W. Bohrer
Victor F. Serino
Richard F. Bolte
Allums F. Smith

To be senior assistant scientists (equivalent to the Army rank of captain), effective date of acceptance

Colvin L. Gibson
Kelsey C. Milner
Robert Holdenried

To be senior assistant sanitarians (equivalent to the Army rank of captain), effective date of acceptance

Louis J. Ogden
George R. Hayes, Jr.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 4, 1951

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

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, we again beseech Thee to grant Thy infallible and unerring wisdom and counsel unto all the Members of the Congress who, during these perilous days, are bearing the responsibility and anguish of making decisions which are of momentous and far-reaching significance.

We know that the soul of man is not able and sufficient to be its own guide. May we accept the gracious overtures of Thy divine spirit to bring our finite minds into harmony with Thy supreme intelligence which controls and directs the stately order of the vast universe of which we are only an infinitesimal part.

We pray that we may never live on those low levels of deceit and duplicity, of hypocrisy and dishonesty to which our baser self would drag us down, but may we be true to our better self and aspire to reach those loftier heights of truth and righteousness, of heroic endeavor and noble achievement, and of moral beauty and spiritual loveliness.

To Thy name we ascribe all the praise. Amen.

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

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order today for the Consent Calendar and the Private Calendar to be called, and also that it may be in order to consider bills under suspension of the rules, with the understanding as it was heretofore announced, that it is with reference to the consideration of one bill under suspension of the rules.

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

There was no objection.

APPROPRIATION FOR VETERANS' ADMINISTRATION

Mr. THOMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 340) making appropriations for the Veterans' Administration for the fiscal year 1952.

The Clerk read the title of the joint resolution.

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

Mr. COTTON. Mr. Speaker, reserving the right to object, will the gentleman explain this resolution briefly?

Mr. THOMAS of Texas. As the gentleman knows, this is a resolution reported out of the Subcommittee on Independent Offices Appropriations. It is a unanimous request for $5,000,000 for the Veterans' Administration to pay indemnities to dependents of veterans, most of whom are victims of the Korean war. There were some 12,000 of these cases pending, and perhaps 15,000 by now. This item passed the House in August, and is a part of the first supplemental appropriation for this fiscal year. It is pending in the other body, but the situation is so urgent that the Veterans' Administration has asked that it be taken up out of order and passed immediately as a separate item.

Mr. COTTON. Mr. Speaker, I, of course, have no objection and withdraw my reservation of objection.

Mr. RANKIN. Mr. Speaker, reserving the right to object. This measure provides automatic insurance for the men who are killed in Korea, which the Committee on Veterans' Affairs asked for, does it not?

Mr. THOMAS. That is correct.

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

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1952, the following sum:

VETERANS' ADMINISTRATION

SERVICEMEN'S INDEMNITIES

For payment of liabilities under the Servicemen's Indemnity Act of 1951, $5,000,000, to remain available until expended.

The House 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.

WATER FACILITIES FOR THE SAN DIEGO, CALIF., AREA

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5102) to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval and Marine Corps installations and defense production plants in such area, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, subject to the provisions of section 3 of this act, the Secretary of the Navy, under the direction of the Secretary of Defense, is authorized and directed to provide for—

"(1) such enlargement of the existing adequate extending from the west end of the San Jacinto tunnel of the Metropolitan Water District of Southern California to the San Vicente Reservoir in San Diego County, Calif., as may be necessary to increase the rated capacity of such existing aqueduct from 85 cubic feet per second to not less than 165 cubic feet per second, or

"(2) the construction of a new aqueduct paralleling such existing aqueduct and having a rated capacity of not less than 80 cubic feet per second.

"SEC. 2. The use of all water diverted through said works from the Colorado River shall be subject to and controlled by the Colorado River Compact, the Boulder Canyon Project Act, the California Self-Limitation Statute and the Mexican Water Treaty and shall be included within and shall in no way increase the total quantity of water to the use of which the State of California is entitled and limited by said compact, statutes, and treaty.

"SEC. 3. No construction shall be undertaken under the authority of section 1 of this act and no funds shall be expended for the preparation of plans or specifications for any such construction unless and until the Secretary of the Navy has entered into a contract with the San Diego County Water Authority amending the contract (NOy-13300) of October 17, 1945 (providing for the completion of such existing aqueduct), to provide—

"(1) for the computation of the true cost of the work performed under the authority of section 1 of this act in the same manner as provided for determining true cost in such contract of October 17, 1945;

"(2) for the repayment of the true cost of the work performed under the authority of section 1 of this act, together with interest on such amount computed at the rate certified by the Secretary of the Treasury to be the average rate paid by United States on its long-term loans, within a period of 40 years after the completion and delivery to the San Diego County Water Authority of possession of the works constructed under the authority of this act: *Provided*, That repayment shall be made in annual installments of not less than one-fortieth of the true cost due when computed as herein prescribed plus annually accrued interest;

"(3) that the use of all water diverted through said works from the Colorado River shall be subject to and controlled by the Colorado River Compact, the Boulder Canyon Project Act, the California Self-Limitation Statute and the Mexican Water Treaty and shall be included within and shall in no way increase the total quantity of water to the use of which the State of California is entitled and limited by the said compact, treaty, and statutes;

"(4) for the conveyance by the United States to the San Diego County Water Authority of title to the works constructed (including all rights-of-way and other interests in land used in connection with such works) under such contract of October 17, 1945, together with the works constructed under the authority of section 1 of this act, upon repayment of the true cost of such works, including interest, computed as hereinabove set forth; and

"(5) that after the effective date of this contract the member agencies of the San Diego County Water Authority, their successors or assigns as the distributors of the water, shall furnish to the Government on a preferential basis and at a rate no higher than that charged other users of comparable quantities of water, a quantity of water sufficient to meet the requirements of Government activities located and to be located in the area served by such agencies.

"SEC. 4. For the purpose of enabling him to carry out the provisions of the first section of this act, the Secretary of the Navy is authorized to acquire lands and rights pertaining thereto, or other interests therein, including the temporary use thereof, by donation,

purchase, exchange of Government-owned lands, or otherwise.

"SEC. 5. The United States and the San Diego County Water Authority and their respective permittees, licensees, and contractees and all users and appropriators of water of the Colorado River diverted or delivered through the existing aqueduct and the enlargement or addition thereto shall observe and be subject to the Colorado River Compact, the Boulder Canyon Project Act, the California Self-Limitation Statute and the Mexican Water Treaty in the diversion, delivery, and use of water of the Colorado River, anything in this act to the contrary notwithstanding, and such condition and covenant snall attach as a matter of law whether or not set out or referred to in the instrument evidencing such permit, license, or contract and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming and the users of water therein or thereunder by way of suit, defense, or otherwise in any litigation respecting the waters of the Colorado River.

"SEC. 6. The Secretary of the Navy is authorized to provide for the construction of the whole or any part of the work authorized by the first section of this act (1) by contract, (2) by the use of facilities and personnel of the Navy Department, or (3) by the use of the facilities and personnel of any other department or agency of the United States with which an agreement may be entered into to perform or to have performed the whole or any part of such work.

"SEC. 7. The appropriation of such sums as may be necessary to carry out the provisions of this act is hereby authorized.

"SEC. 8. This act and all works constructed hereunder shall be subject to and controlled by the Colorado River Compact dated November 24, 1922, and proclaimed effective by the President June 25, 1929; the Boulder Canyon Project Act approved December 21, 1928; the California Limitation Act approved by the Governor of California March 4, 1929; and no right or claim of right to the use of the waters of the Colorado River shall be aided or prejudiced hereby."

Amend the title so as to read: "An act to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval installations and defense production plants in such area.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand this amendment is simply changing the phraseology of the bill.

Mr. KILDAY. The gentleman is correct. It is the bill that passed the House. There are certain corrections in the language which do not change the intent or purpose of the bill.

Mr. MARTIN of Massachusetts. And it has the unanimous approval of the committee?

Mr. KILDAY. The gentleman is correct.

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

There was no objection.

The Senate amendment was concurred in.

CONFERENCE REPORT ON THE BILL S. 1864

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a conference report on the bill S. 1864.

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

There was no objection.

THREE-YEAR PRESUMPTIVE PERIOD FOR VETERANS DEVELOPING MULTIPLE SCLEROSIS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3205) to amend the Veterans Regulations to provide that multiple sclerosis developing a 10-percent-or-more degree of disability within 3 years after separation from active service shall be presumed to be service-connected, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause, and insert "That the second last proviso of subparagraph (c) of paragraph I, part I, Veterans Regulation No. 1 (a), as amended, is hereby amended by inserting after the words '3 years' the words ', or multiple sclerosis developing a 10-percent degree of disability or more within 2 years.' "

Amend the title so as to read: "An act to amend the Veterans Regulations to provide that multiple sclerosis developing a 10-percent-or-more degree of disability within 2 years after separation from active service shall be presumed to be service-connected."

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

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, will the gentleman explain the Senate amendments for the RECORD.

Mr. RANKIN. Mr. Speaker, I move that the House concur in the Senate amendment to the bill, H. R. 3205.

As passed by the House, this bill would provide a 3-year presumptive period for veterans developing the disease of multiple sclerosis. The Senate amendment reduces this period to 2 years.

The amendment of the Senate is acceptable to the author of the bill, the gentleman from Texas [Mr. TEAGUE], and I have polled the committee, and a majority of the members say they favor concurrence in the Senate amendment rather than to further delay this legislation.

Mr. McCORMACK. Mr. Speaker, I withdraw my reservation of objection.

Mr. RANKIN. Personally, I would extend this presumptive period, as we did for World War I veterans. But this is the best we can get under the circumstances.

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

There was no objection.

The Senate amendments were concurred in.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1952—CONFERENCE REPORT

Mr. McGRATH. Mr. Speaker, I call up the conference report on the bill (H. R. 4496) making appropriations for the legislative branch, for the fiscal year ending June 30, 1952, and for other purposes, and I ask unanimous consent that the statement on the part of the managers 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 York?

Mr. HORAN. Reserving the right to object, Mr. Speaker, this is a unanimous report from our conference, is it not?

Mr. McGRATH. That is correct.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1088)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4496) making appropriations for the legislative branch, for the fiscal year ending June 30, 1952, 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 amendments numbered 60 and 66.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 17, 19, 20, 22, 23, 26, 27, 28, 29, 30, 31, 34, 35, 37, 39, 40, 47, 48, 51, 55, 56, 57, 58, 61, 62, and 64, and agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$800,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$80,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 10, 12, 13, 14, 15, 16, 18, 21, 24, 25, 32, 33, 36, 38, 41, 42, 43, 44, 45, 46, 49, 50, 52, 53, 54, and 65.

CHRISTOPHER C. MCGRATH,
MICHAEL J. KIRWAN,
GEORGE ANDREWS,
CLARENCE CANNON,
WALT HORAN,
GEO. B. SCHWABE,
JOHN TABER,
Managers on the Part of the House.

ALLEN J. ELLENDER,
KENNETH MCKELLAR,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
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. 4496) making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

SENATE

Amendments Nos. 1–46: Provide appropriations for the Senate which were not included in the bill as passed by the House. Of such amendments, those numbered 10,

12, 13, 14, 15, 16, 18, 21, 24, 25, 32, 33, 36, 38, 41, 42, 43, 44, 45, and 46 would have been subject to points of order if considered originally in the House, and therefore are reported in disagreement. The conference report recommends that the House recede and concur with the remainder of such amendments.

HOUSE OF REPRESENTATIVES

Office of the Clerk

Amendment No. 47—Office of the Clerk: Appropriates $593,843 as proposed by the Senate instead of $580,460 as proposed by the House.

Office of the Sergeant at Arms

Amendment No. 48—Office of the Sergeant at Arms: Appropriates $348,406 as proposed by the Senate instead of $331,605 as proposed by the House.

Amendment No. 49: Reported in disagreement, since this provision would have been subject to a point of order if considered originally in the House.

Joint Committee on Reduction of Nonessential Federal Expenditures

Amendment No. 50, providing for the Joint Committee on Reduction of Nonessential Expenditures, would have been subject to a point of order if considered originally in the House, therefore is reported in disagreement.

ARCHITECT OF THE CAPITOL

Amendment No. 51—Capitol Buildings: Appropriates $741,332 as proposed by the Senate instead of $731,400 as proposed by the House.

Amendment No. 52—Subway transportation, Capitol and Senate Office Buildings: Reported in disagreement, inasmuch as this item would have been subject to a point of order if considered originally in the House.

Amendment No. 53—Senate Office Building: Reported in disagreement since the item would have been subject to a point of order if considered originally in the House.

Amendment No. 54—Senate restaurants: Reported in disagreement since the item would have been subject to a point of order if considered originally in the House.

Amendment No. 55—House Office Buildings: Appropriates $961,564 as proposed by the Senate instead of $941,700 as proposed by the House.

LIBRARY OF CONGRESS

Amendment No. 56—Salaries, Library proper: Appropriates $3,124,204 as proposed by the Senate instead of $3,044,000 as proposed by the House.

Amendment No. 57—Copyright Office: Appropriates $914,510 as proposed by the Senate instead of $890,000 as proposed by the House.

Amendment No. 58—Legislative Reference Service: Inserts the words "printing and binding" as proposed by the Senate.

Amendment No. 59—Legislative Reference Service, salaries and expenses: Appropriates $800,000 instead of $700,000 as proposed by the House and $810,000 as proposed by the Senate.

Amendment No. 60 reinserts the provision of the House to prohibit use of Legislative Reference Service appropriations for publication or preparation of material (except the Digest of General Public Bills) to be issued by the Library of Congress.

Amendment No. 61—Distribution of catalog cards: Appropriates $566,891 as proposed by the Senate instead of $522,100 as proposed by the House.

Amendment No. 62—Union Catalogs: Appropriates $79,430 as proposed by the Senate instead of $77,000 as proposed by the House.

Amendment No. 63—Miscellaneous expenses of the Library: Appropriates $80,000 instead of $75,000 as proposed by the House and $85,000 as proposed by the Senate.

Amendment No. 64—Library Buildings: Appropriates $711,625 as proposed by the Senate instead of $698,680 as proposed by the House.

Amendment No. 65: Reported in disagreement.

GENERAL PROVISIONS

Amendment No. 66: Strikes out a provision inserted in section 107 by the Senate.

CHRISTOPHER C. MCGRATH,
MICHAEL J. KIRWAN,
GEORGE ANDREWS,
CLARENCE CANNON,
WALT HORAN,
GEO. B. SCHWABE,
JOHN TABER,
Managers on the Part of the House.

Mr. McGRATH. 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.

Mr. McGRATH. Mr. Speaker, I ask unanimous consent for the consideration en bloc of the following amendments in disagreement: 10, 12, 13, 14, 15, 16, 18, 21, 24, 25, 32, 33, 36, 38, 41, 42, 43, 44, 45, 46, 49, 50, 52, 53, and 54.

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 amendments in disagreement.

The Clerk read as follows:

Senate amendment No. 10: Page 2, line 20, insert the following:

"For clerical assistance to the Vice President, at rates of compensation to be fixed by him in multiples of $5 per month, $50,370."

Senate amendment No. 13: Page 12, line 1, insert the following:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $367,706, including the following positions: Chief Clerk, $7,500 in lieu of Chief Clerk, who shall perform the duties of reading clerk, $7,500; bill clerk, $4,500 in lieu of principal clerk, $4,500; engineer, Joint Recording Facility, $2,280; secretary, $4,100 in lieu of clerk, $4,100; assistant secretary, $3,380 in lieu of clerk, $3,380; assistant superintendent of document room, $4,000 in lieu of clerk, $4,000; clerk of enrolled bills, $3,900 in lieu of clerk, $3,900; first assistant in document room, $3,420 in lieu of clerk, $3,420; secretary to Parliamentarian, $3,180 in lieu of clerk, $3,180; custodian of records, $3,180 in lieu of clerk, $3,180; assistant executive clerk, $3,000 in lieu of clerk, $3,000; assistant keeper of stationery, $2,880 in lieu of clerk, $2,880; reference assistant, $2,700 in lieu of clerk, $2,700; stockroom clerk, $2,460 in lieu of clerk, $2,400; reference assistant, $2,460 in lieu of clerk, $2,400; journal index clerk, $2,460 in lieu of clerk, $2,400; second assistant in document room, $2,460 in lieu of clerk, $2,400; reference assistant, $1,980 in lieu of clerk, $1,740; clerks—two at $2,040 each in lieu of $1,860; two at $1,980 each in lieu of $1,740; reference assistant, $2,640 in lieu of first assistant in document room, $2,640; clerk, $2,220 in lieu of second assistant in document room, $2,040; special officers—two at $2,520 each in lieu of $2,460; assistants in document room—four at $2,220 each in lieu of $2,040; chief messenger in document room, $1,980 in lieu of skilled laborer, $1,740; assistant librarian, $3,120 in lieu of first assistant librarian, $3,180; secretary in library, $2,220 in lieu of assistant in library, $2,100; legislative analyst, $2,220 in lieu of assistant in library, $2,100; chief messenger in Secretry's office, $2,400 in lieu of laborer, $2,280; messenger, $1,980 in lieu of laborer in Secretary's office, $1,740; messengers—four at $1,980 each in lieu of four laborers at $1,740 each; chief messenger in disbursing office, $1,920 in lieu of laborer, $1,680; chief of library stacks, $1,860 in lieu of laborer, $1,620; reference assistant, $1,800 in lieu of laborer, $1,500; messenger, $1,800 in lieu of laborer, $1,500; chief messenger in library, $1,740 in lieu of laborer, $1,440; messenger, $1,620 in lieu of laborer, $1,320; messenger, $1,620 in lieu of $1,320; press liaison, $2,880 in lieu of assistant at press door, $2,520; assistant at press door, $2,160 in lieu of $2,000; aide to the Vice President, $2,460 in lieu of $2,400."

Senate amendment No. 13: Page 4, line 21, insert the following:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees, and the Select Committee on Small Business, $1,579,685."

Senate amendment No. 14: Page 5, line 1, insert the following:

"Conference committees."

Senate amendment No. 15: Page 5, line 2, insert the following:

"For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $30,280."

Senate amendment No. 16: Page 5, line 5, insert the following:

"For clerical assistance to the Conference of the Minority at rates of compensation to be fixed by the chairman of said committee, $30,280."

Senate amendment No. 18: Page 5, line 12, insert the following:

"OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

"For office of Sergeant at Arms and Doorkeeper, $1,130,628, including the following positions: Messengers acting as assistant doorkeepers—3 at $2,580 each in lieu of $2,560; messengers—25 at $2,100 each in lieu of $1,900; messengers for the minority—chief, $2,400 and 3 at $2,100 each in lieu of 4 at $1,900 each; messengers—4 at $1,980 each in lieu of $1,780; messengers for service to press correspondents—2 at $1,800 each in lieu of $1,500; clerks—1, $3,480 in lieu of $2,700; 1, $2,580 in lieu of $2,500; 1, $2,460 in lieu of $2,400; 1, $2,400 in lieu of $2,280; 1, $2,280 in lieu of $2,160; 4 at $2,160 each in lieu of $1,980; 1, $2,160 in lieu of $1,950; cabinetmakers—2 at $2,520 each in lieu of $2,460; finisher, $2,520 in lieu of $2,460; upholsterer, $2,520 in lieu of $2,460; assistant chief janitor, $2,220 in lieu of $2,100; night foreman, $1,920 in lieu of $1,680; assistant chief telephone operators—3 at $2,460 each in lieu of $2,400; telephone operators—33 at $1,980 each plus longevity increases as authorized by law in lieu of $1,800 plus such longevity increases; skilled laborers—5 at $1,920 each in lieu of $1,680; laborer in charge of private passage, $2,400 in lieu of $2,280; female attendants, ladies' retiring rooms, 2 at $1,800 each in lieu of $1,560; laborers—3 at $1,920 each in lieu of $1,700; 30 at $1,620 each in lieu of $1,320; 4 at $600 each in lieu of $540; wagon master, $2,520 in lieu of $2,480; assistant wagon master, $2,100 in lieu of $1,940; mail carriers—26 at $2,100 each in lieu of $1,940; clerks in folding room—1, $2,460 in lieu of $2,400; 1, $1,980 in lieu of $1,740; chief folder, $2,460 in lieu of $2,040; folders—13 at $1,740 each in lieu of $1,440; lieutenants, police force—2 at $2,340 each in lieu of $2,200; special officers, police force—2 at $2,340 each in lieu of $2,200; sergeants, police force—4 at $2,280 each in lieu of $2,120; privates, police force—75 at $2,160 each in lieu of $2,000: *Provided*, That hereafter the pay of pages shall begin not more than 5 days before the convening or reconvening of a session of the Congress or of the Senate, and shall continue until the end of the

month during which the Congress or the Senate adjourns or recesses, or the fourteenth day after such adjournment or recess, whichever is the later date."

Senate amendment No. 21: Page 7, line 11, insert the following:

"Legislative reorganization: For salaries and expenses, legislative reorganization, including the objects specified in Public Law 663, Seventy-ninth Congress, $100,000."

Senate amendment No. 24: Page 7, line 21, insert the following:

"Joint Committee on Atomic Energy: For salaries and expenses of the Joint Committee on Atomic Energy, including the objects specified in Public Law 20, Eightieth Congress, $160,135."

Senate amendment No. 25: Page 8, line 1, insert the following:

"Joint Committee on Printing: For salaries for the Joint Committee on Printing at rates to be fixed by the committee, $35,633; for expenses of compiling, preparing, and indexing the Congressional Directory, $1,600; for compiling, preparing, and indexing material for the biographical directory, $1,600, said sum, or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation to any employee of the United States; and for travel and subsistence expenses at rates provided by law for Senate committees, $4,500; in all, $43,333."

Senate amendment No. 32: Page 9, line 5, insert the following:

"Inquiries and investigations: For expenses of inquiries and investigations ordered by the Senate or conducted pursuant to section 134 (a) of Public Law 601, Seventy-ninth Congress, including compensation for stenographic assistance of committees at such rates and in accordance with such regulations as may be prescribed by the Committee on Rules and Administration, but not exceeding the rate of 25 cents per 100 words for the original transcript of reported matter; and including $100,000 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, and Public Law 20, Eightieth Congress, $882,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses (as defined in the Travel Expense Act of 1949) at rates in excess of $9 per day except that higher rates may be established by the Committee on Rules and Administration in the case of travel beyond the limits of the continental United States."

Senate amendment No. 33: Page 10, line 1, insert the following:

"Folding documents: For folding speeches and pamphlets at a gross rate not exceeding $2 per thousand, $28,875."

Senate amendment No. 36: Page 10, line 6, insert the following:

"Senate restaurants: For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services to be expended under the supervision of the Committee on Rules and Administration, United States Senate, $42,500."

Senate amendment No. 38: Page 10, line 15, insert the following:

"Miscellaneous items: For miscellaneous items, exclusive of labor, $786,895: *Provided*, That the following Senate resolutions are amended as indicated: No. 453, agreed to February 26, 1931, by inserting $1,560 in lieu of $1,260; No. 340, agreed to December 3, 1930, by inserting $1,740 in lieu of $1,440; No. 204, agreed to June 16, 1938, by inserting $1,500 in lieu of $1,200; No. 372, agreed to December 18, 1930, by inserting $1,980 in lieu of $1,800; No. 175, agreed to July 7, 1943, by inserting $2,460 in lieu of $2,400; No. 419, agreed to January 28, 1931, by inserting $2,460 in lieu of $2,400; No. 230, agreed to March 16, 1942, by inserting $2,340 in lieu of $2,220; No. 62, agreed to December 15, 1931, by inserting $1,740 in lieu of $1,440; No. 83, agreed to December 17, 1931, by inserting $1,740 in lieu of $1,440; No. 428, agreed to February 17, 1931, by inserting $1,800 in lieu of $1,560."

Senate amendment No. 41: Page 11, line 11, insert the following:

"Air-mail and special-delivery stamps: For air-mail and special-delivery stamps for Senators and the President of the Senate, as authorized by law $12,815, and the maximum allowance per capita of $105.66 is increased to $132.07 for the fiscal year 1952 and thereafter."

Senate amendment No. 42: Page 11, line 16, insert the following:

"Stationery: For stationery for Senators and for the President of the Senate, including $10,000 for stationery for committees and officers of the Senate, $87,600: *Provided*, That commencing with the fiscal year 1952 the allowance for stationery for each Senator and for the President of the Senate shall be at the rate of $800 per annum."

Senate amendment No. 43: Page 11, line 22, insert the following:

"The Sergeant at Arms is authorized and directed to secure suitable office space in post office or other Federal buildings in the State of each Senator for the use of such Senator and in the city to be designated by him: *Provided*, That in the event suitable space is not available in such buildings and a Senator leases or rents office space elsewhere, the Sergeant at Arms is authorized to approve for payment, from the contingent fund of the Senate, vouchers covering bona fide statements of rentals due in an amount not exceeding $900 per annum for each Senator."

Senate amendment No. 44: Page 12, line 7, insert the following:

"The Secretary of the Senate and the Sergeant at Arms are authorized and directed to protect the funds of their respective offices by purchasing insurance in an amount necessary to protect said funds against loss. Premiums on such insurance shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of the Committee on Rules and Administration."

Senate amendment No. 45: Page 12, line 14, insert the following:

"Salaries or wages paid out of the foregoing items under 'Contingent expense of the Senate' shall be computed at basic rates as authorized by law, plus increase and additional compensation as provided by the 'Federal Employees Pay Act of 1945,' as amended, and the 'Second Supplemental Appropriation act, 1950'."

Senate amendment No. 46: Page 12, line 20, insert the following:

"Changes made herein relating to the title or rate of compensation of any position under the Secretary of the Senate or the Sergeant at Arms and Doorkeeper shall take effect on the first day of the first month following enactment of this act."

Senate amendment No. 49: Page 19, line 3, insert the following:

"The rates of compensation for telephone operators and members of the police force under the House of Representatives are hereby revised to correspond with changes made herein relating to similar positions under the Senate."

Senate amendment No. 50: Page 21, line 8, insert the following:

"JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

"For an amount to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $20,000, to be disbursed by the Secretary of the Senate."

Senate amendment No. 52: Page 24, line 16, insert the following:

"Subway transportation, Capitol and Senate Office Buildings: For maintenance, repairs, and rebuilding of the subway transportation system connecting the Senate Office Building with the Capitol, including personal and other services, $2,600."

Senate amendment No. 53: Page 24, line 21, insert the following:

"Senate Office Building: For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel and for personal and other services; including five female attendants in charge of ladies' retiring rooms at $1,800 each, for the care and operation of the Senate Office Building; to be expended under the control and supervision of the Architect of the Capitol; in all, $733,572."

Senate amendment No. 54: Page 25, line 5, insert the following:

"Senate Restaurants: For repairs, improvements, furnishings, equipment, labor and materials, and all necessary incidental expenses, to provide additional restaurant facilities in the Senate Office Building, to be expended by the Architect of the Capitol under the supervision of the Senate Committee on Rules and Administration, without regard to section 3709 of the Revised Statutes, as amended, $18,500."

Mr. McGRATH. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate numbered 10, 12, 13, 14, 15, 16, 18, 21, 24, 25, 32, 33, 36, 38, 41, 42, 43, 44, 45, 46, 49, 50, 52, 53, and 54, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 65: Page 33, line 5, insert the following:

"Not to exceed ten positions in the Library of Congress may be exempt from the provisions of section 1302 of chapter XIII of the Supplemental Appropriation Act, 1952, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section 1302 who possesses the special quaifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress."

Mr. McGRATH. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. McGRATH moves that the House recede from its disagreement to the amendment of the Senate numbered 65, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert "Not to exceed 10 positions in the Library of Congress may be exempt from the provisions of the section of the chapter entitled 'General Provisions' of the 'Supplemental Appropriation Act, 1952," concerning the employment of aliens, but the Librarian shall not make any appointment to any such position until he has ascertained that he cannot secure for such appointment a person in any of the three categories specified in such section who possesses the special qualifications for the particular position and also otherwise meets the general requirements for employment in the Library of Congress."

The SPEAKER. The question is on the motion offered by the gentleman from New York [Mr. McGRATH].

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.

PRESTON L. WATSON

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 990) to confer jurisdiction on the Court of Claims to hear, determine, adjudicate, and render judgment on the claim of Preston L. Watson, as administrator of the goods and chattels, rights, and credits which were of Robert A. Watson, deceased, with 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 3, line 3, after "parties." insert "Enactment of this act shall not be construed to raise any implication of liability by the United States."

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, what does this amendment do?

Mr. CELLER. Mr. Speaker, this bill refers to the Court of Claims a private claim against the Government and gives the Court of Claims the right to render judgment. The Senate amendment is as follows:

Enactment of this act shall not be construed to raise any implication of liability by the United States.

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.

THE CASTLE ISLAND TERMINAL FACILITY AT SOUTH BOSTON

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 4049) to authorize the Secretary of the Navy to transfer to the Commonwealth of Massachusetts certain lands and improvements comprising the Castle Island Terminal Facility at South Boston in exchange for certain other lands.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this is land that was formerly owned by the State of Massachusetts, that the Government wants to acquire the same and have it available for the Federal Government in the event of any emergency?

Mr. BATES of Massachusetts. The gentleman is correct. Originally this land belonged to the Commonwealth of Massachusetts. It was transferred to the Federal Government. In 1948 the War Department turned it over to the War Assets Administration for sale. The Navy Department then expressed a desire to have it in the event of any emergency. At the present time the Commonwealth of Massachusetts is using it. This bill does provide, in the event this transaction takes place, that the Commonwealth of Massachusetts must keep this property in such condition that in the event of war the Navy Department may take it over. As a consequence it will save the Federal Government the expense of maintaining this property during the interim period.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Also the Commonwealth has to transfer certain lands adjacent thereto which the Federal Government needs and wants very badly in connection with naval or other activities in the future.

Mr. BATES of Massachusetts. May I say further that in the event this transaction did not take place the Navy Department has already expressed the desire and intent to purchase the other land, including the land on which the receiving station there is now located.

Mr. MARTIN of Massachusetts. Mr. Speaker, I have been persuaded by my two colleagues and withdraw my reservation of 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 the Secretary of the Navy is authorized to convey to the Commonwealth of Massachusetts, subject to the terms and conditions hereinafter expressly stated and to such other terms and conditions as the said Secretary of the Navy shall deem to be in the public interest, all of the right, title, and interest of the United States in and to the property known as Castle Island Terminal Facility in South Boston, Mass., including Government-owned land and improvements thereon and all Government improvements constructed on lands of the Commonwealth of Massachusetts or the city of Boston, being the same property transferred to the Navy Department by the War Assets Administration on April 13, 1949, in consideration of the conveyance by the Commonwealth of Massachusetts to the United States of America, free of all encumbrances the following lands together with any improvements thereon: (a) An area one hundred and forty-two feet by one hundred and sixty feet occupied by the United States under permit 4112 issued by the Commonwealth of Massachusetts; (b) an area of approximately four hundred and eighty thousand square feet occupied by the United States under permit 4113 issued by the Commonwealth of Massachusetts; and (c) an area of approximately four hundred and forty thousand square feet adjacent to lands occupied under said permit 4113, this area being a part of the Reserve Channel and being occupied and filled by the United States pursuant to informal permission of the Commonwealth of Massachusetts.

SEC. 2. The conveyance to the Commonwealth of Massachusetts hereinabove authorized shall be made subject to the following express conditions: (a) That the Commonwealth, at its own expense, will preserve and maintain in a condition suitable for terminal purposes the improvements now existing on said property and those which may hereafter be constructed thereon; (b) that in time of war or national emergency the United States shall have the right of the free and unlimited use of all said property including any improvements which may be erected by the grantee; and (c) that the property shall not be used for any purpose other than as a terminal except with the prior consent in writing of the Secretary of the Navy.

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.

SMALL BUSINESS COMMITTEE

Mr. BURTON. Mr. Speaker, I ask unanimous consent that Small Business Committee No. 3 may sit today during general debate. We scheduled a hearing for 10 o'clock this morning and have witnesses here from distant points.

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

There was no objection.

SPECIAL ORDER GRANTED

Mr. WHEELER asked and was given permission to address the House today for 30 minutes, following the legislative program and any special orders heretofore entered.

GOVERNMENT AGENCIES SHOULD HELP THE WAR EFFORT BY DISGORGING SURPLUS SCRAP

Mr. KEATING. 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 York?

There was no objection.

Mr. KEATING. Mr. Speaker, Defense Mobilizer Charles E. Wilson made a strong speech recently calling upon members of the so-called scrap mobilization committee and scrap dealers generally to use every known and new method to get scrap materials for our mobilization program. His exact words were, "Get that scrap out—use ways you never used before."

Mr. Wilson's aims in making such a speech were, no doubt, admirable, but his suggestions were naturally greeted with some reservations on the part of the listeners, since the chief laggards in this respect are the Government agencies. We have all seen abandoned Government material in various supply dumps throughout the country. Reports of tons of such scrap in navy yards, army depots, and Government warehouses are not only rife in the industry, but are the constant source of legitimate gripes in congressional mail from taxpayers far and wide.

This is another striking instance where Government leadership and initiative would be a thousand times more effective than strong words. When all the Government departments—including especially the Defense Department—and not just the Office of Defense Mobilization take the scrap steel shortage seriously and review their own potential sources of scrap, Mr. Wilson's urgent warnings and pleas will be received with greater enthusiasm.

In order to locate and assemble the 36,000,000 tons of purchased scrap which are needed to achieve the announced goal of 112,000,000 ingot tons of steel in 1952, the Government has planned a vast campaign. Mines, railroads, junk yards, and even farm yards are being combed for stray scrap. Until the Government takes its own dire warnings and directives to heart, however, and exerts some earnest effort itself, one cannot help feeling that the wrong people are being alerted. If the various Government officials would go in a huddle and let each other know what is going on, they might come up with an answer to this problem—and many others.

IMMEDIATE ACTION NECESSARY TO AID ESSENTIAL CONSTRUCTION OF URGENTLY NEEDED SCHOOL FACILITIES

Mr. BOGGS of Delaware. 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 Delaware?

There was no objection.

Mr. BOGGS of Delaware. Mr. Speaker, construction of urgently needed school buildings and necessary additions to existing school buildings has practically come to a standstill because of the lack of steel and certain other necessary building materials. This situation exists apparently because the National Production Authority does not realize the importance of allocating sufficient building materials to the Office of Education to meet the absolutely essential and minimum requirements for school building construction. There are additions to schools, which additions are partially completed, but construction work has come to an end because the required materials cannot be procured.

It seems to me that this is a matter of the utmost importance and urgency. The proper education of our youth is an essential part of adequate long-term national defense. I have called this matter to the attention of the President of the United States, Mr. Charles E. Wilson, the Director of the Office of Defense Mobilization, and to Senator BURNET R. MAYBANK, chairman of the Joint Committee on Defense Production. I have urged that immediate and necessary action be taken without delay to reevaluate this situation and make reasonable and proper provision for the materials to meet necessary school construction.

I urge here today that other Members of the House who may have this same problem in their districts make full use of every means available to them in order to focus sufficient attention upon this critical situation, to secure a remedy.

SPECIAL ORDERS GRANTED

Mr. AUCHINCLOSS asked and was given permission to address the House for 30 minutes on Monday next, following the legislative program and any special orders heretofore entered.

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that following the legislative program and any other special orders heretofore entered, on October 11, the gentleman from Michigan [Mr. DINGELL] may have control of a period of 1 hour for himself and other Members to pay their respects and express their feelings in relation to the contributions of Gen. Casimir Pulaski to the cause of freedom and to the cause of the independence of the United States.

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

There was no objection.

Mr. BRYSON asked and was given permission to address the House for 30 minutes today, following any special orders heretofore entered.

COMMITTEE ON BANKING AND CURRENCY

Mr. MITCHELL, from the Committee on Rules, reported the following privileged resolution (H. Res. 436), (Rept. No. 1094), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Banking and Currency, acting as a whole or by subcommittee, is authorized and directed to conduct thorough studies and investigations relating to matters coming within the jurisdiction of such committee under rule XI (1) (d) of the Rules of the House of Representatives, and for such purposes the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

With the following committee amendment:

On page 1, line 6, after the comma, insert the following: "including, but not limited to, the insuring and guaranteeing of loans for private housing by any department or agency of the United States in order to determine to what extent the insurance or guaranty of such loans has been granted in the case of housing which is defective with respect to construction, drainage, sanitary conditions, and other features, and to what extent the practices and procedures followed by any such agency or department, and any acts of omission or commission of officers and employees thereof, have facilitated or made possible the insuring or guaranteeing of loans for defective housing."

NISON MILLER

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3504) for the relief of Nison Miller, 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, after "act" insert ": *Provided,* That there be given a suitable and proper bond or undertaking, approved by the Attorney General, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against Nison Miller becoming a public charge."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

GRANTING STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the concurrent resolution (H. Con. Res. 111) favoring the granting of the status of permanent residence to certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments as follows:

Page 11, after line 10, insert:
"A-8767539, Nowak, Henry or Henryk Nowak or Novak."
Page 11, after line 10, insert:
"A-6729857, Tkaczyk, Feliks, John."
Page 11, after line 10, insert:
"A-6729858, Tkaczyk, Irene Alecandria."
Page 11, after line 10, insert:
"A-7491039, Witkowicki, Michal."
Page 11, after line 10, insert:
"A-6958736, Boldyreff, Constantin Wassilievich."
Page 11, after line 10, insert:
"A-6846518, Abrams, Maria Frank."
Page 11, after line 10, insert:
"A-7052335, Kolde, Endel Jakob."
Page 11, after line 10, insert:
"A-6985790, Malinowska, Casimira Maria or Mother M. Laetitia."
Page 11, after line 10, insert:
"A-7095716, Pella, Vespasien Vespasian."
Page 11, after line 10, insert:
"A-7095717, Pella, Margareta."
Page 11, after line 10, insert:
"A-7125242, Nadler, Salomon."
Page 11, after line 10, insert:
"A-6655111, Nadler, Vera (nee Miloslavsky)."
Page 11, after line 10, insert:
"A-7125243, Nadler, Robert."
Page 11, after line 10, insert:
"A-7125244, Nadler, Daniel."
Page 11, after line 10, insert:
"A-6460878, Ileana Maria Kerciu."

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

Mr. GRAHAM. Reserving the right to object, Mr. Speaker, I do this only for the purpose of asking the gentleman from Pennsylvania to explain the concurrent resolution and the Senate amendments.

Mr. WALTER. The Senate amended the House concurrent resolution authorizing the attorney general to adjust the status of certain aliens by adding five names when the resolution was under discussion on the floor of the Senate. These are names of people who have been investigated by both Committees on the Judiciary, and would be included in a later resolution that we would report.

Mr. GRAHAM. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

The Senate amendments were concurred in.

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.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE UNITED STATES MILITARY ACADEMY

The Clerk called the joint resolution (H. J. Res. 285) to authorize appropriate participation by the United States in commemoration of the one hundred and fiftieth anniversary of the establishment of the United States Military Academy.

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

Messrs. FORD, H. CARL ANDERSEN, and HOFFMAN of Michigan objected, and the bill was stricken from the calendar.

AUTHORIZING PARTICIPATION OF MILITARY PERSONNEL IN OLYMPIC GAMES

The Clerk called the bill (H. R. 1184) to authorize the training for, attendance at, and participation in Olympic games by military personnel and for other purposes.

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

Mr. FORD. Mr. Speaker, reserving the right to object. Will someone on the Committee on Armed Services give us more information in reference to this particular legislation?

Mr. KILDAY. Mr. Speaker, the purpose of this bill is to authorize members of the armed services to participate in the Olympic games, and provide for elimination contests and things of that kind. In the past, there has always been legislation on this subject as each one of the Olympic games came up. This will permit such eliminations and so forth to be done on a permanent basis, subject of course to the appropriations being made for that purpose.

Mr. FORD. At the present time, without any authorizing legislation of this sort a number of athletes from all branches of the armed services participate in all kinds of athletic events. Why do you now need authorizing legislation for the participation in Olympic games?

Mr. KILDAY. These are the Olympic games. Of course, you have all types of athletic contests in the services and between the services. This is to set up a permanent system of eliminations which will be held for the military personnel so that they may participate in the Olympic games, and so that the military personnel would be chosen every year on a regular and permanent basis.

Mr. FORD. Why do you need $50,000 for each service? I understand that there are various welfare funds and other funds available for athletic contests and participants of all kinds. Why do you need an extra $50,000 for each branch of the service?

Mr. KILDAY. As I understand it, and, of course, I could be mistaken, in the past there has been separate legislation and separate appropriations for this purpose. I believe the gentleman from Pennsylvania [Mr. VAN ZANDT] is personally familiar with the situation.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. FORD. I am glad to yield to the gentleman.

Mr. VAN ZANDT. In the past, the armed services have waited until the Olympic year, before assembling and training their personnel for try-outs with the hope that some will go into the Olympic games as participants. This program makes possible a continuous program of assembling and training a team that will do a much better job in try-outs and in the final games. In other words, this provides for a continuous program instead of waiting until the Olympic year to get a team together.

Mr. FORD. May I ask the gentleman from Pennsylvania whether our men go into the armed services to prepare for the Olympic games, or whether they go in to participate in military activities?

Mr. VAN ZANDT. I can reply by saying that athletics is a part of the recreational program of the armed services, and annually at the various military installations, as well as on board ship, they hold championship contests, and from those championship contests they pick their best men and send them to the Olympic try-outs. The program is a great morale builder.

Mr. KILDAY. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield.

Mr. KILDAY. Does not the gentleman from Pennsylvania agree that nothing promotes morale in the armed services to a greater extent than competition in athletics, and does he not also agree that, of course, the ultimate degree of success in athletic contests would be participation in the Olympic games? I think here for a very small appropriation, we are doing a great deal to promote morale in the armed services. This program will be a great health builder as well as morale builder within these services.

Mr. FORD. How do the various athletes in the Army, Navy, and Air Force now compete throughout the country in the various athletic meets and other similar functions? Where do they get the money to participate in such an event?

Mr. KILDAY. I will have to ask the gentleman from Pennsylvania to answer that inquiry.

Mr. VAN ZANDT. Very few military personnel take part in open athletic meets unless they are stationed in the immediate vicinity of the meet. Then they use the transportation facilities of the local military installation to travel to and from the athletic field.

Mr. FORD. I am sure the gentleman from Pennsylvania as well as the gentleman from Texas both know that I am extremely interested in competitive athletics, but I just do not see the reason for an authorization for $50,000 for each service for the preparation of athletes for the Olympic games. In the first place, there are funds which are available. As far as the particular Olympic contestants are concerned, when they qualify as an American team participant they have all their expenses paid for by the Olympic Committee.

Mr. VAN ZANDT. I think I should remind the gentleman that the usual program of athletics in our military does not contain all the Olympic events. Therefore, in order to prepare for a team to participate, they have to go beyond their usual program of events and train personnel for all Olympic events. They must buy additional equipment and hire special coaches for the purpose of training those who will participate in these events.

Mr. FORD. At this stage of the game, I do not think it wise to authorize this much money for this particular purpose.

I withdraw my reservation of objection, and I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

AMENDING SECTION 304 OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

The Clerk called the bill (H. R. 2574) to amend section 304 of the Federal Property and Administrative Services Act of 1949 and section 4 of the Armed Services Procurement Act of 1947.

The Clerk read the title of the bill.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, there as been a great deal of controversy over this particular legislation, and I wonder if the author of the bill would tell me what his understanding of its present status is.

Mr. HARDY. Mr. Speaker, the first time this bill came up it was objected to by members of the Ways and Means Committee. The gentleman from Arkansas [Mr. MILLS] and I had considerable discussion about it. Since that time those objections have been completely cleared up. The gentleman from Arkansas [Mr. MILLS] asked me if I would make a comment about the relationship of this bill to renegotiation. I want to assure the gentleman first of all that this bill in no manner affects the finality of renegotiation settlements. The sole purpose of the bill is to enable the Comptroller General to make effective audits along the lines and under the jurisdiction conferred upon the General Accounting Office by law. This is merely to give him the tools with which to work.

Mr. BYRNES of Wisconsin. Mr. Speaker, I want to cooperate personally in every way in the gentleman's objective, as evidenced by the purpose outlined in this bill; but there has been a considerable amount of controversy over this particular bill. I do not know whether it has been adjusted or not. I know we have all received mail from one source or another, pro and con, and it seems to me that the proper way to resolve this question would be through a

rule and some consideration by the House itself, rather than passing it on the Consent Calendar.

Therefore, Mr. Speaker, I am going to object.

Mr. CUNNINGHAM and Mr. ARENDS objected, and the bill was stricken from the calendar.

TO AMEND MILITARY PERSONNEL CLAIMS ACT OF 1945

The Clerk called the bill (H. R. 404) 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.

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 5 years 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 1 year 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 1951."

With the following committee amendment:

Page 1, line 3, strike out all after the enacting clause and insert "That section 1 of the Military Personnel Claims Act of 1945, approved May 29, 1945 (59 Stat. 225), be, and it is hereby, amended to read as follows:

"'SEC. 1. (a) That the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, and such other officer or officers as they may designate for such purposes and under such regulations as they, respectively, 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 Department of the Army or of the Army, and including civilian employees of the War Department during its existence, of military personnel and civilian employees of the Department of the Navy or of the Navy, and of military personnel and civilian employees of Department of the Air Force or of the Air Force, 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 the Army, the Secretary of the Navy, and the Secretary of the Air Force, as to the military personnel and civilian employees of their respective departments and services, 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 negligent 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 the continental United States (excluding Alaska) which are not assigned to him or otherwise provided in kind by the Government: *And provided further,* That the Secretary of Defense, and such other officer or officers as he may designate for the purpose, and under such regulations as he may prescribe, are hereby authorized to exercise with respect to claims of civilian employees of the Department of Defense not hereinbefore enumerated, arising on or after July 25, 1947, for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service, powers similar to those conferred upon the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force and their designees by this act with respect to claims of military personnel and civilian employees of their departments.

"'(b) The Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, and the Secretary of Defense, and their designees, respectively, in the event of the death of any person among the military personnel or civilian employees enumerated in subsection (a), are hereby authorized to consider, ascertain, adjust, determine, settle, and pay any claim, otherwise cognizable under this act, presented by the survivor of such person for damage to or loss, destruction, capture, or abandonment of the personal property of such person, regardless of whether such damage, loss, destruction, capture, or abandonment occurred concurrently with or subsequent to such death.

"'(c) As used in this act, the term "survivor" means surviving spouse, child or children, father and/or mother, or brothers and/or sisters of the decedent, and claims by survivors shall be settled and paid in that order of precedence.

"'(d) Every claim cognizable under this act shall be forever barred unless presented in writing within 2 years after such claim accrues or within 1 year after the date of the enactment of this act, whichever is later: *Provided,* That if a claim accrues in time of war, or if war intervenes within 2 years after the date of accrual, it may, on good cause shown, be presented within 2 years after such good cause ceases to exist, but not later than 2 years after peace is established: *And provided further,* That any claim cognizable under this act which has not heretofore been presented for consideration, or has been presented for consideration and disapproved for the reason that the claimant did not file such claim within the time authorized by law, or any claim cognizable hereunder of any survivor which has not heretofore been presented for consideration, or has been presented for consideration and disapproved for the reason that heretofore such survivor acquired no right of recovery under this act, may, at the written request of the claimant made within 1 year from the date of the enactment of this amendatory act, be considered or reconsidered and settled in accordance with the provisions hereof.

"'(e) Any settlement made by the Secretary of the Army, the Secretary of the Navy, the Secretary of the Air Force, or the Secretary of Defense, or their designees, under the authority of this act and such regulations as they, respectively, may prescribe hereunder, shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary.'

"SEC. 2. That section 2 of the Military Personnel Claims Act of 1945 is hereby amended to read as follows:

"SEC. 2. Such appropriations as may be required for the settlement of claims under the provisions of this act are hereby authorized. Appropriations now available to the Department of the Army and the Department of the Air Force for the settlement of claims under the provisions of the act of May 29, 1945 (59 Stat. 225), and to the Department of the Navy for the settlement of claims under the provisions of the act of December 28, 1945 (59 Stat. 662), shall be available for the settlement of claims under the provisions of this act.'

"SEC. 3. That section 2 of the act of December 28, 1945 (59 Stat. 662), is hereby repealed."

Amend the title so as to read: "A bill to amend the Military Personnel Claims Act of 1945."

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.

AGRICULTURAL PROGRAM FOR THE VIRGIN ISLANDS

The Clerk called the bill (H. R. 4027) to provide for an agricultural program in the Virgin Islands.

The Clerk read the title of the bill.

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

Mr. CUNNINGHAM. 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 Iowa?

There was no objection.

HISTORIC MONUMENTS IN THE BOSTON, MASS., AREA

The Clerk called the resolution (H. J. Res. 254) to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area.

Mr. BYRNES of Wisconsin. 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 Wisconsin?

There was no objection.

AMENDING SCHOOL LUNCH PROGRAM WITH REGARD TO HAWAII AND ALASKA

The Clerk called the bill (H. R. 1732) to amend the National School Lunch Act with respect to the apportionment of funds to Hawaii and Alaska.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice. I might state that there are no departmental reports accompanying this legislation.

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

There was no objection.

ADJUSTMENT OF LAND TITLES

The Clerk called the bill (H. R. 3981) to amend the act of July 8, 1943 (57 Stat. 388), entitled "An act to authorize the Secretary of Agriculture to adjust titles to lands acquired by the United States which are subject to his administration, custody, or control."

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

Be it enacted, etc., That the act approved July 8, 1943 (57 Stat. 388), is hereby amended by striking out the words "within 10 years" and inserting in lieu thereof "within 20 years."

With the following committee amendment:

Page 1, line 5, insert "and inserting in lieu thereof 'within 20 years'."

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 SECTION 606 (C) OF COMMUNICATIONS ACT OF 1934 (ELECTROMAGNETIC RADIATIONS)

The Clerk called the bill (S. 537) to further amend the Communications Act of 1934.

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

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, I wonder if some member of the committee could tell us the implications of this bill and what it is proposed to do and what it does?

Mr. BECKWORTH. Mr. Speaker, this bill was reported favorably by our committee. It is an important bill to the defense of the country. I feel that we should try to call it to the attention of the House and that we should act on it now.

The reason for the bill arises out of the fact that there are certain types of equipment that emit electric signals other than what might be termed radio signals; in other words, the committee was told that around certain types of installations such as perhaps is found in hospitals there might be instruments that could emit electromagnetic radiations. Since that is true, and since that type of installation could emit a signal for a distance greater than 5 miles, according to our bill, and since it would have to, by the terms of the bill, be useful for navigational purposes before it would come within the scope of this legislation, it is felt that the President should have the power to step in at any moment if necessary to close down that kind of thing in order that in case of a very quick, rapid attack we could protect our country.

The bill has passed the Senate; it has been endorsed by the Federal Communications Commission, by the Office of Civil Defense, and by the Air Corps. After considerable consideration in our committee where we did make some modifications, we voted it out unanimously.

Mr. BYRNES of Wisconsin. In other words, the purpose of this bill is to make the Communications Act of 1934 conform with the real intent of Congress at the time of passing it as far as radio communication facilities are concerned; is that correct?

Mr. BECKWORTH. That is right, and it is completely protective in nature.

Mr. BYRNES of Wisconsin. 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 section 606 (c) of the Communications Act of 1934, as amended, is amended to read as follows:

"(c) Upon proclamation by the President that there exists war or a threat of war, or a state of public peril or disaster or other national emergency, or in order to preserve the neutrality of the United States, the President, if he deems it necessary in the interest of national security or defense, may suspend or amend, for such time as he may see fit, the rules and regulations applicable to any or all stations or devices capable of emitting electromagnetic radiations within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any station for radio communication, or any device capable of emitting electromagnetic radiations between 10 kilocycles and 100,000 megacycles, which is suitable for use as a navigational aid beyond 5 miles, and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such station or device and/or its apparatus and equipment, by any department of the Government under such regulations as he may prescribe upon just compensation to the owners."

SEC. 2. Section 606 of such act is further amended by adding at the end thereof a new subsection as follows:

"(h) Any person who willfully and knowingly does or causes or suffers to be done any act, matter, or thing prohibited or declared to be unlawful pursuant to the exercise of the President's powers and authority under this section, or who willfully and knowingly omits or fails to do any act, matter, or thing which he is required to do pursuant to exercise of the President's powers and authority under this section, or who willfully and knowingly causes or suffers such omission or failure shall, upon conviction thereof, be punished for such offense by a fine of not more than $1,000 or by imprisonment for a term of not more than 1 year, or both, and, if a firm, partnership, association, or corporation, be fined not more than $5,000."

With the following committee amendments:

Page 2, line 12, after the period and before the quotation marks, insert the following sentence: "The authority granted to the President, under this subsection, to cause the closing of any station or device and the removal therefrom of its apparatus and equipment, or to authorize the use or control of any station or device and/or its apparatus and equipment, may be exercised in the Canal Zone."

Page 2, strike out line 15 and all that follows through line 4, on page 3, and insert in lieu thereof the following:

"(h) Any person who willfully does or causes or suffers to be done any act prohibited pursuant to the exercise of the President's authority under this section, or who willfully fails to do any act which he is required to do pursuant to the exercise of the President's authority under this section, or who willfully causes or suffers such failure, shall, upon conviction thereof, be punished for such offense by a fine of not more than $1,000 or by imprisonment for not more than 1 year, or both, and, if a firm, partnership, association, or corporation, by fine of not more than $5,000, except that any person who commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation, shall, upon conviction thereof, be punished by a fine of not more than $20,000 or by imprisonment for not more than 20 years, or both."

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.

VERMEJO RECLAMATION PROJECT

The Clerk called the bill (H. R. 2398) to amend Public Law 848, Eighty-first Congress, second session.

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

Be it enacted, etc., That section 3 of the act of September 27, 1950, Public Law 848,

Eighty-first Congress, is amended to read as follows:

"SEC. 3. Construction of the Vermejo reclamation project shall not be commenced until the President shall have approved a project report and there shall have been established, pursuant to the laws of the State of New Mexico, an organization with powers satisfactory to the Secretary, including the power to tax real property within its boundaries (which boundaries shall include the lands to be benefited by the project works) and the power to enter into a contract or contracts with the United States for payment or return, as the case may be, of the reimbursable costs of the project and such contract or contracts shall have been duly executed."

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.

WITHHOLDING OF CERTAIN PATENTS

The Clerk called the bill (H. R. 4687) to provide for the withholding of certain patents that might be detrimental to the national security, and for other purposes.

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

Be it enacted, etc., That whenever publication or disclosure by the grant of a patent on an invention in which the Government has a property interest might, in the opinion of the head of the interested Government agency, be detrimental to the national security, the Secretary of Commerce upon being so notified shall order that such invention be kept secret and shall withhold the grant of a patent therefor under the conditions set forth hereinafter.

Whenever the publication or disclosure of an invention by the granting of a patent, within categories prescribed by the President and in which the Government does not have a property interest, might, in the opinion of the Secretary of Commerce, be detrimental to the national security, he shall make the application for patent in which such invention is disclosed available for inspection to the Atomic Energy Commission, the Secretary of Defense, and the chief officer of any other department or agency of the Government designated by the President as a defense agency of the United States; and each individual to whom the application is disclosed shall sign a dated acknowledgment thereof, which acknowledgment shall be entered in the file of the application. If, in the opinion of the Atomic Energy Commission, the Secretary of Defense, or the chief officer of such other department or agency so designated, the publication or disclosure of such invention by the granting of a patent therefor would be detrimental to the national security, the Atomic Energy Commission, the Secretary of Defense, or such other chief officer shall notify the Secretary of Commerce to that effect, and the Secretary of Commerce, upon being so notified, shall order that such invention be kept secret and shall withhold the grant of a patent therefor for such period or periods as the national interest requires and upon proper showing by the head of any department or agency, who caused such secrecy order to be issued, that the examination of the application might jeopardize the national interest, then the Secretary of Commerce shall immediately seal such application. The owner of a patent application which has been placed under a secrecy order shall have a right to appeal from such order to such agency and under such rules as may be prescribed by the President. No invention shall be ordered kept secret and the grant of a patent withheld for a period of more than 1 year: *Provided,* That the Secretary of Commerce shall renew any such order at the end thereof, or at the end of any renewal period, for additional periods of 1 year upon notification by the head of the department or the chief officer of the agency who caused the order to be issued that an affirmative determination has been made that the national interest continues so to require, excepting, however, that any such order in effect, or issued, during a time when the United States is at war, shall be and remain in effect for the duration of hostilities and a period of 1 year following cessation of hostilities unless sooner specifically rescinded. The Secretary of Commerce is authorized to rescind any order upon notification by the heads of all departments and the chief officers of all agencies who caused the order to be issued that the publication or disclosure of the invention is no longer deemed to be detrimental to the national security.

SEC. 2. The invention disclosed in an application for patent subject to an order made pursuant to section 1 hereof may be held abandoned upon its being established before or by the Secretary of Commerce that in violation of said order said invention has been published or disclosed or that an application for a patent therefor has been filed in a foreign country by the inventor, his successors, assigns, or legal representatives, or anyone in privity with him or them, without the consent or approval of the Secretary of Commerce, and any such abandonment shall be held to have occurred as of the time of such violation: *Provided,* That in no case shall the consent or approval of the Secretary of Commerce be given without the concurrence of the heads of all departments and the chief officers of all agencies who caused the order to be issued. Any such holding of abandonment shall constitute forfeiture by the applicant, his successors, assigns, or legal representatives, or anyone in privity with him or them, of all claims against the United States based upon such invention.

SEC. 3. Any applicant, his successors, assigns, or legal representatives, whose patent is withheld as herein provided, shall, if the order of the Secretary of Commerce above referred to shall have been faithfully obeyed, have the right, during a period beginning at the date the applicant is notified that, except for such order, his application is otherwise in condition for allowance, or beginning at the effective date of this act, whichever is later, and ending 2 years after the date a patent is issued on such application, to apply for compensation for the damage accruing by reason of the order of secrecy and/or for the use, if any, of the invention by the Government, if the Government's use resulted from the applicant's disclosure; such right to compensation for use to begin from the date of the first use of the invention by the Government. The head of any department or agency who caused the order to be issued is authorized, if any such claim is presented within the periods above specified, to enter into an agreement with said applicant, his successors, assigns, or legal representatives, in full settlement and compromise for such damage and/or use, if any, and any such settlement agreement entered into shall be final and conclusive for all purposes, notwithstanding any other provision of law to the contrary. If full compromise and settlement of any such claim cannot be effected, the head of any department or agency who caused the order to be issued, may, in his discretion, administratively award and pay to such applicant, his successors, assigns, or legal representatives, a sum not exceeding 75 percent of the maximum sum, if any, which in the opinion of the head of such department or agency would constitute fair and just compensation for such damage and/or use, if any. Within 2 years after issuance of a patent, any claimant who fails to secure an award satisfactory to him shall have the right to bring suit against the United States in the Court of Claims for such amount which, when added to such award, if any, shall constitute fair and just compensation for the damage and/or use, if any, of the invention by the Government. The owner of any patent issued upon an application that was subject to a secrecy order issued pursuant to section 1 hereof, and who faithfully obeyed the order, who did not apply for compensation as above provided, shall have the right, within 2 years after the date of issuance of such patent, to bring suit in the Court of Claims for fair and just compensation for the damage accruing to him by reason of the order of secrecy and/or use by the Government of the patented invention, such right to compensation for use, provided such use resulted from the applicant's disclosure, to begin at the first date of such use. If any suit under the provisions of this section, and in any negotiations concerning settlement and compromise of any such claim, the United States may avail itself of any and all defenses that may be pleaded by it in an action under title 28, United States Code, section 1498, as amended. This section shall not confer a right of action on anyone or his successor or assignee who, when he makes such a claim, is in the employment or service of the United States, or who, while in the employment or service of the United States, discovered, invented, or developed the invention on which such claim is based.

SEC. 4. No person shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States prior to 90 days after filing in the United States an application covering such invention except when authorized in each case by a license obtained from the Secretary of Commerce under such rules and regulations as he shall prescribe: *Provided,* That no such license shall be granted with respect to any invention which is the subject matter of a subsisting order issued by the Secretary of Commerce pursuant to section 1 hereof without the concurrence of the heads of all departments or the chief officers of all agencies who caused the order to be issued. Such license may be granted retroactively in case of inadvertence except in the case of inventions falling within the categories of invention prescribed under section 1 hereof.

The term "application" when used in this act include applications, and any modifications, amendments, or supplements thereto, or divisions thereof.

SEC. 5. Notwithstanding the provisions of sections 4886 and 4887 of the Revised Statutes (35 U. S. C., secs. 31 and 32), any person, and the successors, assigns, or legal representatives of any such persons, shall be debarred from receiving a United States patent for an invention if such person, or such successors, assigns, or legal representatives shall, without procuring the authorization prescribed in section 4 hereof, have made, or consented to or assisted another's making, application in a foreign country for a patent or for the registration of a utility model, industrial design, or model in respect of such invention where authorization for such application is required by the provisions of section 4 hereof, and any such United States patent actually issued to any such person, his successors, assigns, or legal representatives so debarred or becoming debarred shall be invalid.

SEC. 6. Whoever, during the period or periods of time an invention has been ordered to be kept secret and the grant of a patent thereon withheld pursuant to section 1 hereof, shall, with knowledge of such order and without due authorization, willfully publish or disclose or authorize or cause to be published or disclosed such invention, or any material information with respect thereto, or whoever, in violation of the provisions of section 4 hereof, shall file or cause or authorize to be filed in any foreign country an

application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

SEC. 7. The prohibitions and penalties of this act shall not apply to any officer or agent of the United States acting within the scope of his authority, nor to any person acting upon the written instructions of, or in reliance on the written permission or advice of, any such officers or agent.

SEC. 8. The Atomic Energy Commission, the Secretary of Defense, the chief officer of any other department or agency of the Government designated by the President as a defense agency of the United States, and the Secretary of Commerce, may separately issue such rules and regulations as may be necessary and proper to enable the respective department or agency to carry out the provisions of this act, and in addition are authorized, under such rules and regulations as each may prescribe, to delegate and provide for the redelegation within their respective departments or agencies of any power or authority conferred by this act to such responsible officers, boards, agents, or persons as each may designate or appoint.

SEC. 9. If any provision of this act or of any section hereof or the application of such provision to any person or circumstance shall be held invalid, the remainder of the act and of such section and application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 10. The acts of Congress approved October 6, 1917 (ch. 95, 40 Stat. 394); July 1, 1940 (ch. 501, 54 Stat. 710); August 21, 1941 (ch. 393, 55 Stat. 657); and June 16, 1942 (ch. 415; 56 Stat. 370) (U. S. C., title 35, secs. 42 and 42a to 42f) are repealed, but such repeal shall not affect any rights or liabilities existing on the date of this act. Any order of secrecy heretofore issued under said repealed acts, and subsisting on the date of the approval of this act, shall be considered as an order issued pursuant to this act and shall continue in force and effect for a period of 1 year from the effective date of this act unless sooner rescinded as provided herein. Any claim arising under said repealed acts and unsettled as of the effective date of this act, the provisions of any other act or acts to the contrary notwithtsanding, may be presented and determined pursuant to the provisions of section 3 hereof.

SEC. 11. Nothing in this act shall be construed to alter, amend, revoke, repeal, or otherwise affect the provisions of the Atomic Energy Act of 1946 (60 Stat. 755), as amended.

SEC. 12. This act may be cited as "The Patent Secrecy Act of 1951."

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That whenever publication or disclosure by the grant of a patent on an invention in which the Government has a property interest might, in the opinion of the head of the interested Government agency, be detrimental to the national security the Secretary of Commerce upon being so notified shall order that the invention be kept secret and shall withhold the grant of a patent therefor under the conditions set forth hereinafter.

"Whenever the publication or disclosure of an invention by the granting of a patent, in which the Government does not have a property interest, might, in the opinion of the Secretary of Commerce, be detrimental to the national security, he shall make the application for patent in which such invention is disclosed available for inspection to the Atomic Energy Commission, the Secretary of Defense, and the chief officer of any other department or agency of the Government designated by the President as a defense agency of the United States.

"Each individual to whom the application is disclosed shall sign a dated acknowledgment thereof, which acknowledgment shall be entered in the file of the application. If, in the opinion of the Atomic Energy Commission, the Secretary of a Defense Department, or the chief officer of another department or agency so designated, the publication or disclosure of the invention by the granting of a patent therefor would be detrimental to the national security, the Atomic Energy Commission, the Secretary of a Defense Department, or such other chief officer shall notify the Secretary of Commerce and the Secretary of Commerce shall order that the invention be kept secret and shall withhold the grant of a patent for such period as the national interest requires, and notify the applicant thereof. Upon proper showing by the head of the department or agency who caused the secrecy order to be issued that the examination of the application might jeopardize the national interest, the Secretary of Commerce shall thereupon maintain the application in a sealed condition and notify the applicant thereof. The owner of an application which has been placed under a secrecy order shall have a right to appeal from the order to the Secretary of Commerce under rules prescribed by him.

"An invention shall not be ordered kept secret and the grant of a patent withheld for a period of not more than 1 year. The Secretary of Commerce shall renew the order at the end thereof, or at the end of any renewal period, for additional periods of 1 year upon notification by the head of the department or the chief officer of the agency who caused the order to be issued that an affirmative determination has been made that the national interest continues so to require. An order in effect, or issued, during a time when the United States is at war, shall remain in effect for the duration of hostilities and 1 year following cessation of hostilities. An order in effect, or issued, during a national emergency declared by the President shall remain in effect for the duration of the national emergency and 6 months thereafter. The Secretary of Commerce may rescind any order upon notification by the heads of the departments and the chief officers of the agencies who cause the order to be issued that the publication or disclosure of the invention is no longer deemed detrimental to the national security.

"SEC. 2. The invention disclosed in an application for patent subject to an order made pursuant to section 1 hereof may be held abandoned upon its being established by the Secretary of Commerce that in violation of said order the invention has been published or disclosed or that an application for a patent therefor has been filed in a foreign country by the inventor, his successors, assigns, or legal representatives, or anyone in privity with him or them, without the consent of the Secretary of Commerce. The abandonment shall be held to have occurred as of the time of violation. The consent of the Secretary of Commerce shall not be given without the concurrence of the heads of the departments and the chief officers of the agencies who caused the order to be issued. A holding of abandonment shall constitute forfeiture by the applicant, his successors, assigns, or legal representatives, or anyone in privity with him or them, of all claims against the United States based upon such invention.

"SEC. 3. An applicant, his successors, assigns, or legal representatives, whose patent is withheld as herein provided, shall have the right, beginning at the date the applicant is notified that, except for such order, his application is otherwise in condition for allowance, or the effective date of this act, whichever is later, and ending 6 years after a patent is issued thereon, to apply to the head of any department or agency who caused the order to be issued for compensation for the damage caused by the order of secrecy and/or for the use of the invention by the Government, resulting from his disclosure. The right to compensation for use shall begin on the date of the first use of the invention by the Government. The head of the department or agency is authorized, upon the presentation of a claim, to enter into an agreement with the applicant, his successors, assigns, or legal representatives, in full settlement for the damage and/or use. This settlement agreement shall be conclusive for all purposes notwithstanding any other provision of law to the contrary. If full settlement of the claim cannot be effected, the head of the department or agency may award and pay to such applicant, his successors, assigns, or legal representatives, a sum not exceeding 75 percent of the sum which the head of the department or agency considers just compensation for the damage and/or use. A claimant may bring suit against the United States in the Court of Claims for an amount which when added to the award shall constitute just compensation for the damage and/or use of the invention by the Government. The owner of any patent issued upon an application that was subject to a secrecy order issued pursuant to section 1 hereof, who did not apply for compensation as above provided, shall have the right, after the date of issuance of such patent, to bring suit in the Court of Claims for just compensation for the damage caused by reason of the order of secrecy and/or use by the Government of the invention resulting from his disclosure. The right to compensation for use shall begin on the date of the first use of the invention by the Government. In a suit under the provisions of this section, and in negotiations concerning settlement of a claim, the United States may avail itself of all defenses it may plead in an action under title 28, United States Code, section 1498, as amended. This section shall not confer a right of action on anyone or his successors, assigns, or legal representatives who, when he makes a claim, is in the employment or service of the United States, or who, while in the employment or service of the United States, discovered, invented, or developed the invention on which the claim is based.

"SEC. 4. Except when authorized by a license obtained from the Secretary of Commerce a person shall not file or cause or authorize to be filed in any foreign country prior to 6 months after filing in the United States an application for patent or for the registration of a utility model, industrial design, or model in respect of an invention made in this country. A license shall not be granted with respect to an invention subject to an order issued by the Secretary of Commerce pursuant to section 1 hereof without the concurrence of the head of the departments and the chief officers of the agencies who caused the order to be issued. The license may be granted retroactively where an application has been inadvertently filed abroad and the application does not disclose an invention within the categories prescribed under section 1 hereof.

"The term 'application' when used in this act includes applications, and any modifications, amendments, or supplements thereto, or divisions thereof.

"SEC. 5. Notwithstanding any other provisions of law any person, and his successors, assigns, or legal representatives, shall not receive a United States patent for an invention if that person, or his successors, assigns, or legal representatives shall, without procuring the license prescribed in section 4 hereof, have made, or consented to or assisted another's making, application in a foreign country for a patent or for the registration of a utility model, industrial design, or model in respect of the invention. A United States patent issued to such person,

his successors, assigns, or legal representatives shall be invalid.

"SEC. 6. Whoever, during the period or periods of time an invention has been ordered to be kept secret and the grant of a patent thereon withheld pursuant to section 1 hereof, shall, with knowledge of such order and without due authorization, willfully publish or disclose or authorize or cause to be published or disclosed the invention, or material information with respect thereto, or whoever, in violation of the provisions of section 4 hereof, shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than 2 years, or both.

"SEC. 7. The prohibitions and penalties of this act shall not apply to any officer or agent of the United States acting within the scope of his authority, nor to any person acting upon his written instructions or permission.

"SEC. 8. The Atomic Energy Commission, the Secretary of a Defense Department, the chief officer of any other department or agency of the Government designated by the President as a defense agency of the United States, and the Secretary of Commerce, may separately issue rules and regulations to enable the respective departments or agency to carry out the provisions of this act, and may delegate any power conferred by this act.

"SEC. 9. If any provision of this act or of any section hereof shall be held invalid, the remainder of the act shall not be affected thereby.

"SEC. 10. The acts of Congress approved October 6, 1917 (ch. 95, 40 Stat. 394); July 1, 1940 (ch. 501, 54 Stat. 710); August 21, 1941 (ch. 393, 55 Stat. 657); and June 16, 1942 (ch. 415, 56 Stat. 370) (U. S. C., title 35, secs. 42 and 42a to 42f), are repealed, but such repeal shall not affect any rights or liabilities existing on the date of approval of this act. An order of secrecy issued under the repealed acts, and in effect on the date of the approval of this act, shall be considered an order issued pursuant to this act. A claim arising under the repealed acts and unsettled as of the effective date of this act, may be presented and determined pursuant to the provisions of this act.

"SEC. 11. Nothing in this act shall be construed to alter, amend, revoke, repeal, or otherwise affect the provisions of the Atomic Energy Act of 1946 (60 Stat. 755), as amended.

"SEC. 12. This act may be cited as 'The Invention Secrecy Act of 1951'."

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.

TERMS OF COURT TO BE HELD AT WEST PALM BEACH AND AT FORT MYERS, FLA.

The Clerk called the bill (H. R. 948) to provide for terms of court to be held at West Palm Beach, and at Fort Myers, in the southern district of Florida.

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

Be it enacted, etc., That the second sentence of section 89 (b) of title 28, United States Code, is hereby amended to read as follows: "Court for the southern district shall be held at Fernandina, Fort Myers, Fort Pierce, Jacksonville, Key West, Miami, Ocala, Orlando, Tampa, and West Palm Beach."

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.

SUSPENDING APPLICATION OF CERTAIN FEDERAL LAWS WITH RESPECT TO ATTORNEYS EMPLOYED BY HOUSE JUDICIARY COMMITTEE

The Clerk called House Joint Resolution 326 to suspend the application of certain Federal laws with respect to an attorney employed by the House Committee on the Judiciary.

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

Resolved, etc., That service or employment of John F. Woog as an attorney on a temporary basis to assist the House Committee on the Judiciary, or any duly authorized subcommittee thereof, shall not be considered as service or employment bringing such person within the provisions of sections 281, 283, or 284, of title 18 of the United States Code, or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of service, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States.

With the following committee amendments:

Page 1, line 3, after the word "of", insert "John Paul Stevens, E. Ernest Goldstein, and."

Page 1, line 4, strike out "an attorney" and insert "attorneys."

Page 1, line 8, strike out "person" and insert "persons."

The committee amendments were agreed to.

The House joint resolution 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 "Joint resolution to suspend the application of certain Federal laws with respect to certain attorneys employed by the House Committee on the Judiciary."

A motion to reconsider was laid on the table.

BOARD OF WATER SUPPLY OF HONOLULU (HAWAII) AND HAWAIIAN HOMES COMMISSION ACT, 1921

The Clerk called the bill (H. R. 4197) to withdraw and restore to its previous status under the control of the Territory of Hawaii that certain Hawaiian homelands required for the use of the Board of Water Supply of the City and County of Honolulu for the location of a water shaft, pump station, and tunnel, and to amend section 203 of the Hawaiian Homes Commission Act, 1920, so as to confer upon certain lands of Auwaiolimu, Kewalo-Uka, and Kalawahine, on the island of Oahu, Territory of Hawaii, the status of Hawaiian homelands.

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

Be it enacted, etc., That so much of section 203 (4) of title 2 of the Hawaiian Homes Commission Act, 1920, as amended, as designates the land hereinafter described as available lands within the meaning of that act, is hereby repealed and the land is hereby restored to its previous status under the control of the Territory of Hawaii. On the island of Oahu:

(III) Portion of the land of Kalawahine situate mauka or northeast of Roosevelt High School, Honolulu, Oahu.

Being portion of L. C. award 11215, Apana 2, to Keliahonui conveyed by W. M. Giffard to the Territory of Hawaii by deed dated February 1, 1907, and recorded in liber 291, page 1.

(Being portion of the lands set aside for the Hawaiian Homes Commission by the Seventy-third Congress by act No. 227, approved May 16, 1934.)

Beginning at the south corner of this parcel of land near the east corner of Roosevelt High School lot, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl," being twenty-five and two one-hundredths feet south and four thousand one hundred seventeen and thirty-nine hundredths feet east as shown on Government Survey registered map No. 2985 and running by azimuths measured clockwise from true south;

1. One hundred and twenty-eight degrees fifty-four minutes seven hundred and six and thirteen one-hundredths feet along Roosevelt High School lot, and passing over a pipe at six hundred eight-four and thirteen one-hundredths feet;

2. Thence up along the middle of stream in all its turns and winding along the land of Kewalo-uka to the south corner of Hawaiian Home Land (Presidential Executive Order No. 5561), the direct azimuth and distance being two hundred and thirteen degrees forty-eight minutes forty seconds one thousand one hundred twelve and twenty one-hundredths feet;

3. Thence continuing up along the middle of stream in all its turns and windings along the land of Kewalo-uka (Presidential Executive Ordered No. 5561) to the south side of Tantalus Drive realinement, the direct azimuth and distance being two hundred and twenty-eight degrees twenty-nine minutes ten seconds one thousand three hundred and ninety-one feet;

4. There on a curve to the right with a radius of one hundred twenty and seventy-eight one hundredths feet along the southerly side of Tantalus Drive realinement (sixty feet wide), the direct azimuth and distance being three hundred and fifty-eight degrees twenty-one minutes one hundred ninety-three and eighty one-hundredths feet;

5. Fifty-one degrees forty-two minutes one hundred ninety-three and thirty-five one-hundredths feet along the southerly side of Tantalus Drive realinement;

6. Thence on a curve to the left with a radius of three hundred and thirty feet, along same, the direct azimuth and distance being twenty-five degrees twenty-three minutes ten seconds two hundred ninety-two and fifty-eight one-hundredths feet;

7. Twenty-two degrees fifty-three minutes two hundred ninety-one and ninety-three one-hundredths feet along the southerly side of Tantalus Drive realinement and along the west side of Kalawahine Slope lots;

8. Thence on a curve to the left with a radius of three hundred five and sixty one-hundredths feet along the west side of the Kalawahine Slope lots, the direct azimuth and distance being six degrees twenty-one minutes thirty second one hundred seventy-three and eighty-five one hundreds feet;

9. Three hundred and forty-nine degrees fifty minutes forty-seven feet along the west side of the Kalawahine Slope lots;

10. Thence on a curve to the right with a radius of five hundred and twenty feet along same and along Territorial land, the direct azimuth and distance being seventeen degrees thirty-one minutes four hundred eighty-three and eighteen one hundred feet;

11. Three hundred and fifteen degrees twelve minutes seventy-five feet along Territorial land;

12. Forty-five degrees twelve minutes six hundred eleven and two one-hundredths feet along the northwest side of a twenty-foot road reserve;

13. Thirty-four degrees four minutes thirty seconds three hundred thirty-six and ninety-six one-hundredths feet along same to the point of beginning and containing an area of thirty-one and sixty one-hundredths acres.

SEC. 2. Section 203 of the Hawaiian Homes Commission Act, 1920, as amended, is hereby further amended by adding to subparagraph (4) thereof relating to available lands on the island of Oahu, the following subsections to be numbered "(VI)" and "(VII)" respectively, and to read as follows:

"(VI) Being a portion of Government land of Auwaiolimu, situated on the northeast side of Hawaiian home land of Auwaiolimu and adjacent to the land of Kewalo-Uka at Pauoa Valley, Honolulu, Oahu, Territory of Hawaii. Beginning at a pipe in concrete at the south corner of this parcel of land, being also the east corner of Hawaiian home land, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl," being two thousand twelve and seventy-five one-hundredths feet south and three thousand six hundred forty-seven and eighty-seven one-hundredths feet east, and thence running by azimuths measured clockwise from true south:

"1. One hundred and forty-one degrees twelve minutes six hundred and ninety-three feet along Hawaiian home land;

"2. Thence along middle of stone wall along L. C. Aw. 1356 to Kekuanoni, Grant 5147, Apana 1 to C. W. Booth, L. C. Aw. 1351 to Kamakainau, L. C. Aw. 1602 to Kahawai, Grant 4197 to Keaulao, L. C. Aw. 5235 to Kaapuiki and Grant 2587 to Haalelea;

"3. Two hundred and ninety-five degrees thirty minutes three hundred and twenty feet along the remainder of Government land of Auwaiolimu;

"4. Twenty-four degrees sixteen minutes thirty seconds one thousand five hundred seventy-nine and thirty-six one-hundredths feet along the remainder of Government land of Auwaiolimu;

"5. Thence along middle of ridge along the land of Kewalo-Uka to a point called 'Puu Iole' (pipe in concrete monument), the direct azimuth and distance being fifty-six degrees no minutes eight hundred and thirty feet;

"6. Fifty-two degrees twelve minutes five hundred fifty-two and sixty one-hundredths feet along the land of Kawalo-Uka to the point of beginning and containing an area of thirty-three and eighty-eight one-hundredths acres, more or less.

"(VII) Being portions of Government lands of Kewalo-Uka and Kalawahine situated on the east side of Tantalus Drive at Pauoa Valley, Honolulu, Oahu, Territory of Hawaii. Beginning at the west corner of this parcel of land, the true azimuth and distance to a point called "Puu Ea" (pipe in concrete monument) being one hundred and seventy-four degrees thirty minutes four hundred one and ninety-nine one-hundredths feet, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Punchbowl" being two thousand eight hundred fifty-five and ten one-hundredths feet north and five thousand two hundred eighty-two and twenty-five one-hundredths feet east and thence running by azimuths measured clockwise from true south:

"1. Two hundred and forty-eight degrees nineteen minutes forty seconds eight hundred fifty and fifty-four one-hundredths feet along the land of Kewalo-Uka;

"2. Sixteen degrees thirty minutes five hundred feet along the land of Kewalo-Uka, along the land of Kalawahine;

"3. Thirty-five degrees no minutes three hundred and twenty feet along the land of Kalawhine;

"4. Thirty-five degrees no minutes three hundred and twenty feet along the land of Kalawahine;

"5. Fifty degrees forty-six minutes ninety-six and seventy one-hundredths feet along Makiki Forest Ridge lots;

"6. Seventy-three degrees twenty minutes two hundred fifty-five and ninety one-hundredths feet along Makiki Forest Ridge lots;

"7. Eighty-six degrees thirty-two minutes one hundred sixty-three and forty one-hundredths feet along Makiki Forest Ridge lots;

"8. Thence along the south side of Tantalus Drive on a curve to the right with a radius of two hundred and seventy feet, the direct azimuth and distance being two hundred and twenty-one degrees twelve minutes nineteen seconds ninety-eight and thirty-six one-hundredths feet;

"9. Two hundred and thirty-one degrees forty-two minutes one hundred ninety-three and thirty-five one-hundredths feet along the south side of Tantalus Drive;

"10. Still along Tantalus Drive on a curve to the left with a radius of one hundred eighty and seventy-eight one-hundredths feet, the direct azimuth and distance being one hundred and eighty-one degrees forty-five minutes fifty-five seconds two hundred seventy-six and seventy-two one-hundredths feet;

"11. Two hundred and forty-two degrees fifteen minutes sixty-two and thirty-two one-hundredths feet along the land of Kewalo-Uka;

"12. One hundred and seventy-four degrees thirty minutes five hundred twenty-eight and one one-hundredths feet along the land of Kewalo-Uka to the point of beginning and containing an area of five hundred and seventy-four thousand seven hundred and thirty square feet or thirteen and one hundred ninety-four one-thousandths acres."

SEC. 3. This act shall take effect on and after the date of its approval.

With the following committee amendments:

Page 2, line 5, strike the word "Keliahonui" and in ert in lieu thereof the word "Keliiahonui."

Page 3, line 1, strike the word "winding" and insert in lieu thereof the word "windings."

Page 3, line 14, strike the "There" and insert in lieu thereof the word "Thence."

Page 9, line 4, strike all of section 3 and insert in lieu thereof the following:

"SEC. 3. Section 3 of the act of May 16, 1934 (48 Stat. 777, 779; 48 U. S. C. 1946 ed., sec. 704a), is hereby amended to read as follows:

"'SEC. 3. Notwithstanding the provisions of the Hawaiian Homes Commission Act, as amended, limiting the leasing of lands to native Hawaiians, persons, whether or not native Hawaiians as defined by said act, as amended, who, on May 16, 1934, were residing on the lands of Auwaiolimu, Kewalo-Uka, and Kalawahine on the island of Oahu, described by this act shall be given first opportunity to lease, in the case of said Auwaiolimu and Kewalo-Uka lands, the lands on which they reside, and, in the case of said Kalawahine lands, other similar lands under the control of the Hawaiian Homes Commission'."

Page 9, following section 3, add the following new section:

"SEC. 4. The first proviso of section 209 (1) of the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, 111), as amended (48 U. S. C., 1946 ed., sec. 703 (1)), is hereby further amended to read as follows:

"'*Provided*, That Hawaiian blood requirements shall not apply to the descendants of those who are not native Hawaiians but who were entitled to the leased land under the provisions of section 3 of the act of May 16, 1934 (48 Stat. 777, 779) as amended'."

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 sc as to read: "A bill to withdraw and restore to its previous status under the control of the Territory of Hawaii certain Hawaiian homelands required for the use of the Board of Water Supply of the City and County of Honolulu for the location of a water shaft, pump station, and tunnel, and to amend section 203 of the Hawaiian Homes Commission Act, 1920, so as to confer upon certain lands of Auwaiolimu, Kewalo-Uka, and Kalawahine, on the island of Oahu, Territory of Hawaii, the status of Hawaiian homelands."

A motion to reconsider was laid on the table.

HAWAIIAN HOMES COMMISSION

The Clerk called the bill (H. R. 4409) to enable the Hawaiian Homes Commission of the Territory of Hawaii to exchange available lands as designated by the Hawaiian Homes Commission Act, 1920, for public or private lands.

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

Be it enacted, etc., That section 204 of the Hawaiian Homes Commission Act, 1920, as amended, be further amended by adding a new subparagraph thereto, designated subparagraph "(4)", and to read as follows:

"(4) The commission may, with the approval of the Governor and the Secretary of the Interior, in order to consolidate its holdings or to better effectuate the purposes of this act, exchange the title to available lands for land, publicly or privately owned, of an equal value. All land so acquired by the commission shall assume the status of available lands as though the same were originally designated as such under section 203 hereof, and all land so conveyed by the commission shall assume the status of the land for which it was exchanged. The limitations imposed by section 73 (1) of the Hawaiian Organic Act and the land laws of Hawaii as to the area and value of land that may be conveyed by way of exchange shall not apply to exchanges made pursuant hereto."

SEC. 2. This act shall take effect upon its approval.

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 NATIONAL PARK SYSTEM

The Clerk called the bill (H. R. 1638) to facilitate the management of the national park system and miscellaneous areas administered in connection with that system, and for other purposes.

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

Be it enacted, etc., That, in order to facilitate the administration of the National Park System and miscellaneous areas administered in connection therewith, the Secretary of the

Interior is hereby authorized, notwithstanding any other provisions of law, to carry out the following activities, and he may use applicable appropriations for the aforesaid system and miscellaneous areas for the following purposes:

1. Rendering of emergency rescue, fire fighting, and cooperative assistance to nearby law enforcement and fire prevention agencies and for related purposes outside of the aforesaid areas.

2. The acquisition of leases, easements, and rights-of-way outside of the National Park System and miscellaneous areas administered by the National Park Service, and the acquisition, construction, and maintenance of utilities and general administrative facilities thereon, or on other federally owned or controlled lands under the jurisdiction of the Secretary of the Interior, when the aforesaid are necessary for the management, protection, maintenance, or operation of such system or areas.

3. Transportation to and from work, outside of regular working hours, of employees of Carlsbad Caverns National Park, residing in or near the city of Carlsbad, N. Mex., such transportation to be between the park and the city, or intervening points.

4. Furnishing, on a reimbursement of appropriation basis, all types of utility services to concessioners, contractors, permittees, or other users of such services, whenever necessary to insure adequate and uninterrupted service to the public: *Provided*, That reimbursements for cost of such utility services may be credited to the appropriation current at the time reimbursements are received.

5. Contracting, under such terms and conditions as the said Secretary considers to be in the interest of the Federal Government, for the sale, operation, maintenance, repair, or relocation of Government-owned electric and telephone lines and other facilities used for the administration and protection of the National Park System and miscellaneous areas, regardless of whether such lines and facilities are located within or outside said system and areas.

6. Acquiring such rights-of-way as may be necessary to construct, improve, and maintain roads within the authorized boundaries of any area of the said National Park System and miscellaneous areas, and the acquisition also of land and interests in land adjacent to such rights-of-way, when deemed necessary by the Secretary, to provide adequate protection of natural features or to avoid traffic and other hazards resulting from private road access connections, or when the acquisition of adjacent residual tracts, which otherwise would remain after acquiring such rights-of-way, would be in the public interest.

7. The operation, repair, maintenance, and replacement of motor and other equipment on a reimbursable basis when such equipment is used on projects of the said National Park System and miscellaneous areas, chargeable to other appropriations, or on work of other Federal agencies, when requested by such agencies. Reimbursement shall be made from appropriations applicable to the work on which the equipment is used at rental rates established by the Secretary, based on actual or estimated cost of operation, repair, maintenance, depreciation, and equipment management control, and credited to appropriations currently available at the time adjustment is effected, and the Secretary may also rent equipment for fire control purposes to State, county, private, or other non-Federal agencies that cooperate with the Secretary in the administration of the said National Park System and other areas in fire control, such rental to be under the terms of written cooperative agreements, the amount collected for such rentals to be credited to appropriations currently available at the time payment is received.

SEC. 2. (a) The term "National Park System" means all federally owned or controlled lands which are administered under the direction of the Secretary of the Interior in accordance with the provisions of the act of August 25, 1916 (39 Stat. 535), as amended, and which are grouped into the following descriptive categories: (1) National parks, (2) national monuments, (3) national historical parks, (4) national memorials, (5) national parkways, and (6) national capital parks.

(b) The term "miscellaneous areas" includes lands under the administrative jurisdiction of another Federal agency, or lands in private ownership, and over which the National Park Service, under the direction of the Secretary of the Interior, pursuant to cooperative agreement exercises supervision for recreational, historical, or other related purposes, and also any lands under the care and custody of the National Park Service other than those heretofore described in this section.

SEC. 3. Hereafter applicable appropriations of the National Park Service shall be available for the objects and purposes specified in the act of August 7, 1946 (60 Stat. 885).

With the following committee amendments:

Page 2, lines 4 to 12, inclusive, strike all of subsection 2 and insert in lieu thereof the following:

"2. The erection and maintenance of fire protection facilities, water lines, telephone lines, electric lines, and other utilities adjacent to areas administered by the National Park Service, where necessary, in the administration of such areas."

Page 2, line 17, strike the period, insert a comma in lieu thereof, and add the following: "at reasonable rates to be determined by the Secretary of the Interior taking into consideration, among other factors, comparable rates charged by transportation companies in the locality for similar services, the amounts collected for such transportation to be credited to the appropriation current at the time payment is received."

Page 3, line 4, insert the word "utility" after the word "other."

Page 3, line 21, insert the word "Federal" after the word on."

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.

BEAR LAKE FISH CULTURAL STATION (UTAH)

The Clerk called the bill (H. R. 3368) providing for the conveyance of the Bear Lake Fish Cultural Station to the Fish and Game Commission of the State of Utah.

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

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to convey, subject to such conditions and reservations as he deems needful to protect the interests of the United States, to the Fish and Game Commission of the State of Utah all the right, title, and interest of the United States in and to those lands and improvements thereon designated as the Bear Lake Fish Cultural Station, described as follows: Beginning at a point south thirty-three degrees forty-one minutes west two thousand three hundred and eighty feet from the northeast corner of section 4, township 12 north, range 5 east, Salt Lake meridian; thence south one thousand two hundred and ninety-seven and eight-tenths feet to a point two rods south of the south bank of the Upper Round Valley Canal; thence north eighty degrees ten minutes west seven hundred three and seven-tenths feet to a point two rods south of the south bank of said canal; thence north five hundred seventeen and five-tenths feet; thence east two hundred ninety-seven and four-tenths feet; thence north six hundred and sixty feet; thence east three hundred and ninety-six feet to the point of beginning, containing fifteen and nineteen one-hundredths acres, together with a strip of land two and five-tenths rods wide, being one and twenty-five one-hundredths rods on each side of the center line described as beginning at a point south thirty-three degrees forty-one minutes west two thousand three hundred and eighty feet and west one hundred and seventy-nine feet from the northeast corner of section 4, township 12 north, range 5 east, Salt Lake meridian; thence following along the center line of road north five degrees forty-three minutes west five hundred and thirty-nine feet; thence north seventeen degrees six minutes east and four hundred and eighteen feet; thence north fifty-two degrees forty-seven minutes east ninety-three and nine-tenths feet; thence north seventy-eight degrees nineteen minutes east four hundred and eighty-one and six-tenths feet; thence south eighty-six degrees thirty-two minutes east five hundred and eighty-five and five-tenths feet; thence south eighty-six degrees fifty-one minutes east two hundred and ninety-nine and four-tenths feet, more or less, to the east boundary of said section 4, at a point nine hundred and forty-two feet south of the northeast corner of said section 4; thence south eighty-six degrees fifty-one minutes east two hundred forty-nine and one-tenth feet; thence north sixty-six degrees four minutes east two hundred and ninety-one and two-tenths feet to the center line of a county road bearing northwest and southeast and being seventy-five feet wide at this point, containing in all seventeen and seventy-six one-hundredths acres, more or 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.

PEA ISLAND NATIONAL WILDLIFE REFUGE, N. C.

The Clerk called the bill (H. R. 4808) to provide for the granting of an easement for a public road through the Pea Island National Wildlife Refuge in Dare County, N. C.

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

Be it enacted, etc., That the Secretary of the Interior is authorized to convey to the State of North Carolina a permanent easement for the construction of a public road (together with rights for such other uses as may be customary or necessary in connection with the construction or operation of such a road) through the Pea Island National Wildlife Refuge in Dare County, N. C.

With the following committee amendments:

On page 1, line 6, after the words "or necessary" insert the words "in the State of North Carolina."

On page 1, line 9, after the words "North Carolina" insert a comma and add the words: "and to accept in return therefor the conveyance of any rights-of-way, easements, or other rights in or claims to land owned by the State of North Carolina not needed for use in the construction or operation of such road."

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 SUBMARINE "ULUA"

The Clerk called the bill (H. R. 5067) to authorize the use of the incompleted submarine *Ulua* as a target for explosive tests, and for other purposes.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if someone will explain why this submarine was never completed? Is it a modern submarine?

Mr. KILDAY. Mr. Speaker, this bill was reported by the gentleman from Illinois [Mr. PRICE] who is now engaged in a committee meeting. I was not a member of the subcommittee handling the matter and, therefore, I am not fully informed as to the particular situation. There were a number of submarines and other vessels which were in the course of construction at the termination of the war and were not completed. Whether this is one of those or not, I do not know.

Mr. GROSS. 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 Iowa?

There was no objection.

PAYMENTS FOR CARE GIVEN CERTAIN MILITARY PERSONNEL

The Clerk called the bill (H. R. 3548) to provide that payments to States and Territories for care given to certain disabled soldiers and sailors of the United States shall be effective from the date such care commenced.

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

Be it enacted, etc., That the last proviso to section 2 of the act entitled "An act to increase temporarily the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States," approved May 18, 1948, is hereby amended to read as follows: *"Provided further,* That no such payment to a State or Territory shall be made until the Administrator of Veterans' Affairs determines that the veteran, on whose account such payment is requested, is eligible for such care in a Veterans' Administration facility, and after such determination of eligibility such payment shall be made."

SEC. 2. The amendment made by this act shall apply to payments with respect to care given to disabled soldiers and sailors on and after the first day of the month next following the month during which this act is enacted.

With the following committee amendment:

Page 2, line 3, strike out "effective from the date such care commenced" and insert "covering the period of eligibility from the date such care commenced, except that no such payment shall be made effective prior to the date of receipt by the Veterans' Administration of an appropriate request for determination of eligibility in the case of any eligible veteran with respect to whom such request is not received within 10 days following the date such care commenced."

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 PUBLIC LAW 351, EIGHTY-FIRST CONGRESS

The Clerk called the bill (H. R. 5405) to amend section 207 (a) of Public Law 351, Eighty-first Congress.

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

Be it enacted, etc., That section 207 (a) of Public Law 351, Eighty-first Congress, be amended to read as follows:

"SEC. 207. (a) Members of the uniformed services who enlist under the conditions set forth in subsection (b) of this section within 3 months from the date of their discharge or separation, or within such lesser period of time as the Secretary concerned may determine from time to time, shall be paid a lump-sum reenlistment bonus of $40, $90, $160, $250, or $360 upon enlistment for a period of 2, 3, 4, 5, or 6 years, respectively; and, upon enlistment for an unspecified period of time amounting to more than 6 years a lump sum reenlistment bonus of $360 shall be paid, and, upon the completion of 6 years' enlisted service in such enlistment, for each year thereafter a lump sum payment of $60 shall be made in advance, subject to the limitation that the total amount paid shall not exceed $1,440: *Provided,* That persons in an enlistment for an unspecified period of time, entered into prior to October 1, 1949, shall be paid $110 upon the first anniversary date of such enlistment subsequent to September 30, 1949, and $60 upon each anniversary date thereafter, subject to the limitations that the total amount paid after October 1, 1949, shall not exceed $1,440: *Provided further,* That no payment shall be made for any period subsequent to the completion of 30 years' service. No reenlistment bonus shall be paid for more than four enlistments entered into after the effective date of this section: *Provided further,* That the bonus to be paid in the case of a person reenlisting for a period which would extend the length of his active Federal service beyond 30 years shall be computed as if said reenlistment were for the minimum number of years necessary to permit such persons to complete 30 years' active Federal service: *And provided further,* That after the enactment of this amendment and under such regulations as may be approved by the Secretary of Defense, or the Secretary of the Treasury with respect to Coast Guard personnel any person to whom a reenlistment bonus is paid as herein provided, and who voluntarily or as the result of his own misconduct, does not complete the term of enlistment for which the bonus was paid, shall be liable to refund such part of such bonus as the unexpired part of such enlistment bears to the total enlistment period for which such bonus was paid, less any amount paid in Federal or State income taxes on such refundable part.

With the following committee amendments:

Page 3, line 1, after "Defense," insert "or the Secretary of the Treasury with respect to Coast Guard personnel."

Page 3, line 10, strike out "part." and insert "part." "

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.

COMPACT CONCERNING BRIDGE ACROSS THE DELAWARE RIVER

The Clerk called the bill (H. R. 5131) granting the consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning a bridge across the Delaware River to provide a connection between the Pennsylvania Turnpike System and the New Jersey Turnpike, and for other purposes.

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

Be it enacted, etc., That the consent of Congress is hereby given to the compact or agreement set forth below, and to each and every term and provision thereof: *Provided,* That nothing herein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof:

Compact between the Commonwealth of Pennsylvania and the State of New Jersey authorizing the Pennsylvania Turnpike Commission and the New Jersey Turnpike Authority, acting alone or in conjunction with each other, to construct, finance, operate, and maintain a bridge across the Delaware River.

Whereas, in order to facilitate vehicular traffic between the eastern and western sections of the Commonwealth of Pennsylvania, the Pennsylvania Turnpike Commission, heretofore created by the provisions of the Act of Assembly approved the twenty-first day of May, 1937 (Pamphlet Laws 774), has been authorized and empowered by the provisions of said act and of the supplements and amendments thereto to construct, operate, and maintain a turnpike from a point on the western boundary line of the Commonwealth of Pennsylvania to a point at the city of Philadelphia, and pursuant thereto is engaged in the construction, operation, and maintenance of the Pennsylvania Turnpike System to carry vehicular traffic from the Pennsylvania-Ohio State line across the Commonwealth of Pennsylvania to a point at King of Prussia in Montgomery County, Pa., and has been further authorized and empowered by an Act of Assembly to construct, operate, and maintain an extension of the Pennsylvania Turnpike System to carry such vehicular traffic to a point on or near the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey and there to construct, operate, and maintain, either alone or in conjunction with the New Jersey Turnpike Authority, or to contract with the New Jersey Turnpike Authority for the construction, operation, and maintenance of a bridge across the Delaware River, pursuant to such compact as may be entered into between the Commonwealth of Pennsylvania and the State of New Jersey; and

Whereas, the New Jersey Turnpike Authority heretofore created by the New Jersey Turnpike Authority Act of 1948 (ch. 454, P. L. 1948), has been authorized to construct and is constructing a turnpike project across the State of New Jersey from a point at State Highway Route No. 6 approximately 3 miles westerly from the westerly end of the George Washington Bridge to a point in the county of Salem at or near Deepwater to a connection with a new bridge across the Delaware River now under construction, and has been further authorized and empowered to construct, operate, and maintain an extension to a point on or near the Delaware River, between the State of New Jersey and the Commonwealth of Pennsylvania, and there to construct, operate, and maintain, either alone or in conjunction with the Pennsylvania Turnpike Commission or to contract

with the Pennsylvania Turnpike Commission for the construction, operation, and maintenance of a bridge across the Delaware River, to connect with the Pennsylvania Turnpike System, pursuant to such compact as may be entered into between the State of New Jersey and the Commonwealth of Pennsylvania; and

Whereas, it is necessary that a bridge be provided across the Delaware River in order to form a connection between the Pennsylvania Turnpike System and the New Jersey turnpike and that provision be made for the financing, construction, operation, and maintenance of said bridge under such agreement or agreements as may be entered into between the Pennsylvania Turnpike Commission and the New Jersey Turnpike Authority;

Now, therefore, the Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree with each other, as follows:

ARTICLE I

The Pennsylvania Turnpike Commission and the New Jersey Turnpike Authority, acting in cooperation with each other, are hereby authorized and empowered, in accordance with such agreement or agreements as shall be entered into pursuant to article II hereof to select the location for, and to prepare the necessary plans for the financing, construction, administration, operation and maintenance of, and to finance, construct, operate, and maintain such bridge across the Delaware River as the commission and the authority may deem feasible and expedient to provide a connection between the Pennsylvania Turnpike System and the New Jersey turnpike to advance the interests of both States and to facilitate public travel.

ARTICLE II

The Pennsylvania Turnpike Commission and the New Jersey Turnpike Authority shall be and are hereby authorized and empowered to enter into an agreement or agreements, not in conflict or inconsistent with the provisions of article I and III hereof, setting forth in detail the location for such bridge and by whom and in what manner the bridge shall be financed, constructed, operated and maintained, including the manner of fixing and collecting tolls, and providing for joint action by said commission and authority where such joint action is deemed by them to be necessary or advisable and setting forth the manner in which any such joint action may be effected.

ARTICLE III

This compact shall be construed as granting supplemental and additional powers to the Pennsylvania Turnpike Commission and to the New Jersey Turnpike Authority and shall not be construed as being in derogation of any other powers of the Pennsylvania Turnpike Commission and New Jersey Turnpike Authority; provided, however, that (a) all acts and proceedings of said commission with respect to such bridge and its location, construction, financing, operation and maintenance shall not be in conflict or inconsistent with statutes of the Commonwealth of Pennsylvania creating or granting powers to said commission; (b) all acts and proceedings of said authority with respect to such bridge and its location, construction, financing, operation and maintenance shall not be in conflict or inconsistent with statutes of the State of New Jersey creating or granting powers to said authority; and (c) the construction of a bridge at the location selected shall not be in contravention of any applicable provision of any compact or agreement entered into by the Commonwealth of Pennsylvania and the State of New Jersey which shall be in force and effect at the time of the construction of such bridge.

ARTICLE IV

1. This compact shall enter into force and become effective and binding between the Commonwealth of Pennsylvania and the State of New Jersey when (a) it has been adopted and enacted into law by the respective legislatures of said Commonwealth and State, and (b) it has been signed by the respective Governors of the said Commonwealth and State, after authorization therefor by their respective Legislatures, and has been attested by the respective Secretaries of State of the said Commonwealth and State and the respective seals of the said Commonwealth and State have been affixed thereto, and (c) the Congress of the United States of America has consented thereto.

2. This compact shall be signed, attested, and sealed in five originals, one each of said originals to be forwarded to the Governors of the said Commonwealth and State for filing in accordance with the laws of the said Commonwealth and State, one each of said originals to be deposited in the office of the Pennsylvania Turnpike Commission and the office of the New Jersey Turnpike Authority, and one of said originals to be deposited with the Secretary of State of the United States of America.

In witness whereof, and in evidence of the adoption and enactment into law of this compact by the Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, the Governors of the Commonwealth of Pennsylvania and the State of New Jersey do hereby in accordance with authority conferred by the Legislatures of their respective States, sign this compact in five originals, as attested by the respective Secretaries of State of the said Commonwealth and State, and have caused the respective seals of the said Commonwealth and State to be hereunto affixed, this 11th day of July, 1951.

JOHN S. FINE,
John S. Fine

[SEAL]
Governor Commonwealth of Pennsylvania
Attest:

GENE D. SMITH
Gene D. Smith
Secretary of the Commonwealth

ALFRED E. DRISCOLL
Alfred E. Driscoll
[SEAL] Governor, State of New Jersey
Attest:

LLOYD B. MARSH
Lloyd B. Marsh
Secretary of State

SEC. 2. The Pennsylvania Turnpike Commission is hereby authorized to construct the bridge across the Delaware River which is referred to in the compact set forth above in section 1 of this act, either acting alone in accordance with the laws of the Commonwealth of Pennsylvania or acting jointly with the New Jersey Turnpike Authority in accordance with the provisions of said compact, and the New Jersey Turnpike Authority is hereby authorized to construct said bridge, either acting alone in accordance with the laws of the State of New Jersey or acting jointly with the Pennsylvania Turnpike Commission in accordance with the provisions of said compact.

SEC. 3. Notwithstanding any of the provisions of the General Bridge Act of 1946, as amended, if the Pennsylvania Turnpike Commission shall finance the construction of all or a part of said bridge, said commission is hereby authorized to combine said bridge or such part with the Pennsylvania Turnpike System or any part thereof for financing purposes and to fix, charge, and collect tolls for the use of said bridge and to pledge such tolls in accordance with the provisions of the laws of the Commonwealth of Pennsylvania which relate to said commission or to said Pennsylvania Turnpike System, or if the New Jersey Turnpike Authority shall finance the construction of all or a part of said bridge, said authority is hereby authorized to combine said bridge for such part with the New Jersey Turnpike for financing purposes and to fix, charge, and collect tolls for the use of said bridge and to pledge such tolls in accordance with the provisions of the laws of the State of New Jersey which relate to said authority or said New Jersey Turnpike.

SEC. 4. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 9, line 11, strike out "Notwithstanding any of the provisions of the General Bridge Act of 1946, as amended, if" and insert "If."

Page 10, line 3, after "Turnpike" insert: "*: Provided*, That the collection of tolls for the use of such bridge shall cease after forty years from the date of completion of such bridge, and such bridge thereafter shall be maintained and operated free of tolls."

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.

EAST PASS CHANNEL INTO CHOCTAWHATCHEE BAY, FLA.

Mr. SIKES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2322) to authorize the improvement of East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this is a measure that has been sought by the Army for defense purposes?

Mr. SIKES. The gentleman is exactly right, and that is the reason for its presence on this calendar. The Air Force requested that the measure be passed at this time, because they need a deeper channel in order to get the crash boats into the Gulf of Mexico to protect the exercises that are being carried on by the Air Force in the Gulf. It only involves $20,000 a year in new money.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Michigan.

Mr. DONDERO. This bill was fully discussed before our committee. I can say to the House that it came out of our committee with a unanimous report. The National Defense is seriously involved in this matter. It is one of the greatest testing and experimental fields we have in this country.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of National Defense through the Corps of Engineers of the United States Army is au-

thorized to provide a channel 12 feet deep and 180 feet wide from the Gulf of Mexico into Choctawhatchee Bay via the existing East Pass and to provide maintenance of a 6- by 100-foot channel from East Pass Channel to the harbor at Destin, Fla., generally in accordance with the plan of the district engineer and with such modifications thereof as in the discretion of the Chief of Engineers may be advisable, at an estimated cost to the United States of $30,000 annually, for restoring and maintaining the project, including $1,000 annually for the 6- by 100-foot channel to Destin.

With the following committee amendments:

Page 1, line 3, strike out "National Defense" and insert "the Army."

Page 1, line 10, after "with the" strike out the balance of the line down to and including the word "Destin" on page 2, line 5, and insert "plans and subject to the conditions in House Document No. 470, Eighty-first Congress."

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.

AMEND SECTION 9 OF FEDERAL-AID HIGHWAY ACT

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5257) to amend section 9 of the Federal-Aid Highway Act of 1950 (64 Stat. 785), to increase the amount available as an emergency relief fund for the repair or reconstruction of highways and bridges damaged by floods or other catastrophes.

The Clerk read the title of the bill.

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

Mr. McGREGOR. Mr. Speaker, reserving the right to object, and I will not object. This is a bill that came out of not only the Public Works Committee, but the subcommittee on roads, and it simply increases the amount of money available as an emergency fund that can be used for the repair of highways and bridges, damaged by floods. This legislation should be passed immediately. It comes from Public Works Committee with unanimous vote.

Mr. FALLON. That is right. Most of this money will be used in Kansas and Missouri. The balance, which will be in the neighborhood of $6,000,000, will be available until next year, when other money will be appropriated to take care of any emergency throughout the Nation.

Mr. HAGEN. Mr. Speaker, will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Minnesota.

Mr. HAGEN. In the case of the floods of last year and in the case where the road is still damaged and needs repair, will some of these funds be made available for those areas?

Mr. FALLON. The money is available to repair any roads damaged by floods, but it refers only to Federal-aid highways.

Mr. HAGEN. Even though it may have happened last year and the year before?

Mr. FALLON. That is correct.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That section 9 of the Federal-Aid Highway Act of 1950, approved September 7, 1950 (64 Stat. 785), is hereby amended by striking out the figure "$5,000,000" and inserting in lieu thereof "$15,000,000."

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.

CONSTRUCTION OF ACCESS ROADS

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5504) to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense.

The Clerk read the title of the bill.

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

Mr. McGREGOR. Reserving the right to object, Mr. Speaker, this is another bill that has come from the Subcommittee on Roads of the Committee on Public Works by unanimous vote. It authorizes appropriations, as requested by the Department of Defense and changes the Federal-Aid Highway Act of 1950 and authorizes a change from $10,000,000 to $45,000,000. Twenty million dollars of the sum authorized is made available for contracts immediately. It also provides $5,000,000 of funds appropriated under the act may be used in areas certified by the Secretary of Defense as maneuver areas for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been, or may be, used for training of the Armed Forces in suitable condition for such training purposes, and for repairing damage caused to such roads by the operations of men and equipment in such training.

Mr. FALLON. That is correct.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 12 of the Federal-Aid Highway Act of 1950, approved September 7, 1950 (64 Stat. 785), is hereby amended by striking out "$10,000,000" and inserting in lieu thereof "$45,000,000", and by striking out "$2,000,000" and inserting in lieu thereof "$20,000,000", and by adding at the end thereof the following additional proviso: *"And provided further*, That not exceeding $5,000,000 of any funds appropriated under this authorization may be used by the Secretary of Commerce in areas certified to him by the Secretary of Defense as maneuver areas, for such reconstruction, maintenance, and repair work as may be necessary to keep the roads therein which have been or may be used for training of the Armed Forces in suitable condition for such training purposes, and for repairing the damage caused to such roads by the operations of men and equipment in such 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.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

OCTOBER 4, 1951.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives,
The Capitol, Washington, D. C.

MY DEAR MR. SPEAKER: I submit herewith my resignation as a member of the Committee on House Administration, effective immediately.

Very truly yours,
EDWARD L. SITTLER, JR.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution (H. Res. 445), and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, that EDWARD L. SITTLER, JR., of Pennsylvania be, and he is hereby elected a member of the standing committee of the House of Representatives on Veterans' Affairs.

The resolution was agreed to.

A motion to reconsider was laid on the table.

UNEMPLOYMENT INSURANCE FOR FEDERAL CIVILIAN EMPLOYEES

Mr. FORAND. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5118) to amend the Social Security Act to provide unemployment insurance for Federal civilian employees, and for other purposes.

The Clerk read as follows:

Be it enacted, etc., That the Social Security Act, as amended, is further amended by adding after title XIV thereof the following new title:

"TITLE XV—UNEMPLOYMENT COMPENSATION FOR FEDERAL EMPLOYEES

"DEFINITIONS

"SEC. 1501. When used in this title—

"(a) The term 'Federal service' means any service performed after 1949 in the employ of the United States or any instrumentality thereof which is wholly owned by the United States, except that the term shall not include (1) service performed by an elective officer in the executive or legislative branch of the Government of the United States, (2) service performed as a member of the Armed Forces of the United States, (3) service performed by foreign service personnel for whom special separation allowances are provided by the Foreign Service Act of 1946 (60 Stat. 999), (4) service performed prior to January 1, 1952, for the Bonneville Power Administrator if such service constitutes employment under section 1607 (m) of the Federal Unemployment Tax Act, or (5) service performed outside the United States by an individual who is not a citizen of the United States. For the purpose of clause (5) of this subsection, the term 'United States' when used in a geographical sense

means the States, Alaska, Hawaii, the District of Columbia, Puerto Rico, and the Virgin Islands.

"(b) The term 'Federal wages' means all remuneration for Federal service, including cash allowances and remuneration in any medium other than cash.

"(c) The term 'Federal employee' means an individual who has performed Federal service.

"(d) The term 'compensation' means cash benefits payable to individuals with respect to their unemployment (including any portion thereof payable with respect to dependents).

"(e) The term 'benefit year' means the benefit year as defined in the applicable State unemployment compensation law; except that, if such State law does not define a benefit year, then such term means the period prescribed in the agreement under this title with such State or, in the absence of an agreement, the period prescribed by the Secretary.

"(f) The term 'Secretary' means the Secretary of Labor.

"COMPENSATION FOR FEDERAL EMPLOYEES UNDER STATE AGREEMENTS

"SEC. 1502. (a) The Secretary is authorized on behalf of the United States to enter into an agreement with any State, or with the agency administering the unemployment compensation law of such State, under which such State agency (1) will make, as agent of the United States, payments of compensation, on the basis provided in subsection (b) of this section, to Federal employees, and (2) will otherwise cooperate with the Secretary and with other State agencies in making payments of compensation under this title.

"(b) Any such agreement shall provide that compensation will be paid by the State to any Federal employee, with respect to unemployment after December 31, 1951, in the same amount, on the same terms, and subject to the same conditions as the compensation which would be payable to such employee under the unemployment compensation law of the State if the Federal service and Federal wages of such employee assigned to such State under section 1504 had been included as employment and wages under such law.

"(c) Any determination by a State agency with respect to entitlement to compensation pursuant to an agreement under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in such manner and to such extent.

"(d) Each agreement shall provide the terms and conditions upon which the agreement may be amended or terminated.

"COMPENSATION FOR FEDERAL EMPLOYEES IN ABSENCE OF STATE AGREEMENT

"SEC. 1503. (a) In the case of a Federal employee whose Federal service and Federal wages are assigned under section 1504 to a State which does not have an agreement under this title with the Secretary, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such employee of a claim for compensation under this subsection, make payments of compensation to him with respect to unemployment after December 31, 1951, in the same amounts, on the same terms, and subject to the same conditions as would be paid to him under the unemployment compensation law of such State if such employee's Federal service and Federal wages had been included as employment and wages under such law, except that if such employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for any compensation during the benefit year under the law of such State, then payments of compensation under this subsection shall be made only on the basis of his Federal service and Federal wages.

"(b) In the case of a Federal employee whose Federal service and Federal wages are assigned under section 1504 to Puerto Rico or the Virgin Islands, the Secretary, in accordance with regulations prescribed by him, shall, upon the filing by such employee of a claim for compensation under this subsection, make payments of compensation to him with respect to unemployment after December 31, 1951, in the same amounts, on the same terms, and subject to the same conditions as would be paid to him under the unemployment compensation law of the District of Columbia if such employee's Federal service and Federal wages had been included as employment and wages under such law, except that if such employee, without regard to his Federal service and Federal wages, has employment or wages sufficient to qualify for any compensation during the benefit year under such law, then payments of compensation under this subsection shall be made only on the basis of his Federal service and Federal wages.

"(c) Any Federal employee whose claim for compensation under subsection (a) or (b) of this section has been denied shall be entitled to a fair hearing in accordance with regulations prescribed by the Secretary. Any final determination by the Secretary with respect to entitlement to compensation under this section shall be subject to review by the courts in the same manner and to the same extent as is provided in section 205 (g) of title II with respect to final decisions of the Administrator under such title.

"(d) The Secretary may utilize for the purposes of this section the personnel and facilities of the agencies in Puerto Rico and the Virgin Islands cooperating with the United States Employment Service under the act of June 6, 1933 (48 Stat. 113), as amended. For the purpose of payments made to such agencies under such act, the furnishing of such personnel and facilities shall be deemed to be a part of the administration of the public employment offices of such agencies.

"STATE TO WHICH FEDERAL SERVICE AND WAGES ARE ASSIGNABLE

"SEC. 1504. In accordance with regulations prescribed by the Secretary, the Federal service and Federal wages of an employee shall be assigned to the State in which he had his last official station in Federal service prior to the filing of his first claim for compensation for the benefit year, except that—

"(1) if, at the time of the filing of such first claim, he resides in another State in which he performed, after the termination of such Federal service, service covered under the unemployment compensation law of such other State, such Federal service and Federal wages shall be assigned to such other State;

"(2) if his last official station in Federal service, prior to the filing of such first claim, was outside the United States, such Federal service and Federal wages shall be assigned to the State where he resides at the time he files such first claim; and

"(3) if such first claim is filed while he is residing in Puerto Rico or the Virgin Islands, such Federal service and Federal wages shall be assigned to Puerto Rico or the Virgin Islands.

"TREATMENT OF ACCRUED ANNUAL LEAVE

"SEC. 1505. For the purposes of this title, in the case of a Federal employee who is performing Federal service at the time of his separation from employment by the United States or any instrumentality thereof, (1) the Federal service of such employee shall be considered as continuing during the period, subsequent to such separation, with respect to which he is considered as having received payment of accumulated and current annual or vacation leave pursuant to any Federal law, and (2) subject to regulations of the Secretary concerning allocation over the period, such payment shall constitute Federal wages.

"PAYMENTS TO STATES

"SEC. 1506. (a) Each State shall be entitled to be paid by the United States an amount equal to the additional cost to the State of payments of compensation made under and in accordance with an agreement under this title which would not have been incurred by the State but for the agreement.

"(b) In making payments pursuant to subsection (a) of this section, there shall be paid to the State, either in advance or by way of reimbursement, as may be determined by the Secretary, such sum as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any sum by which the Secretary finds that his estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made upon the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency.

"(c) The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State sums payable to such State under this section. The Secretary of the Treasury, prior to audit or settlement by the General Accounting Office, shall make payment to the State in accordance with such certification, from the funds for carrying out the purposes of this title.

"(d) All money paid a State under this title shall be used solely for the purposes for which it is paid; and any money so paid which is not used for such purposes shall be returned, at the time specified in the agreement under this title, to the Treasury and credited to current applicable appropriations, funds, or accounts from which payments to States under this title may be made.

"(e) An agreement under this title may require any officer or employee of the State certifying payments or disbursing funds pursuant to the agreement, or otherwise participating in its performance, to give a surety bond to the United States in such amount as the Secretary may deem necessary, and may provide for the payment of the cost of such bond from funds for carrying out the purposes of this title.

"(f) No person designated by the Secretary, or designated pursuant to an agreement under this title, as a certifying officer, shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to the payment of any compensation certified by him under this title.

"(g) No disbursing officer shall, in the absence of gross negligence or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated as provided in subsection (f) of this section.

"(h) For the purpose of payments made to a State under title III, administration by the State agency of such State pursuant to an agreement under this title shall be deemed to be a part of the administration of the State unemployment compensation law.

"INFORMATION

"SEC. 1507. (a) All Federal departments, agencies, and wholly owned instrumentalities of the United States are directed to make available to State agencies which have agreements under this title or to the Secretary, as the case may be, such information with respect to the Federal service and Federal wages of any Federal employee as the Secretary may find practicable and necessary for the determination of such employee's entitlement to compensation under this title.

"(b) The agency administering the unemployment compensation law of any State shall furnish to the Secretary such information as the Secretary may find necessary or appropriate in carrying out the provisions of this title, and such information shall be deemed reports required by the Secretary for the purposes of paragraph (6) of subsection (a) of section 303.

"PENALTIES

"SEC. 1508. Whoever makes a false statement or representation of a material fact knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase for himself or for any other individual any payment authorized to be paid under this title or under an agreement thereunder shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both.

"REGULATIONS

"SEC. 1509. The Secretary is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions of this title. The Secretary shall insofar as practicable consult with representatives of the State unemployment compensation agencies before prescribing any rules or regulations which may affect the performance by such agencies of functions pursuant to agreements under this title.

"APPROPRIATIONS

"SEC. 1510. There are hereby authorized to be appropriated out of any moneys not otherwise appropriated such sums as are necessary to carry out the provisions of this title."

SEC. 2. Section 1606 (e) and section 1607 (m) of the Federal Unemployment Tax Act are each hereby amended by inserting after "December 31, 1945," the following: "and prior to January 1, 1952,".

The SPEAKER. Is a second demanded?

Mr. MASON. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Rhode Island [Mr. FORAND] will be recognized for 20 minutes. The gentleman from Illinois [Mr. MASON] will be recognized for 20 minutes.

Mr. FORAND. I yield myself 8 minutes.

Mr. Speaker, the bill H. R. 5118, now under consideration, provides for unemployment insurance for Federal civilian workers, with minor exceptions, who are employed in the United States, including Puerto Rico and the Virgin Islands, and elsewhere, if citizens of the United States.

Unemployment compensation will be payable to such Federal workers who are unemployed after December 31, 1951. A Federal worker's right to benefits are to be determined under the unemployment-compensation law of the State to which his Federal services and wages are assigned. Usually this will be the State in which the worker had his official station when he became unemployed, or if he has been in foreign service, the State in which he resides when he files his claim. Compensation will not be paid for the period with respect to which accrued annual leave is paid upon separation.

Under this bill the Secretary of Labor is authorized to enter into agreements with each State, under which the State unemployment-compensation agency will make benefit payments as agent for the United States. The States will be reimbursed by the United States for any additional costs of such payments.

If a State does not make such an agreement, the Secretary will make the unemployment-compensation payments and will apply the benefits' standards under the law of such State.

Unemployed workers filing a claim in Puerto Rico or the Virgin Islands will be paid according to the benefits' standards under the unemployment compensation law of the District of Columbia. This bill comes to the floor with an unanimous report of the Subcommittee on Unemployment Insurance and practically with the unanimous report of the Ways and Means Committee.

Public hearings were held on an earlier bill on the same subject, H. R. 3393. At the hearings before the Subcommittee on Unemployment Insurance of the Committee on Ways and Means which were held on July 18, 19, and 20, 1951, there appeared representatives of the Department of Labor, the Department of Defense, the Federal Security Agency, the Interstate Conference of Employment Security Agencies—representing the State Unemployment Compensation Administrators—organizations of Government employees, and the national labor organizations—American Federation of Labor, Congress of Industrial Organizations, and the International Association of Machinists—and of industry. In addition, statements were received from the Bureau of the Budget and the United States Civil Service Commission.

Although ample public notice was given of the fact that these hearings were to be held, no one appeared in opposition and not a single witness took issue with the premise of need of Federal civilian workers for unemployment insurance protection.

That there is need for this type of legislation is apparent, whether the stability of Federal employment is considered by itself or is compared with that in private employment now covered by unemployment insurance.

In spite of general impressions to the contrary, many workers are separated from Federal employment each year. The record shows that in 1949 nearly one-half million Federal employees were separated and in 1950 the number is in excess of 450,000. Nearly 45 percent of these separations were involuntary, caused by reductions in force and terminations of temporary appointments. In fact, although Federal employment was rising rapidly during the last 6 months of 1950, there were, nevertheless, 75,000 involuntary separations during that period.

Information presented to the subcommittee indicated that the average individual now in Federal employment does not have long years of service to his credit—further evidence of Government turn-over. In connection with leave studies, Civil Service Commission data shows that only about 167,000 Federal workers have 15 years of Federal employment. The workers who requested retirement refunds in 1949 had an average of only 2 years' service—and almost every separated worker who was entitled to a refund requested it.

In the past, separated Federal workers have had two partial substitutes for unemployment insurance—accumulated annual leave and the retirement refunds. Neither of these should, of course, be regarded as a true substitute for unemployment insurance, since using them in that way represents a distortion of their intended purpose.

The fact remains, however, that workers have been forced to use them as sources of income after separation, since there is no provision for unemployment compensation for Federal workers under existing law.

The situation with respect to these two programs has changed recently, however, so that they no longer can be regarded in any way as taking the place of, or reducing the need for, a program of unemployment insurance.

Because of the present policy of hiring Federal workers as temporary and thus not eligible to build up a retirement fund, these temporary workers are now being covered under the Social Security System. It is estimated that by the end of this calendar year about 750,000 Federal workers will be under the Old-Age and Survivors Insurance Program. This, of course, provides no benefits to the worker while he is unemployed unless he has reached the age of retirement and being in temporary employment simply means that once he is separated, he has to be strictly on his own. It is for that reason that your committee believe that these people who work for Uncle Sam should be given the same type of unemployment compensation coverage as is extended to those in private employment.

While your committee believes that services of employees of the District of Columbia should be covered for unemployment purposes, it was considered preferable to achieve such coverage through an appropriate amendment to the unemployment compensation law of the District of Columbia. For that reason they were not included in this bill.

Mr. MASON. Mr. Speaker, I yield myself such time as I may require.

Mr. MASON. Mr. Speaker, in a nutshell, the problem that is presented by this bill to this House is simply this: Under legislation passed by the Congress, Uncle Sam now requires private employers to hand over money to pay for unemployment insurance when their employees are divorced from the payroll. That is now the law. Uncle Sam requires it. This bill simply says that Uncle Sam, himself, for his own employees, shall do exactly that same thing, and set an example at least to the private employers of the Nation. In a nutshell that is the situation.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Michigan.

Mr. FORD. Are we not going to have this problem if this legislation is enacted into law? When Congress attempts to get reductions in the Federal budget, the argument will be used that to cut appropriations, thereby reducing the number of employees, the Congress

will be adding additional financial burdens by the cost of unemployment compensation. In other words, you might save some by cutting the regular appropriations but you have got to pay out of the other pocket under the Unemployment Insurance Act.

Mr. MASON. Yes, that argument will be used, but it is not a valid argument. If I cut a man off the payroll and he is getting $3,500 a year, I am Uncle Sam now, and I have to pay, as a result of that divorcement, for 26 weeks or 20 weeks or 15 weeks, as is the law in some States, unemployment compensation, I am still ahead of the game, and the argument loses its force when Uncle Sam compels private employers to do that.

Mr. FORD. One further question. In many cases the argument has been used that the vacation and sick leave benefits for Federal employees has been, in effect, unemployment compensation. There is legislation in conference to provide a graduated vacation plan. Would it not be better to wait on this bill until we see what happens to the graduated vacation proposal?

Mr. MASON. Yes. That argument has been used, too. It is also not valid, in my opinion, because vacation pay has been given to private employees in their various contracts in late years. Leave pay for Federal employees is in the same category as vacation pay for private employees; but when I, as a Federal employee, get leave pay, and when I am divorced from the Federal payroll, then for the period that I am getting leave pay I am still considered, under this bill, as being employed by the Federal Government, and I cannot collect unemployment compensation for that same time that I receive leave pay. So there is no double pay in this bill.

Mr. FORD. But do you not run into this point: that if a person has 90 days accumulated leave, and he leaves active Federal employment, he extends his unemployment benefits by the amount of the accumulated leave.

Mr. MASON. Oh, no. This accumulated leave that he has will keep him on the Federal payroll until that time is up. Then he can apply for unemployment compensation if he has not found a job in the meantime.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Connecticut.

Mr. MORANO. In the State of Connecticut we assess the employer a percentage of his payroll to pay unemployment insurance to divorced employees.

Mr. MASON. That is right.

Mr. MORANO. How does the Federal Government propose to raise the money to pay the Federal Government employees?

Mr. MASON. The Federal Government will take it out of the general fund of the Federal Government that comes out of general taxes.

Mr. MORANO. Has it been estimated how much it will cost?

Mr. MASON. Yes; it has. It will cost anywhere from ten million to thirty million dollars, depending on the number separated each year.

Mr. MORANO. Will the respective States administer the law?

Mr. MASON. The respective States will administer the law, and a Federal employee who is working in the State of Connecticut will receive compensation on the basis of the standards and requirements of the Connecticut unemployment-insurance law.

Mr. MORANO. We have a limitation on the fund; we have a ceiling and a floor in the State of Connecticut. How do you propose to work that out for the Federal Treasury?

Mr. MASON. The ceiling and the floor apply to your private employees in Connecticut, but do not apply to Federal employees who are working in the State of Connecticut. The standards of the length of time, the amount that will be paid, whether it is 26 weeks, 20 weeks, and the qualifications required will apply to the Federal employee as well as the State employee.

Mr. MORANO. Have you put any limitation on the amount the General Treasury will have to spend?

Mr. MASON. There is no limitation; it will depend upon the amount each State allows. Some States have 26 weeks, some have 15, and others a different length of time. That really was the big problem in connection with this bill, to see to it that the Federal Government would not insist upon uniform standards all over the United States for their Federal employees, because that would mean controversy and jealousy between the private employees in your State and the Federal employees in your State; so the bill provides that they must be paid and they must qualify according to the standards of the State in which they have been working.

Mr. MORANO. But in our State, should we have a severe economic crisis which would remove a great many people from the payroll it would deplete the fund and we would have to make an assessment against the employers.

Mr. MASON. This has nothing to do with that.

Mr. MORANO. It will have an effect on the General Treasury, though.

Mr. MASON. Yes.

Mr. MORANO. If there is a big divorcement of employees from the Federal Government payroll——

Mr. MASON. As we hope there will be.

Mr. MORANO. Will the General Treasury benefit by such a reduction?

Mr. MASON. The General Treasury will benefit to the extent that if there is a divorcement, say, of 500,000 employees from the Federal payroll next year that would mean a saving of about $2,000,000,000 for the Federal Treasury, and this would mean a paying out of $30,000,000.

Mr. MORANO. Under those circumstances I am inclined to favor the bill.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MASON. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS of Nebraska. Mr. Speaker, I find myself in disagreement with the Committee on Ways and Means over this measure. I do not want to draw an inference unfair to worthy workers who might need some compensation. In the first place, this is going to cost from 10 to 30 millions a year. We do not have the money. But there is a basic philosophy involved here; unemployment compensation is provided in industry to encourage industry to keep full employment the year around, to encourage them not to let their employees go. In most States it is to the advantage of the employers to keep full employment, in that they pay a lesser unemployment tax. Certainly that is not the position in regard to Government employees; Government employees may not get every consideration that private employees get, but they get some advantages that private employees do not.

I shall not support the bill.

Mr. MASON. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Speaker, I have a question I should like to address to the gentleman from Illinois or to the author of the bill with reference to the provisions of section 1509 on page 11. There are three words in that section I just do not like, three words we find appearing constantly in legislation where Federal aid is being extended to a State-administered program.

The Secretary of Labor here is authorized very properly and necessarily to draw up rules and regulations to carry out the provisions of the act. Then it provides, and I feel sure it was the intention of the committee to make it mandatory, that the Secretary shall consult with the representatives of the State unemployment-compensation agencies before prescribing any rules or regulations. In other words, as the gentleman from Illinois pointed out, it was intended that the Federal Government should not force the States to enter into uniform Nationwide provisions, but those words "insofar as practicable" which appear in line 23 are the words which give the Secretary the out. Unless these words are stricken or unless we make it absolutely clear that we do not intend this phraseology to be employed by the Secretary as an excuse for him to go all around the country and try to dictate to each of the States just how they shall administer their programs. I regret that those three words, which might seem harmless, are in this bill. In my judgment, they contain the seeds of abuse in the hands of a Secretary enthused over the desirability of having Washington run the entire country.

I hope that the discussion on the floor today will indicate beyond any doubt that it is intended the Secretary of Labor shall not cram down the throats of the various State agencies his own ideas, but that, rather, before taking any step to draw up or to amend the rules and regulations governing this unemployment-insurance program he will consult seriously and sincerely with the various State authorities charged with administrative responsibilities.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Illinois.

Mr. MASON. May I say that, so far as I am concerned, I would just as soon the words "insofar as practicable" were stricken from the bill.

Mr. KEATING. Knowing the general philosophy of the gentleman, I would rather imagine he would prefer to see them stricken from the bill. May I inquire of the other side? It is very possible that by unanimous consent they may be stricken from the bill.

Mr. FORAND. I doubt that they can be stricken. The truth of the matter is that is the usual language used in practically all bills.

Mr. KEATING. That is the trouble. In the past those same words have at times led to thwarting congressional intent.

Mr. FORAND. The truth of the matter is also that the Secretary of Labor knows what our committee means, he knows what this Congress means, and he also knows that if he oversteps we will be on him immediately.

Mr. KEATING. I am glad to have that assurance from the author of the measure.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Mississippi.

Mr. COLMER. Does the gentleman understand this applies to temporary employees as well?

Mr. KEATING. I assume it applies to all employees.

Mr. COLMER. Even those who are receiving temporary employment?

Mr. KEATING. I assume so. But I would rather have a member of the committee reporting the bill give the gentleman final assurance on that point.

Mr. COLMER. I understand that is true.

Mr. KEATING. Just one word more. I expect to support this bill which has come from the Committee on Ways and Means by unanimous report. Nevertheless, I am opposed to the consideration of important and complicated measures like this under a suspension of the rules, which permits only such limited debate and does not allow the submission of amendments. I feel sure many Members share this view.

Mr. FORAND. Mr. Speaker, I yield to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Is it a fact that the purpose of this bill is to put Federal employees on the same basis as those in private employment, who are largely covered by unemployment insurance?

Mr. FORAND. Absolutely. We want to take care of the Federal employees who will be thrown out of work.

Mr. JAVITS. Just the same as if they were in private employment?

Mr. FORAND. The intent of the bill is to take care of Federal employees who are either thrown out of a job or for some reason or other have to leave and are left high and dry. It is not generally known, but it was given to me, in fact this information was given to our committee in executive session, by one of the outstanding men of this country that following World War I one of the great philanthropists of this country paid out of his own pocket $250,000 to pay the transportation home of Federal workers who were discharged following World War I. We anticipated the same thing might happen after World War II, but fortunately it did not. We have no way of knowing, however, when the situation will arise that a large number of Federal employees will be thrown out of employment.

Following World War II we had an example right in my own State at the Naval Torpedo Station in Newport where the normal complement of men was 1,000. The personnel increased so that it reached a figure in excess of 13,000 during the war. Immediately following World War II there was a cutback down to 600 employees. Most of these people were people who had civil service credit and who would not withdraw their funds from the retirement system because of the law. They had no coverage under unemployment compensation. They were stranded, they were left without income.

It caused a real hardship. This is an effort to prevent a repetition of that situation.

Mr. JAVITS. Does not the gentleman feel that this bears on the capability of persons entering Government employment, that is, if they feel they are being treated ratably with private employment, they will seek service with the Government and we will get people of equal skill and capability?

Mr. FORAND. That is right.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Connecticut.

Mr. MORANO. Is there a limitation on the annual income before a person is eligible?

Mr. FORAND. The same thing applies to any person employed in private industry. It is not a case of how much income they receive; it is a case of their being out of employment and they meet the requirements of the State as to eligibility for unemployment compensation.

Mr. MORANO. But there are limitations in the State?

Mr. FORAND. Every State has its own limitations and requirements.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. FORAND) there were—ayes 70, noes 44.

Mr. FORAND. 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. Evidently a quorum is not present.

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 197, nays 140, not voting 91, as follows:

[Roll No. 188]

YEAS—197

Adair	Fulton	Miller, N. Y.
Addonizio	Furcolo	Mills
Albert	Garmatz	Mitchell
Allen, Calif.	Gavin	Morano
Allen, Ill.	Gordon	Morgan
Anfuso	Gore	Morris
Angell	Granahan	Morton
Aspinall	Granger	Multer
Auchincloss	Green	Murdock
Ayres	Greenwood	Norblad
Bakewell	Hagen	Norrell
Baring	Hall,	O'Brien, Ill.
Beall	Edwin Arthur	O'Brien, Mich.
Beamer	Halleck	O'Neill
Beckworth	Harden	O'Toole
Bender	Harris	Patman
Bennett, Mich.	Hart	Patterson
Bishop	Havenner	Philbin
Blackney	Hays, Ark.	Poage
Boggs, Del.	Hays, Ohio	Polk
Bolling	Heller	Potter
Bolton	Herter	Price
Bosone	Heselton	Priest
Boykin	Holmes	Prouty
Bray	Horan	Rabaut
Brehm	Hull	Radwan
Buchanan	Hunter	Reams
Buckley	Ikard	Reed, N. Y.
Burdick	Irving	Rees, Kans.
Burnside	Jackson, Wash.	Rhodes
Butler	Javits	Ribicoff
Byrne, N. Y.	Jenkins	Riehlman
Byrnes, Wis.	Johnson	Rogers, Colo.
Canfield	Jones, Mo.	Rogers, Mass.
Cannon	Judd	Rooney
Carnahan	Karsten, Mo.	Sasscer
Case	Kean	Saylor
Chudoff	Keating	Secrest
Clemente	Kee	Seely-Brown
Cole, Kans.	Kelley, Pa.	Sieminski
Combs	Kelly, N. Y.	Simpson, Pa.
Cooley	Kerr	Sittler
Cooper	Kersten, Wis.	Springer
Corbett	King	Steed
Crosser	Kirwan	Stigler
Cunningham	Klein	Sutton
Davis, Ga.	Kluczynski	Tackett
Davis, Tenn.	Lane	Thomas
Davis, Wis.	Larcade	Thornberry
Dawson	Lesinski	Tollefson
Dempsey	Lind	Trimble
Devereux	McConnell	Van Zandt
Dingell	McGrath	Walter
Donohue	McGuire	Weichel
Doughton	McKinnon	Welch
Doyle	Machrowicz	Wickersham
Eaton	Mack, Wash.	Wier
Elliott	Madden	Williams, N. Y.
Engle	Magee	Wilson, Ind.
Evins	Mahon	Withrow
Fallon	Mansfield	Wolcott
Feighan	Marshall	Wolverton
Fenton	Martin, Iowa	Woodruff
Flood	Martin, Mass.	Yates
Fogarty	Mason	Yorty
Forand	Merrow	Zablocki

NAYS—140

Aandahl	Church	Grant
Abbitt	Clevenger	Gross
Abernethy	Colmer	Hale
Andersen, H. Carl	Cotton	Hall, Leonard W.
Anderson, Calif.	Coudert	Hardy
Andresen, August H.	Crumpacker	Harrison, Wyo.
Andrews	Curtis, Mo.	Harvey
Arends	Curtis, Nebr.	Herlong
Armstrong	Dague	Hill
Bates, Mass.	Denny	Hillings
Belcher	D'Ewart	Hinshaw
Bennett, Fla.	Dolliver	Hoeven
Bentsen	Dondero	Hoffman, Ill.
Betts	Dorn	Hoffman, Mich.
Bonner	Ellsworth	Hope
Bow	Elston	James
Bramblett	Fernandez	Jenison
Brown, Ga.	Fisher	Jensen
Brownson	Ford	Jonas
Bryson	Forrester	Jones, Ala.
Buffett	Frazier	Jones, Hamilton C.
Burton	Fugate	Jones, Woodrow W.
Bush	Gary	Kearns
Carlyle	Gathings	Kilday
Chenoweth	George	Lannam
Chiperfield	Golden	
	Goodwin	
	Graham	

Lantaff	Rains	Smith, Wis.
LeCompte	Rankin	Stanley
Lovre	Reece, Tenn.	Taber
Lyle	Reed, Ill.	Talle
McDonough	Regan	Teague
McGregor	Richards	Thompson,
McMillan	Riley	Mich.
McMullen	Roberts	Vail
McVey	Robeson	Van Pelt
Meader	Rogers, Fla.	Vorys
Miller, Md.	Rogers, Tex.	Vursell
Miller, Nebr.	St. George	Werdel
Mumma	Schwabe	Wharton
Murray, Tenn.	Scrivner	Wheeler
Nelson	Shafer	Whitten
Nicholson	Sheehan	Widnall
Passman	Sikes	Wigglesworth
Patten	Simpson, Ill.	Wilson, Tex.
Pickett	Smith, Kans.	Wood, Ga.
Poulson	Smith, Miss.	Wood, Idaho
Preston	Smith, Va.	

NOT VOTING—91

Allen, La.	Gamble	Perkins
Bailey	Gregory	Phillips
Baker	Gwinn	Powell
Barden	Hand	Quinn
Barrett	Harrison, Va.	Ramsay
Bates, Ky.	Hébert	Redden
Battle	Hedrick	Rivers
Berry	Heffernan	Rodino
Blatnik	Hess	Roosevelt
Boggs, La.	Holifield	Sabath
Brooks	Howell	Sadlak
Brown, Ohio	Jackson, Calif.	Scott, Hardie
Budge	Jarman	Scott,
Burleson	Kearney	Hugh D., Jr.
Busbey	Kennedy	Scudder
Camp	Keogh	Shelley
Celler	Kilburn	Sheppard
Chatham	Latham	Short
Chelf	Lucas	Spence
Cole, N. Y.	McCarthy	Staggers
Cox	McCormack	Stockman
Crawford	McCulloch	Taylor
Deane	Mack, Ill.	Thompson, Tex.
DeGraffenried	Miller, Calif.	Velde
Delaney	Morrison	Vinson
Denton	Moulder	Watts
Dollinger	Murphy	Whitaker
Donovan	Murray, Wis.	Williams, Miss.
Durham	O'Hara	Willis
Eberharter	O'Konski	Winstead
Fine	Ostertag	

So (two-thirds not having voted in favor thereof) the House refused to suspend the rules and pass the bill.

The Clerk announced the following pairs:

On this vote:

Mr. Hand and Mr. McCormack for, with Mr. McCulloch against.

Until further notice:

Mr. Jarman with Mr. Gwinn.
Mr. Rivers with Mr. Baker.
Mr. Williams of Mississippi with Mr. Taylor.
Mr. Winstead with Mr. Sadlak.
Mr. Durham with Mr. Gamble.
Mr. Hébert with Mr. Brown of Ohio.
Mr. Rodino with Mr. O'Hara.
Mr. Morrison with Mr. Ostertag.
Mr. Keogh with Mr. Hardie Scott.
Mr. Rodino with Mr. Hess.
Mr. Quinn with Mr. Jackson of California.
Mr. Delaney with Mr. Velde.
Mr. Eberharter with Mr. Short.
Mr. Heffernan with Mr. Scudder.
Mr. Bates of Kentucky with Mr. Crawford.
Mr. Gregory with Mr. Hugh D. Scott, Jr.
Mr. Murphy with Mr. Kilburn.
Mr. Battle with Mr. Latham.
Mr. Roosevelt with Mr. Stockman.
Mr. Chatham with Mr. Cole of New York.
Mr. Dollinger with Mr. Busbey.
Mr. Miller of California with Mr. Phillips of California.
Mr. Fine with Mr. Berry.
Mr. Denton with Mr. Budge.
Mr. Celler with Mr. Murray of Wisconsin.
Mr. Donovan with Mr. O'Konski.

Mr. ROGERS of Colorado changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Landers, its enrolling clerk, announced that the Senate had adopted the following resolution (S. Res. 220):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. KARL STEFAN, late a Representative from the State of Nebraska.

Resolved, That a committee of five Senators be appointed by the President 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 do now take a recess until 12 o'clock noon tomorrow.

The message also announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 340. Joint resolution making an appropriation for the Veterans' Administration for the fiscal year 1952.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4496) entitled "An act making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes," and agrees to the House amendment to Senate amendment No. 65.

THE SUBMARINE "ULUA"

Mr. BATES of Massachuetts. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5067) to authorize the use of the incompleted submarine *Ulua* as a target for explosive tests, and for other purposes, which was on the consent calendar today, No. 187, and which was objected to by the gentleman from Iowa [Mr. GROSS].

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. BATES of Massachusetts. Mr. Speaker, this bill would authorize the use of the incompleted submarine *Ulua* as a target for a test which is of great significance to the military security of our country. Since the gentleman from Iowa [Mr. GROSS] objected to the bill, I have had an opportunity to discuss the matter with him in full, and he informs me that he has removed his objections.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1994, be considered in lieu of the House bill.

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

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

Be it enacted, etc., That notwithstanding the proviso of title III of the Second Supplemental Surplus Appropriation Rescission Act, 1946, under the heading "Increase and replacement of naval vessels, emergency construction" (60 Stat. 227), the Secretary of the Navy is authorized to employ the incompleted submarine *Ulua* (SS–428) as a target for explosive tests in order to gather research data for new weapon and submarine design.

SEC. 2. Upon conclusion of the explosive tests, the Secretary of the Navy may, in his discretion, sink the *Ulua* if considered unseaworthy, or retain the *Ulua* and make such repairs as will equip the *Ulua* for further tests and experimentation, or dispose of her in accordance with other provisions of law.

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. 5067) was laid on the table.

AMENDING TARIFF ACT OF 1930

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 446, Rept. No. 1095), 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. 5505) to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

COL. HARRY F. CUNNINGHAM

The Clerk called the bill (H. R. 625) for the relief of Col. Harry F. Cunningham.

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

Be it enacted, etc., That the Attorney General is authorized and directed to treat the claim of Col. Harry F. Cunningham against the German Government, which was filed with the office of the Alien Property Custodian on September 26, 1947 (claim No. 16,224) under section 32 of the Trading With the Enemy Act, as amended (50 U. S. C., App. 32), as though the architectural services on which such claim is based gave rise to a lien interest in the property in connection with which such services were performed and such interest was the basis for a valid title claim under such section of such 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.

ESTATE OF VICTOR HELFENBEIN

The Clerk called the bill (H. R. 814) for the relief of the estate of Victor Helfenbein.

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 estate of Victor Helfenbein, the sum of $15,000, in full settlement of all claims against the Government of the United States for fatal injuries sustained by him in a collision involving a United States Army ambulance from Fort Hamilton on August 12, 1944, in Brooklyn, N. Y.: *Provided*, That no part of the amount appropriated in this bill in excess of 10 percent thereof shall be paid or directed to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim.

With the following committee amendment:

Page 1, line 6, strike out "$15,000" and insert "$3,500."

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.

BERNARD R. NOVAK

The Clerk called the bill (H. R. 1964) for the relief of Bernard R. Novak.

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 Bernard R. Novak, San Luis Obispo, Calif., the sum of $15,000. Payment of such sum shall be in full settlement of all claims of the said Bernard R. Novak against the United States for personal injuries, loss of earnings, and medical and hospital expenses sustained by him as a result of a collision which occurred on January 15, 1943, when a United States Coast Guard truck struck the rear of a truck operated by the said Bernard R. Novak which he had stopped at a toll house on the bridge between Duluth, Minn., and Superior, Wis., in order to pay toll: *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:

Strike out all after the enacting clause and insert "That jurisdiction is hereby conferred upon the United States District Court for the Central Division of the Southern District of California to hear, determine, and render judgment upon the claim of Bernard R. Novak, of San Luis Obispo, Calif., for personal injuries and expenses incident thereto, sustained as a result of the collision which occurred on January 15, 1943, when a United States Coast Guard truck struck the rear of the truck operated by the said Bernard R. Novak, at a toll house on the bridge between Duluth, Minn., and Superior, Wis.

"SEC. 2. Suit upon such claim may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitation. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of section 1346 of title 28 of the United States Code."

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 United States District Court for the Central Division of the Southern District of California to hear, determine, and render judgment upon the claim of Bernard R. Novak."

A motion to reconsider was laid on the table.

O. L. OSTEEN

The Clerk called the bill (H. R. 3137) for the relief of O. L. Osteen.

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

Be it enacted, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to O. L. Osteen the sum of $176.28, which sum represents the amount paid by him out of his own funds to satisfy a claim against him for damages to a privately owned vehicle when it was involved in a collision with the Government car he was driving in the course of performance of his official duties in Aerdenhout, Holland: *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 therof shall be fined in the 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.

MASTER SGT. ORVAL BENNETT

The Clerk called the bill (H. R. 3946) for the relief of Master Sgt. Orval Bennett.

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 Orval Bennett, master sergeant, United States Air Force (AF 6251506), Fort Worth, Tex., the sum of $1,150.90. The payment of such sum shall be in full settlement of all claims of the said Orval Bennett against the United States for reimbursement of amounts collected from him by the United States during the period beginning March 1, 1950, and ending August 31, 1950, on account of certain overpayments which were made by the United States pursuant to a class E allotment: *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.

GERTRUDE O. YERXA ET AL.

The Clerk called the bill (H. R. 5267) for the relief of Gertrude O. Yerxa, Mrs. G. Olive Yerxa, and Dr. Charles W. Yerxa.

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 Gertrude O. Yerxa, Arcadia, Calif., the sum of $1,175.39; to Mrs. G. Olive Yerxa, Arcadia, Calif., the sum of $500; and to Dr. Charles W. Yerxa, Arcadia, Calif., the sum of $500. The payment of such sums shall be in full settlement of all claims of the said Gertrude O. Yerxa, the said Mrs. G. Olive Yerxa, and the said Dr. Charles W. Yerxa, respectively, against the United States for personal injuries and property damage sustained, and medical and hospital expenses incurred, as a result of a collision on May 30, 1945, on Riverside Drive, Los Angeles, Calif., involving an automobile owned and operated by the said Gertrude O. Yerxa and a United States Army vehicle. This claim is not cognizable under the Federal Tort Claims Act: *Provided*, That no part of any sum 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 the claim satisfied by the payment of such sum, 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.

AKIKO MITSUHATA

The Clerk called the bill (S. 283) for the relief of Akiko Mitsuhata.

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

Be it enacted, etc., That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Akiko Mitsuhata, Yokohama, Japan, the Japanese fiancée of Douglas Dean Whitney, a citizen of the United States and an honorably discharged veteran of World War II, and that Akiko Mitsuhata shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Akiko Mitsuhata is coming to the United States with a bona fide intention of being married to said Douglas Whitney, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of said Akiko Mitsuhata, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of February 5, 1917 (U. S. C., title 8, secs. 155 and 156).

In the event the marriage between the above-named parties shall occur within 3 months after the entry of said Akiko Mitsuhata, the Attorney General is authorized and directed to record the lawful admission for permanent residence of said Akiko Mitsuhata as of the date of payment by her of the required visa fee and head taxes.

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.

FAVORING THE SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the resolution (S. Con. Res. 39) favoring the suspension of deportation of certain aliens.

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

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-5624348, Nakaguchi, Shigeki, or Robert Nakaguchi.
A-3652320, Buhl, Christain Nielsen.
A-3100694, Csech, John, or Janos Csech.
A-7127706, Klimek, Henryk.
A-4401725, Magaddino, Giuseppa (nee Iracani, Concetta Catanzaro).
A-1041814, Manilowitz, David, or Mendel Hodak.
A-4696810, Masala, Luigi, or Louis Marsorla or Luigi Mazala or Masorala or Masola.
A-5212628, Pelli, Dante.
A-3779276, Schaefer, Hans Johannes.
A-1725376, Bremmer, Edmund Oscar Heinrich, or Edmund Oscar Heinrich Sturm.
A-5970656, Juliano, Mary, or Mary McKinnon McDonald Clark McCulloch, or McDonald (nee McCulloch) or Bernice Vernon or May Vernon, or Bernice Sullivan.
A-5151789, Van Paassen, Cornelia Machelina (nee Sizoo), or Cornelie Machelina Van Paassen or Cornelia M. Van Paassen or Cornalie Van Paassen, and so forth.
A-7036879, Van Paassen, Hugo Lodewijk Laurusse, or Hugo Lodewik Van Paassen or Hugo L. Van Paassen.
A-4332761, McNally, Nellie Elena (nee Zrum).
A-4862381, Volk, Christina May (nee Mackenzie).
A-4655709, Sgro, Vito, or Vito Sgroi.
A-4101085, Tsoulemelekis, Nicolas, or Nicholas or Tselomeiekis alias Nick Makki or Nick Mekis.
A-2808666, Luder, Karl Frank.
A-9550171, Aimala, Tauno Pellervo, or Taumo Pellervo.
A-7197944, Hartog, Josef Jacob.
A-6178102, Hartog, Ada Frederika.
A-2691539, Kallinikos, Miltiadis, or James Callas.
A-7445627, Diamandopoulos, Antonis Emmanuel.
A-7125018, Lowinger, Mor Maurice, or Mor Lowinger or Mor (Moritz) Lovinger.
A-7125145, Lowinger, Edith nee Weicz or Edit (Edith) Weisz.
A-7469035, Bernier, Maudy Eleonore Frieereke.
A-7463944, Bernier, Carlotta, or Deubner-Bernier.
A-2787564, Djang, Stephen T., also Sung Tsing Djang.
A-6137973, Haynal, Helen May Babienco.

With the following committee amendments:

On page 3, after line 8, insert the following registration numbers and names:

"A-7130337, Bach, Nathan.
"A-7130336, Bach, Lena, nee Winerlock.
"A-5950016, Diakatos, Androioannis.
"A-7190920, Yatrakis, Thekia George, nee Vardakas.
"A-7190919, Yatrakis, George Petros.
"A-6474461, Zwick, Samuel, or Wick.
"A-7184995, Iny, Frank Jacob.
"A-7184996, Iny, Muzli Masri.
"A-6811549, Heidmeier, Elfriede.
"A-6698695, Berlonghi, Ercole.
"A-6698706, Berlonghi, Agnese nee Brambilla."

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

The Clerk read as follows:

Amendment offered by Mr. WALTER: On page 3, line 19, insert the registration numbers and names:

"A-7392825, Easterling, Ilda Marie Chislaine nee Finet.
"A-3686108, Hu, Seng-Chiu."

The amendment was agreed to.

The committee amendment as amended was agreed to.

The resolution was agreed to.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called the concurrent resolution (S. Con. Res. 41) favoring the suspension of deportation of certain aliens.

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

Resolved by the Senate (the House of Representatives concurring, That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months.

A-6479486, Abernethy, Richard John or Richard John Fowler or "Mickey."
A-6539701, Adams, Muriel Emily (nee Briggs).
A-7140100, Alaniz-Cavazos, Fidel.
A-5882375, Armadillo, Pedro.
A-4870915, Baker, Mary Agnes Julia (nee Bourque).
A-7222788, Barone, Maurio or Mario.
A-7908682, Beltran-Garcia, Adolfo, or Julio Velazques-Quesada or Julio V. Quesada.
A-7050329, Bourke, Lesandre, Helen.
A-7284857, Bradley, Amelia Mary.
A-7118532, Braschel, Erich.
A-7469506, Carlson, Else Solveig or Else Solveig Huttel.
A-4744210, Del Greco, Gino.
A-5567596, De Reyes, Amada Morales.
A-2643792, De Estrada, Concepcion Contreras.
A-4510833, Devany, Margaret Jane or Anne or Annie Devany.
A-6261641, Dimitriou (Demitry or Demetriou), Olympia (nee Hassos).
A-5751220, Di Paola, Castrenze or Costrenze or Castrenzo or John Di Paola.
A-4673025, Di Vito, Carmen Francesco or Carmen Francisco Di Vito.
A-7189232, Donovan, Daniel Millington.
A-4746581, Drysdale, Katherine Mercia.
A-4757727, Eckstein, Renee or Regina (nee Semo).
A-6707812, Ekmekjian, Lucie Sona (nee Takvorian).
A-5229491, Embiricos, Michael Andre.
A-4310620, End, Hillebrand Van Den.
A-7975636, Enman, Marta Magdalena (nee Marta Magdalena Zenk y Acuna).
A-4387785, Feiler, Sam or Solomon Feiler or Salamon Feiler.
A-4039884, Florich, Nicola Luciano.
A-3647798, Francescut, Angela Catterina Vidoni.
A-1774672, Frankild, Erhardt Alexander or Dan Frankild.
A-7286278, Garcia, Samuel.
A-2347329, Garcia-Lozada, Benigno or Manuel Montesino.
A-9114236, Golonka, Jan.
A-5070150, Gonzales, Albert Fernandez or Alberto Fernandez G. or Alberto Fernandez Gonzalez.
A-1152048, Guglielmetti, Giuseppe Settembrino or Joseph S. Williams.
A-2410518, Hara, Miho.
A-3792301, Hayano, Kow Watanabe.
A-7040197, Hebenstreit, Lottie or Lott Heberstreit.
A-2756914, Helou, Maurice Barakat or Maurice Barakat.
A-4462374, Hiraoka, Inosuke or Sadanobu Ueno or Uyeno or Yamamoto.
A-6993696, Hirsch, Helga Maria.
A-4350758, Hodder, John.
A-4350329, Hoelzel, Alex.
A-3201950, Inada, Shoichiro.
A-3774948, Incamicia, Carlo.
A-6387039, Jin, Wong Siu Lin or Mrs. Job Jen or Milcar Jen.
A-6790865, Kaandorp, Jacques.
A-9798327, Kakavogiannis, George (Georgios Athanasios or George A. Giannis).
A-6163572, Kendryna, Catherine Emilia (ne Baran).
A-3816993, Kinjo, Shinkichi.
A-7209756, Koltschinska, Raisa.
A-2044142, Krikorian, Taman or Taman Antaramian formely Shagian and Ogasapian (nee Ganjoian).
A-7290624, Labrador, Aurea Quizol.
A-1801834, Lengyel, Nicholas.
A-7975632, Leone, Zita Zeledon Sevilla.
A-6291541, Macias-Lopez, Jesus.
A-3140066, Matsubayashi, Haruye or Harumi or Jean Matsubayashi (nee Okada).
A-3329106, Matsubayashi, Kokichi or Harry Matsubayashi.
A-6162247, Matsuda, Tomiji.
A-7427249, Mawson, Fred.
A-5728807, McGillivray, Marie Bertyle.
A-6791277, Medina, Barbara Cecelia.
A-7423114, Mendoza, Armando.
A-6989889, Menschenfreund, Frances or Franzik Menschenfreund (nee Hittman Zipporah) or Fani or Fanny Hittman.
A-7821101, Mills, Yolande Myriam (nee Nahon).
A-4430897, Miyagishima, Hiro.
A-4138709, Moenert, Henry Julien.
A-7975633, Monteiro, Izabel Pires.
A-7280504, Morales de Garcia, Alejandra.
A-3986896, Moreno, Guadalupe Gonzalez or Guadalupe Moreno Gonzalez.
A-1152432, Morua-Puga, Canuto.
A-4443408, Nilson, Emilie Borghild (nee Andreassen).
A-5548464, Oliveira, Domingos Tavaris.
A-7450929, Orozco, Maria Loreto.
A-5539163, Paxinos, Demetrios or James Paxinos or Dimitri Paxinos.
A-7270998, Perez, Juan Manuel Banda.
A-7070409, Perry, Gerald Frances.
A-7070408, Perry, Alice.
A-7982348, Peterson, Mary (nee Langseth).
A-6916495, Placencia-Guerrero, Manuel.
A-4436218, Popp, Cecilia Mary (nee Elsenheimer).
A-7863348, Porpat, Augusto.
A-7247480, Pritchard, Pauline Marcia (nee St. Pierre) or Pauline Murphy.
A-7079669, Querin, Margaret Louise.
A-4784107, Rea, Harry J.
A-5757147, Reichel, Sophie (nee Sophie Wirs) or Vircz.
A-7049745, Reyes, Fortunato.
A-7049746, Reyes, Maris Del Carmen.
A-7387473, Reyes-Mendez, Patrocinio.
A-9765212, Riquelme-Aranedo, Edmundo Roberto or Edmund Riquelme or Edmund Araneda.
A-5739756, Roberts, George Charles William.
A-1455649, Rohrberg, Friedrich August.
A-5695749, Romaniello, Ilda.
A-7862063, Rood, Alberta Elizabeth.
A-1054980, Rowe, George Edward or Shorty Rowe.
A-6989005, Sanchez-Rodriguez, Carlos or Carlo Sanchs.
A-7140876, Saralegui, Enrique Rodriguez.

A-6716184, Schepper, Carl Ernest or Frank Percy Ford.
A-5718591, Schmidt, Anna Agnes.
A-7469057, Schuster, Christl Karin.
A-4386444, Smith, Jeannette Coy or Jeanette Theresa Coy originally Jeanette Theresa Trollope.
A-7095725, Spencer, Giancarlo or Giancarlo Schulz Spencer or Giancarlo Schulz.
A-2946917, Stoner, Marie Lea or Mary Lea Stoner or Lea Roy.
A-4412831, Swango, Ruth or Ruth B. Swango.
A-7982349, Swartz, Frederick.
A-6885360, Tilley, Jonelda Bruno.
A-7802714, Todd, Neil Edward.
A-5474582, Tsurudome, Shigenori.
A-3954443, Valsamakis, Georgiou or George.
A-6975023, Viglino, Anna Ferraris.
A-5987318, Villela, Jesus.
A-7203913, Villela, Maria Antonia.
A-3873647, Vogt, Erwin Adolf or Erwin Vogt.
A-7203024, Wesierski, Gaston Alfred.
A-4406049, White, Ernest Octavias or Samule White or Ernest White.
A-4335287, Whitmore, John.
A-3169039, Yee, Tang Shee or Yee Shee Tang or Oi Mee.
A-1308582, Yenovkian, Zaven.
A-5198599, Allah, Karm or Ali Mohammed or Karm Ullo Nathu or Nathu Abdullah.
A-5395113, Anagnostopoulos, Miltiades George.
A-5416112, Antonioli, Carlo Thomaso or Mario Martini.
A-2353980, Banfield, Egbert Fitz.
A-1559067, Barabas, Joseph.
A-5582678, Barna, Gregor Harry.
A-1060875, Bassan, Lucian.
A-7415702, Bassano, Guglielmo Parisi.
A-3913479, Basso, Giambatista alias John Basso.
A-1457364, Beck, Theresa.
A-2972887, Benvenuti, Florestano Renato or Renato Benvenuti.
A-4683821, Bernauer, Katharina (nee Schneblinger).
A-7035748, Biron, Marion Lorice (nee Hall).
A-5225852, Bishop, Vera Stitham (nee Vera Stitham).
A-7828637, Blunck, Lawrence Kenneth.
A-6969977, Booch, Ruth Rosa alias Ruth Kroessinger or Ruth Mueller.
A-3694502, Bosich, Anton or Antonio Bosich.
A-4484581, Branker, James Egbert.
A-7145474, Breznicki, George.
A-5461214, Bulilis, Trinidad Apsay or Trinidad Apsay Mante.
A-6248874, Calogeros, Themelina.
A-5095578, Castro de Hernandez, Josefa.
A-7450445, Cecilia, Januarius Circumsicio.
A-4395244, Chighine, Salvatore.
A-4135247, Choy, Lee or Lee Shee.
A-6075424, Christie, Amaya de Amechazurra.
A-5026593, Colombo, Enrichetta or Sister Artidora.
A-5398900, Cooke, Celia Maria or Celia Maria Brechi.
A-6352581, Cortez-Moreno, Manuela.
A-6610810, Croucher, Dominic Avion Patrick Fletcher alias Dominic Sillman.
A-7802204, Delisi, Vincenzo.
A-6860902, Derbedrosian, Khatoun (nee Salibian).
A-4184428, De Souza, Eugene or Gene Cassamine.
A-2454690, Donoian, Anna (Anna Donoian Avakian) (Anna Chamamian).
A-6980314, Duff, Maria Victoria, alias Maria Victoria Abrahams, alias Maria Victoria Abrahams-Lavergneau.
A-4127255, Eliassen, Karl Olav or Olaf Eliassen.
A-7240666, Ekelund, Karin Regina Ellenberger.
A-6067225, Evans, Steven Walter or Sami Silvan Eskenazi.
A-2386896, Falanga, Vincenzo.
A-7119150, Fernandez, Emma Elia.
A-7363002,, Fernandez, Jose Ferreira.
A-7119198, Fernandez, Miguel.
A-457203, Fineman, Gertrude (nee Gertrude Fradkin).
A-3022250, Fioroni, Teresa Rosa (nee Pirola).
A-6465195, Frisco, Jeannine Maria Louise, formerly Jeannine Brol (nee Jeannnine Breistroffer).
A-6553589, Fronteras, Edgardo Mario.
A-5453759, Garcia, Josefina (nee Josefina Aguiano), alias Consuelo Garcia.
A-5575735, Garcia, Philip Newbold, alias Allen Payne.
A-6534003, Gaughan, Margaret Theresa (nee Olah).
A-1942341, Georgu, Pandelis Kozman or Pete Kozma or Pandelis Kozma.
A-7483019, Gerstner, Dietwald.
A-5475823, Gilmore, William Henry.
A-7070293, Goldberg, Anczel or Anshel Goldberg.
A-7199923, Gonzales-Gonzalez, Guadalupe.
A-3841539, Goodwin, Minira Elizabeth.
A-7691621, Gosch, Agnes Marie.
A-7450443, Gray, Constance C.
A-4697096, Grecianu, Mike or Michael Grecano or Bressianu.
A-5317099, Gueli, Salvatore or Sam Gueli.
A-6112204, Guevera-Perez, Genaro alias Mauro G. Perez.
A-7284968, Haines, York Max formerly Jorg Max Pagemeister.
A-5789505, Hall, Amelia or Amelia (Minnie) Kosieris.
A-2365538, Hamaguchi, Shinobu.
A-7457061, Hanel, Igo Reginald.
A-6479517, Harkness, Judith Laurel.
A-5381698, Harrer, Alajos, alias Louis Hauser.
A-1192033, Hatanelas, Evridike.
A-2486560, Headley, Caphas McDonald.
A-5838419, Hedglen, Pauline formerly Pauline Kline.
A-5957613, Hesto, Henry Georg.
A-3329732, Horst, George.
A-7127308, Infante, Ofelia de la Caridad Castellanos or Ofelia de la Caridad Castellanos Tamayo alias Ofelia Castellanos Infante, Ofelia Castellanos, Ofelia Infante and Ofelia Castellanos Tamayo.
A-7985768, Jacobs, Visvaldi T. now (Visvaldis Edward Jacob).
A-7414967, Jamshidi, Shahla or Charlotte Jamshidi or Charlotte Gangei.
A-5160076, Jeffery, Roy Benjamin.
A-2931566, Johansson, August Emanuel alias August Johnson.
A-4087501, John, Claudius or John Claudius.
A-7127988, Jones, Therese Marie or Theresa Marie Alves.
A-6426209, Juchter, Cornelia Petronella.
A-6426210, Juchter, Marijke Sophia.
A-6491718, Juraszek, Maria formerly Maris Duty (nee Kuc).
A-1951549, Kackloudis, Anastasia Malatanti or Tessie Kackloudis.
A-5097052, Karagianes, George Nicholas alias Karametgas or Karamitsios.
A-3779472, Kawasaki, Sanroku.
A-3779471, Kawasaki, Kiyo.
A-6929829, Kergel, Monika Brigitte.
A-7037817, Kim, Robert Roland.
A-1806802, Kinney, Jennie Robertson.
A-5968206, Koyanagi, Yasukichi.
A-9623678, Kunttu, Johannes alias Johannes Kuntteu, Johannes Kuntu, Johannas Kunttu.
A-5085258, Kusuda, Asakichi.
A-5742695, Kvile, Leif Davidson.
A-7142244, Lapensee, Adelord Joseph.
A-3817223, Leu, Fook Pyn or Hok Wei Leu or Jimmie Fook Leu or Fook Pyn Leo.
A-5251799, Lopez, Francisco, Flores.
A-3057413, Louie, James or Louie Hong Ming.
A-7267748, Lueck, Betty (nee Olga Grbanusic) alias Betty or Elizabeth Weston.
A-5066943, Lukas, Jeanne Marie formerly Jeanne Marie Duncan.
A-7399697, Lutz, Rosemarie.
A-6177334, Magnusson, Bjarni.
A-3771824, Malinos, Stefan Christoff or Malinoff or Steve Christ or Stefanou Christon.
A-2175203, Manley, Aiko Kouda.
A-6314542, Martinez, Ana Isabel (nee Abreu Balderas or Ana I. Arbeu).
A-6173836, Martinez-Borrego, Benito.
A-4180579, Masters, Marjorie.
A-7130528, Meng, Woo Chai.
A-3901288, Menga, Antonio or Toni Menga.
A-3066483, Miladowski, Edward.
A-5603329, Mohammed, Mir.
A-5843527, Moller, Antonius Friedrich.
A-7890496, Morales, Andrea.
A-7269637, Morales-Reyna, Arturo Adan.
A-2418834, Moy, Chan Shee (nee Chan Him) alias Chan Moy Shee or Mary Moy.
A-2779177, Mukai, Tokisaburo or Thomas T. Mukai.
A-2779178, Mukai, Hifuko (nee Hifuko Wada).
A-2883988, Nacinovich, Mario.
A-6851221, Oresco-Orosco, Alfredo.
A-6035668, Palomino, Heriberto Heridia Y or Heribito Heridia or Heriberto Heridia Palomino or Richard Pita.
A-7495028, Papanek, Vera Dalmira.
A-6880217, Paul, Maria Pangiotis (nee Stath).
A-6989973, Perey, Emilio Guevarra.
A-7119144, Perry, Jean Marie.
A-7297155, Pinon, Tomas.
A-7178062, Pontikos, Michael Spirros.
A-7140350, Preston, Frances Rae or Lazarus or Israel.
A-5595147, Pugnato, Stefano.
A-4288460, Ramos, Nicolasa (nee Del Muro).
A-5985586, Ramos, Helen Amelia.
A-3702936, Recesei, Katalin.
A-3772162, Reihl, Wilhelmina alias Minnie Reihl.
A-6773060, Reinheimer, Yvette Jacqueline or Yvette Reinheimer.
A-2098737, Rios, Laura Leon vda de or Laura Leon de Liston or Laura Leon Liston-Rios.
A-5861237, Ripley, Jane Ann.
A-7420185, Roberts, Therese Marie (nee Robilland).
A-6777807, Robinson, Catherine Olwyn or Waters (nee Snook).
A-9765046, Rodriguez, Artur Concalves or Arthur Goncalves Rodrigues.
A-3077541, Roed, Oskar Sigvard or Oscar Paulsen.
A-7945604, Rojas-Sanchez, Antonio.
A-2809639, Rolli Maria.
A-3416991, Rosen, Mendel or Max Rosen.
A-3464397, Rosen, Jean or Jenny Rosen (nee Leibowitz).
A-6878084, Ruesch, Dorothea.
A-3360266, Sakihara, Genjiro or Haihichiro Tamaki.
A-3550752, Satomi, Ichimatsu.
A-6669626, Scaletta, Grazia Giacone alias Grace Scaletta.
A-2715684, Scheibling, Sussana alias Susan Scheibling (nee Mayer) formerly Mussar.
A-5814780, Schmidt, Lloyd David.
A-6394416, Schneider, Adam.
A-7037354, Schwab, Norman Maurice.
A-4573920, Shangraw, Earl Melvin (Mel, Melford, Wilfred, or Channy).
A-5081504, Shee, Lum or Lum Shee Jung or Mamie Jung or Lum Hong Chew.
A-3712461, Sheong, Kong Fee or George Gee Shang Gong or George Gong.
A-7360882, Shunnarah, Huda Jamil.
A-9825345, Skaltsiotis, Demetrios.
A-1755533, Soares, Antonio Jozę or Antonio Jose Soares or Antonio Jose Graca or Antonio J. Graca or Antonio J. Braca.
A-5737605, Soelsepp, Martha Louise (Martha Louise Sepp).
A-7476966, Solano, Ceferino Toy.
A-7138212, Spear, Maria Panagiotis (nee Dalekos).
A-6874291, Spence, Georgina May (nee Bailey).
A-7197989, Spinosa, Giuseppa formerly Cabras (nee Carloni).

A-6870415, Stamulakis, Alexandra Athanasios (nee Gilla).
A-2613782, Stein, Max alias Max Silverstein.
A-7381385, Stoddart, Harold.
A-7351180, Sullivan, Paulina formerly Kavanagh (nee Dowdall).
A-7394779, Swider, Stefania (nee Lupiniak).
A-9769595, Syropoulos, Athanasios or Athanase Syropoulos.
A-3987587, Takata, Saneo.
A-5534917, Talas, Kalman alias Coleman Talas.
A-2371217, Taormina, Grace or Gladys Taormina.
A-2352237, Tatuska, Albert or Albert Taler.
A-6991783, Tawil, Yvonne Kendi.
A-7379192, Thierauf, Rosemarie Elfriede or Rosemarie Elfriede Holmgren.
A-7351109, Thomas, Klaus Peter Thomas, formerly Klaus Peter Edelhoff.
A-7351110, Thomas, Harold, formerly Harold Edelhoff.
A-4532328, Tobo, Teikichi.
A-1010674, Topel, August Kaarl, alias Alfred V. Topil.
A-6301499, Trueba, Enrique, alias Enrique Trueba Rosas or Carlos Vega.
A-5471983, Vitale, Nicolantonio or Nicola Vitale.
A-5564535, Walsh, Mary Margaret.
A-6078015, Williams, Juana Sapida.
A-6077495, Wyss, Bert Arnold or Beat Arnold Wyss.
A-3994005, Yamaguchi, Naoakira or Nowakada Yamaguchi or Tams Yamaguchi.
A-7091334, Yates, Kerry Gayna or Kerry Gayna McTaggart.
A-6628433, Yogel, Pesia Rojtenberg or Pesia Dwojra Rojtenberg.
A-1970678, Yu, Tchen Dian.
A-3679045, Zupanic, Grga or Frank Zupanic.
A-6848521, Lu, John.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

KIKUE UCHIDA

The Clerk called the bill (H. R. 980) for the relief of Kikue Uchida.

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

Be it enacted, etc., That the provisions of the immigration laws relating to the exclusion of aliens inadmissible because of race shall not hereafter apply to Kikue Uchida, the Japanese fiancée of Shigeki Kimura, a citizen of the United States and an honorably discharged veteran of World War II, and the said Kikue Uchida shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Kikue Uchida is coming to the United States with a bona fide intention of being married to the said Shigeki Kimura, and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named parties does not occur within 3 months after the entry of the said Kikue Uchida, she shall be required to depart from the United States, and upon failure to do so shall be deported in accordance with the provisions of sections 19 and 20 of the Immigration Act of 1917, as amended (U. S. C. title 8, secs. 155 and 156). In the event that the marriage between the above-named parties shall occur within 3 months after the entry of the said Kikue Uchida, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Kikue Uchida as of the date of the payment by her of the required visa fee and head tax.

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.

SISTER MONICA GRANT

The Clerk called the bill (H. R. 1135) for the relief of Sister Monica Grant.

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

There was no objection.

The SPEAKER pro tempore. The Chair understands that a similar Senate bill (S. 1013) is on the Speaker's table. Is there objection to the consideration of the Senate bill?

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

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Sister Monica Grant shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

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. 1135) was laid on the table.

ARK PING JEE NONG (NGON)

The Clerk called the bill (H. R. 1851) for the relief of Ark Ping Jee Nong (Ngon).

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

Be it enacted, etc., That, notwithstanding the provisions of existing immigration laws, Ark Ping Jee Nong (Ngon), born May 2, 1943, at Hoysun, Canton, China, the daughter of Jee Tung Nong (Ngon), who is a citizen of the United States, shall be deemed to be a nonquota immigrant if he is admissible for permanent residence under the provisions of the immigration laws other than the annual quota limitations.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That, in the administration of the immigration and naturalization laws, the provisions of section 4 (a) and 9 of the Immigration Act of 1924, as amended, shall be held to be applicable to the alien, Ark Ping Jee Nong (Ngon), the minor unmarried child of Jee Tung Nong (Ngon), a citizen of the United States."

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.

MASUNARI SAITO AND ISAO SAITO

The Clerk called the bill (H. R. 2506) for the relief of Masunari Saito and Isao Saito.

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

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Masunari Saito and Isao Saito, minor stepchildren of Gerald E. Ewing, a member of the Armed Forces of the United States and a United States citizen. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Masunari Saito and Isao Saito shall be held and considered to be the natural-born alien children of the said Gerald E. Ewing.

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.

YOSHIKO ITO

The Clerk called the bill (H. R. 2547) for the relief of Yoshiko Ito.

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

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Yoshiko Ito, Japanese minor child in the care of Sergeant and Mrs. Ray Wilson, citizens of the United States. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Yoshiko Ito shall be held and considered to be the natural-born alien child of the said Sergeant and Mrs. Ray Wilson.

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.

SOR MATILDE SOTELO FERNANDEZ AND OTHERS

The Clerk called the bill (H. R. 2589) for the relief of Sor Matilde Sotelo Fernandez, Sor Virtudes Garcia Garcia, Sor Elisa Perez Tejeiro, and Sor Amalia Gonzalez Gonzalez.

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

Be it enacted, etc., That, in the administration of the immigration and naturalization laws, Sor Matilde Sotelo Fernandez, Sor Virtudes Garcia Garcia, Sor Elisa Perez Tejeiro, and Sor Amalia Gonzalez Gonzalez, from San Juan, P. R., shall be held and considered to have lawfully entered the United States for permanent residence on January 18, 1950, the date of their actual entry into the island of Puerto Rico, upon payment of the required visa fee and head tax.

SEC. 2. Upon enactment of this act the Secretary of State shall instruct the proper quota control officer to deduct four numbers from the quota for Spain for the first year that said quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That for the purposes of the immigration and naturalization laws Sor Matilde Sotelo Fernandez, Sor Virtudes Garcia Garcia, and Sor Amalia Gonzalez Gonzalez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the appropriate quota for the first year that such quota is available."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Sor Matilde Sotelo Fernandez, Sor Virtudes Garcia Garcia, and Sor Amalia Gonzalez Gonzalez."

A motion to reconsider was laid on the table.

JOSE M. THOMASA-SANCHEZ AND OTHERS

The Clerk called the bill (H. R. 2590) for the relief of Jose M. Thomasa-Sanchez, his wife Adela Duran Cuevas de Thomasa, and his child, Jose Maria Thomasa Duran.

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

Be it enacted, etc., That in the administration of the immigration and naturalization laws José M. Thomasa-Sánchez, his wife Adela Durán Cuevas de Thomasa, and his child, José María Thomasa Duran, from Río Piedras, P. R., shall be held and considered to have lawfully entered the United States for permanent residence on August 9, 1949, the date of their actual entry into the island of Puerto Rico, upon payment of the required visa fee and head tax.

SEC. 2. Upon enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the quota for Spain for the first year that said quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That for the purposes of the immigration and naturalization laws, Jose M. Thomasa-Sanchez, his wife Adela Duran Cuevas de Thomasa, and his child, Jose Maria Thomasa Duran, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees and head taxes. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct three numbers from the appropriate quota for the first year that such quota is available."

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.

SIGNA ANGELA MAINO CRISTALLO

The Clerk called the bill (H. R. 3153) for the relief of Signa Angela Maino Cristallo.

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

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Signa Angela Maino Cristallo, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Paolo Cristallo, citizens of the United States.

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.

INOOKA KAZUMI

The Clerk called the bill (H. R. 4583) for the relief of Inooka Kazumi.

The SPEAKER pro tempore. 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, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Inooka Kazumi, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Henry Frazer Harris, Jr., citizens of the United States.

That notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, the said Inooka Kabumi may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 2080) be considered in lieu of the House bill.

The SPEAKER pro tempore. The Chair will remind the gentleman that the Senate bill is not identical with the House bill.

Mr. ASPINALL. It is a similar bill.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, what is the difference between the two bills?

The SPEAKER pro tempore. Without objection, the Clerk will read the paragraph that is included in the House bill that is not included in the Senate bill.

The Clerk read as follows:

Page 1, line 8: "That notwithstanding the provisions of section 13 (c) of the Immigration Act of 1924, as amended, the said Inooka Kazumi may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws."

The SPEAKER pro tempore. Is there objection to the consideration of the Senate bill in lieu of the House bill?

Mr. DOLLIVER. I object to the substitution, Mr. Speaker.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MARK PAUL CROWLEY

The Clerk called the bill (H. R. 4671) for the relief of Mark Paul Crowley.

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

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Mark Paul Crowley, shall be held and considered to be the natural-born alien child of Capt. and Mrs. Amos M. Crowley, citizens of the United States.

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.

PATRICIA ANN EDDINGS

The Clerk called the bill (H. R. 4922) for the relief of Patricia Ann Eddings.

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

Be it enacted, etc., That, notwithstanding any provision of law excluding from admission to the United States persons of race ineligible to citizenship, the alien Patricia Ann Eddings, a minor child under the care of First Lt. and Mrs. James C. Eddings, Jr., both citizens of the United States residing temporarily in Japan, shall be held and considered to be the natural-born child of the First Lt. and Mrs. James C. Eddings, Jr.

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.

MICHAEL BERNARD (CERVERA)

The Clerk called the bill (H. R. 4929) for the relief of Michael Bernard (Cervera).

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

Be it enacted, etc., That, in the administration of the immigration laws, section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Michael Bernard (Cervera) (Bernard Sugiyama Tadao), Japanese minor child in the care of Master Sgt. and Mrs. Carmen J. Cervera. For the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the said Michael Bernard (Cervera) (Bernard Sugiyama Tadao) shall be held and considered to be the natural-born alien child of the said Master Sgt. and Mr. Carmen J. Cervera.

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.

CHARLES H. CRAFT

The Clerk called the bill (H. R. 4930) for the relief of Charles H. Craft.

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

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Charles H. Craft, shall be held and considered to be the natural-born alien child of Sgt. and Mrs. George Robert Craft, citizens of the United States.

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.

SUZIE BALLARD

The Clerk called the bill (H. R. 4940) for the relief of Suzie Ballard.

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

Be it enacted, etc., That for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provision of section 13 (c) of that act, the minor child, Suzie Ballard, shall be held and considered to be the natural-born child of Edward Marshall Welke and Lillian Mabel Welke, husband and wife, citizens of the United States, residing temporarily in Japan.

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.

SUSA YUKIKO THOMASON

The Clerk called the bill (H. R. 4969) for the relief of Susa Yukiko Thomason.

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

Be it enacted, etc., That, solely for the purposes of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Susa Yukiko Thomason, a minor Japanese child, shall be considered the alien natural-born child of Henry A. Thomason, a citizen of the United States.

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. INGE L. CURTIS

The Clerk called the bill (H. R. 5104) for the relief of Mrs. Inge L. Curtis.

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

Be it enacted, etc., That, notwithstanding the provision of the eleventh category of section 3 of the Immigration Act of 1917, as amended, Mrs. Inge L. Curtis may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of the immigration laws.

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.

GEORGETTE SATO

The Clerk called the bill (H. R. 4920) for the relief of Georgette Sato.

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

There was no objection.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to substitute the Senate bill (S. 1499) for the relief of Georgette Sato, a bill identical to the House bill.

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

Mr. DOLLIVER. Mr. Speaker, reserving the right to object, will the Chair state that this is an identical bill?

Mr. WALTER. The bill introduced in the other body by Senator TAFT, and which passed the other body on Monday is identical with the bill introduced in the House.

Mr. DOLLIVER. Mr. Speaker, I have no objection, and withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. HARRIS). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the Senate bill (S. 1499) as follows:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, Georgette Sato, a minor half-Japanese child, shall be considered the alien natural-born child of Sergeant and Mrs. John H. Williams, citizens of the United States.

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. 4920) was laid on the table.

JOHN R. WILLOUGHBY

The Clerk called the bill (S. 1277) for the relief of John R. Willoughby.

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

Be it enacted, etc., That nothwithstanding the eleventh category of section 3 of the Immigration Act of 1917, as amended, John R. Willoughby may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of the immigration laws.

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.

ELIZABETH BOZSIK

The Clerk called the bill (S. 1718) for the relief of Elizabeth Bozsik.

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

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Elizabeth Bozsik shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

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.

HEINZ HARALD PATTERSON

The Clerk called the bill (S. 1775) for the relief of Heinz Harald Patterson.

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

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, the minor child, Heinz Harald Patterson, shall be held and considered to be the natural-born alien child of Sgt. and Mrs. Arnold D. Patterson, citizens of the United States.

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.

IVO CERNE

The Clerk called the bill (H. R. 654) for the relief of Ivo Cerne.

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

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Ivo Cerne shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the number of displaced persons who shall be granted the status of permanent residence pursuant to section 4 of the Displaced Persons Act, as amended (62 Stat. 1011; 50 U. S. C. App. 1953).

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.

MARY IZUMI

The Clerk called the bill (H. R. 850) for the relief of Mary Izumi.

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

Be it enacted, etc., That, in the administration of the immigration laws, the provisions of section 13 (c) of the Immigration Act of 1924, as amended, shall not apply to Mary Izumi and the said Mary Izumi shall be held and considered to be the alien natural-born child of Harry A. DeWire, a United States citizen.

With the following committee amendment:

Page 1, line 5, after the word "and," insert "for the purpose of sections 4 (a) and 9 of the said 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.

ROY SAKAI

The Clerk called the bill (H. R. 4567) for the relief of Roy Sakai.

The SPEAKER pro tempore (Mr. HARRIS). Is there objection to the present consideration of the bill?

Mr. WALTER. Mr. Speaker, reserving the right to object, and I shall not object, I wish to inform the House that most of the immigration bills that have been considered on this calendar are bills for the relief of minor children who have been adopted by our servicemen.

The SPEAKER pro tempore. The Chair understands that debate under reservation of objection is not permitted on this calendar.

Mr. WALTER. I thought inasmuch as a point of order had not been raised, this would be a good time to let the House know what we are doing.

The SPEAKER pro tempore. The Chair assumes the gentleman wishes to comply with the rules.

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

Be it enacted, etc., That, for the purposes of sections 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding the provisions of section 13 (c) of such act, the minor child, Roy Sakai, shall be held and considered to be the natural-born alien child of Corp. Roy F. Wilson, a citizen of the United States.

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.

COLUMBIA HOSPITAL, RICHLAND COUNTY, S. C.

The Clerk called the next business (H. Res. 404) for the relief of the Columbia Hospital of Richland County, S. C.

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

Resolved, That the bill (H. R. 4162) entitled "A bill for the relief of the Columbia Hospital of Richland County, S. C.," together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title

28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections and report to the House ,at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to infrom the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

The resolution was agreed to.

MERING BICHARA

The Clerk called the bill (H. R. 773) for the relief of Mering Bichara.

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

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any amount in the Treasury not otherwise appropriated, the sum of $83,615.88 to Mering Bichara, of Washington, D. C., in full settlement of all claims against the United States for money and supplies furnished and distributed by her to American Prisoners of War in the Philippines during World War II.

With the following committee amendments:

Page 1, line 5, strike out $83,615.88" and insert "25,000."

Page 1, line 10, after "World War II" insert "*Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum 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 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.

EDWARD C. BRUNETT

The Clerk called the bill (H. R. 1131) for the relief of Edward C. Brunett.

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

Be it enacted, etc., That, in the administration of all laws relating to the granting of rights, benefits, and privileges to persons employed in the competitive classified civil service, Edward C. Brunett, San Antonio, Tex., shall be held and considered to have been placed in grade CAF-5 as of May 1, 1943 (the date he entered the military service).

SEC. 2. The Attorney General of the United States is authorized and directed to pay in a lump sum to the said Edward C. Brunett an amount equal to the amount he would have received (less such amount as he has received) during the period beginning November 5, 1945 (the date he returned to the Department of Justice Immigration and Naturalization Service from the military service), and ending on the date of the enactment of this act, had he been placed in grade CAF-5 as of May 1, 1943.

With the following committee amendment:

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 $1,071.28 to Edward C. Brunett, of San Antonio, Tex., in full settlement of all claims against the United States arising out of his loss of compensation which resulted from his placement in grade CAF-3 instead of grade CAF-5 upon return to the Department of Justice, Immigration and Naturalization Service, from military service on November 5, 1945. The Department of Justice subsequently held that he should have been placed in grade CAF-5 and he was accordingly placed in such grade: *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.

WANDA R. BARNETT

The Clerk called the bill (H. R. 1962) for the relief of Wanda R. Barnett.

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 Wanda R. Barnett, Michigantown, Ind., the sum of $365.19. The payment of such sum shall be in full settlement of all claims of the said Wanda R. Barnett, postmaster of the United States post office at Michigantown, Ind., against the United States for reimbursement of the amount which she was required to pay to the United States as the result of the theft of certain funds from such post office on May 24, 1949: *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.

JEREMIAH COLEMAN

The Clerk called the bill (H. R. 2072) for the relief of Jeremiah Coleman.

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 Jeremiah Coleman, of Brooklyn, N. Y., the sum of $300, in full settlement of all claims against the United States for expenses incurred in connection with the emergency appendectomy performed on his son John F. Coleman 2271643, United States Navy, on the evening of December 25, 1949; *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.

LT. COL. HOMER G. HAMILTON

The Clerk called the bill (H. R. 2169) for the relief of Lt. Col. Homer G. Hamilton.

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 Homer G. Hamilton, lieutenant colonel, Ordnance Department, United States Army, the sum of $———. Such sum represents compensation to the said Homer G. Hamilton for his outstanding service to the United States as the result of his pioneer work in the development of the one-quarter-ton Army truck, commonly referred to as the "jeep", which has made such an important contribution to the war effort. A statement of the military characteristics, appearance, and general specifications of the jeep, together with a drawing of the proposed military vehicle, were prepared by the said Homer G. Hamilton early in 1935 and incorporated by him in an article entitled "A Light Cross Country Car" which appeared in the Cavalry Journal for May-June 1935. The plans and specifications for a motor vehicle which resulted in the manufacture of many hundreds of thousands of jeeps were prepared by the Quartermaster Corps, United States Army, under date of July 2, 1940, and were almost identical with the specifications and drawing appearing in such article. The said Homer G. Hamilton has not at any time been assigned to military duties requiring the preparations of plans or statement of characteristics of any motor vehicle. 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 3, strike out all after the enacting clause and insert "That jurisdiction is hereby conferred upon the District Court of the United States for the Southern District of Iowa to hear, determine, and render judgment upon the claim of Lt. Col. Homer G. Hamilton for compensation for his outstanding service to the United States as a result of his pioneer work in the development of the one-quarter-ton truck commonly referred to as the "jeep."

"SEC. 2. Suit upon such claim may be instituted at any time within 1 year after enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of section 1346 of title 28 of the United States Code."

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.

ANTONIO CORRAO CORP.

The Clerk called the bill (H. R. 3006) for the relief of the Antonio Corrao Corp.

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 Antonio Corrao Corp., Brooklyn, N. Y., the sum of $6,000, together with interest on such sum computed at the rate of 4 percent per annum from January 19, 1950, to the date of the enactment of this act. The payment of such sum shall be in full settlement of all claims of such corporation against the United States for refund of the fine which was imposed by the United States District Court for the Eastern District of New York on January 19, 1950, in the case of the *United States of America* v. *Antonio Carrao Corporation and Antonio Corrao.* Such court, on December 28, 1950, ordered the refund of such fine to such corporation, but such refund could not be made because the money paid on account of such fine had been covered into the Treasury: *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 figures "$6,000", strike out ", together with interest on such sum computed at the rate of 4 percent per annum from January 19, 1950, to the date of the enactment 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.

COMMERCE TRUST CO

The Clerk called the bill (H. R. 3060) conferring jurisdiction upon the United States District Court for the Eastern District of Oklahoma to hear, determine, and render judgment upon the claims of the Commerce Trust Co.

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 Eastern District of Oklahoma to hear, determine, and render judgment upon the claims of the Commerce Trust Co., of Kansas City, Mo., against the United States arising out of the exaction of certain deficit royalties by the United States with respect to coal-mining leases on certain lands in LeFlore County, Okla. Suit upon such claims may be instituted at any time within 1 year after the date of the enactment of this act, notwithstanding the lapse of time or any statute of limitations; and proceedings for the determination of such claims shall be in the same manner as in the case of actions regularly filed under the provisions of section 1346 (a) (2) of title 28, United States Code.

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.

ALLEN W. SPANGLER

The Clerk called the bill (H. R. 4318) for the relief of Allen W. Spangler and the Great American Indemnity Co. of New York.

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

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to relieve Allen W. Spangler and the Great American Indemnity Co. of New York in the amount of $500 as a security bond for Patricia Anne Spangler nee Gaynor which was declared forfeited April 11, 1951.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "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 $500 to Allen W. Spangler, of Mansfield, Ohio, in full settlement of all claims against the United States as a refund for a security bond posted for Patricia Anne Spangler, nee Gaynor, which was declared forfeited April 11, 1951: *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 find 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 Allen W. Spangler."

A motion to reconsider was laid on the table.

MRS. MARGUERITE A. BRUMELL

The Clerk called the bill (H. R. 4645) for the relief of Mrs. Marguerite A. Brumell.

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 $50,000 to Mrs. Marguerite Brumell, of 228 East Eighty-first Street, New York, N. Y., for personal injuries sustained as a result of an accident involving a United States vehicle on the Army post, Fort Greeley, Kodiak, Alaska, on March 30, 1944.

With the following committee amendment:

Line 5, strike out "$50,000", and insert in lieu thereof "$15,000."

At the end of bill strike out the period and 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.

GEORGE H. WHIKE CONSTRUCTION CO.

The Clerk called the bill (H. R. 5317) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the George H. Whike Construction Co., of Canton, Ohio.

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, notwithstanding any law to the contrary, the claim of the George H. Whike Construction Co., of Canton, Ohio, against the Government of the United States on account of losses sustained in performing a construction contract between the claimant and the Federal Public Housing Authority; said construction contract being No. OH 33037 on Jackson Park homes project in the city of Canton, Ohio. The loss resulted from the operation of Executive Order 9301 changing the workweek from 40 hours to 48 hours. The contract was let on a 40-hour workweek, and the Executive order was made effective in the Canton, Ohio, area several months after the work had been started. The claim is for the actual loss incurred by said contractor for overtime, taxes, and insurance directly resulting from the change in said workweek from 40 hours to 48 hours by reason of said Executive order. Such court shall determine the amount due said contractor and render judgment in favor of the George H. Whike Construction Co., of Canton, Ohio, and against the United States for the amount which said court may find and adjudge to have been lawfully due under said contract. The court shall have such jurisdiction if suit is instituted within 1 year 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.

C. E. HEANEY

The Clerk called the resolution (H. Res. 438) for the relief of C. E. Heaney.

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

Resolved, That the bill (H. R. 2772) entitled "A bill for the relief of C. E. Heaney," together with all accompanying papers, is hereby referred to the United States Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with the provisions of said sections and report to the House, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal or equitable, against the United States, and the amount, if any, legally or equitably due from the United States to the claimant.

The House 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.

MITSUO ARITA

The Clerk called the bill (H. R. 3428) for the relief of Mitsuo Arita.

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 Mitsuo Arita, of Hakalau, Territory of Hawaii, the sum of $4,580.53. The payment of such sum shall be in full settlement of all claims of the said Mitsuo Arita against the United States on account of losses suffered when four airplanes which he owned were taken over by the United States Army Air Forces, at Honolulu, on or about January 21, 1942, and retained until April 14, 1945, during which time they were improperly cared for, which resulted in the loss of the foregoing amount.

With the following committee amendment:

Strike out all after the enacting clause, and insert in lieu thereof the following: "That jurisdiction is hereby conferred upon the United States District Court for the Territory of Hawaii to hear, determine, and render judgment upon the claim of Mitsuo Arita, of Hakalau, Territory of Hawaii, for losses suffered when four airplanes which he owned were taken over by the United States Army Air Force at Honolulu on or about January 21, 1942, and retained until April 14, 1945.

"SEC. 2. Suit upon such claim may be instituted at any time within one year after the enactment of this Act, not withstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under the provisions of section 1346 of title 28 of the United States Code."

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.

DOROTHY KILMER NICKERSON

The Clerk called the bill (H. R. 3666) for the relief of Dorothy Kilmer Nickerson.

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 Dorothy Kilmer Nickerson, of Washington, D. C., the sum of $20,000, in full satisfaction of her claim against the United States for compensation for injuries received on July 29, 1948, when she was struck by a bullet negligently discharged from the revolver of a District of Columbia policeman, not acting within the scope of his authority, as a result of which she will be paralyzed for life: *Provided*, That no part of the amount appropriated in this act 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 4, after the word "of", strike out everything through the word "appropriated" and substitute in lieu thereof: "funds of the District of Columbia."

Line 6, strike out "$20,000" and insert in lieu thereof "$15,000."

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.

CHARLES COOPER

The Clerk called the bill (S. 1713) for the relief of Charles Cooper.

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 Charles Cooper, of Winslow, Ariz., the sum of $1,748.75, in full satisfaction of his claim against the United States for crop loss and for reimbursement of funds expended in the improvement of a reclamation homestead entry in the Yuma reclamation project, which entry was allowed by the Department of the Interior on April 8, 1948, but subsequently canceled on April 22, 1949, because entry of the land could be made only by a qualified veteran and the entryman was not a qualified veteran: *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. 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, 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.

SIDNEY F. MASHBIR

The Clerk called the bill (H. R. 2604) to authorize the appointment of Sidney F. Mashbir, colonel, Army of the United States, to the permanent grade of colonel in the Regular Army.

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

Whereas Sidney F. Mashbir served as a commissioned officer in the Regular Army during the period beginning prior to November 12, 1918, and ending May 7, 1923, the date of his resignation from the Regular Army;

Whereas the said Sidney F. Mashbir, presently serving in the grade of colonel, Army of the United States, resigned from the Regular Army on May 7, 1923, under honorable conditions and at a time when existing law authorized his reappointment;

Whereas the said Sidney F. Mashbir resigned in order to carry out a secret and hazardous military mission at his own expense, no public funds being legally available for such purpose;

Whereas the said Sidney F. Mashbir resigned in the belief that he could be reappointed to his former grade in the Regular Army upon completion of such military mission;

Whereas the said Sidney F. Mashbir applied for such reappointment to the Regular Army on September 14, 1923, after the earthquake of September 1, 1923, destroyed his ability to finance such military mission, but was denied such reappointment by reason of an administrative ruling theretofore unknown to him and not published to the Army at large;

Whereas the said Sidney F. Mashbir has performed faithful and honorable service for more than 30 years in the Army of the United States, including more than 7 years' active service in World War II in the grade of colonel, and has been awarded the Distinguished Service Medal and other decorations in recognition of his outstanding service; and

Whereas the foregoing facts have been established by unimpeachable and unchallenged evidence submitted before the Army personnel board of five general officers appointed under existing law in accordance with instructions issued on September 30, 1948, by the Chief of Staff, United States Army: Therefore

Be it enacted, etc., That the President is authorized and requested to appoint, by and with the advice and consent of the Senate, Sidney F. Mashbir, Army serial number O-191029, colonel, Army of the United States, to the permanent grade of colonel in the Adjutant General's Department in the Regular Army. The said Sidney F. Mashbir shall not be included, by reason of such appointment, in the authorized number of colonels on the active list of the Regular Army in the administration of any provision of law limiting the number of such colonels. No permanent increase in the authorized number of colonels on the active list of the Regular Army shall be held to be authorized by reason of the enactment of this act. No back pay or allowances shall accrue to the said Sidney F. Mashbir by reason of the enactment of this act for any period prior to the date of its enactment.

With the following committee amendments:

On page 3, line 3, strike out the word "Department" and insert in lieu thereof the word "Corps."

On page 3, immediately following line 13, add the following sentence: "Upon retirement the said Sidney F. Mashbir shall receive the same amount of retired pay as a Reserve officer of the Army of the United States with the same service as the said Sidney F. Mashbir would be entitled to receive under the provisions of title III of the act of June 29, 1948 (62 Stat. 1081), as amended."

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.

PASCAL NEMOTO YUTAKA

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 617) for the relief of Pascal Nemoto Yutaka.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, has this bill cleared the House?

Mr. FEIGHAN. Mr. Speaker, this is the same bill to which the gentleman from Mississippi [Mr. RANKIN] objected last week, the same bill I discussed with the gentleman and which met with his approval.

Mr. MARTIN of Massachusetts. It is an immigration bill?

Mr. FEIGHAN. It is an immigration bill involving a 2-year-old adopted infant.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, solely for the purpose of section 4 (a) and section 9 of the Immigration Act of 1924, and notwithstanding any provisions excluding from admission to the United States persons of races, ineligible to citizenship, Pascal Nemoto Yutaka, a minor half-Japanese child, shall be considered the alien natural-born child of Lt. and Mrs. James R. Evans, citizens of the United States.

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.

MAIKU SUZUKI

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1437) for the relief of Maiku Suzuki.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That, for the purposes of section 4 (a) and 9 of the Immigration Act of 1924, as amended, and notwithstanding any provisions excluding from admission to the United States persons of races ineligible to citizenship, the minor child, Maiku Suzuki, shall be held and considered to be the natural-born alien child of Captain and Mrs. Andrew A. Miller, citizens of the United States.

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.

PETER THERKELSEN KIRWAN AND ERNEST O'GORMAN KIRWAN

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1464) for the relief of Peter Therkelsen Kirwan and Ernest O'Gorman Kirwan.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Peter Therkelsen Kirwan and Ernest O'Gorman Kirwan, British subjects who were born in India of an American mother and British father, shall be deemed to have been born in Great Britain.

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.

CALL OF THE HOUSE

Mr. KEATING. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. PRIEST. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 189]

Abernethy	Fine	Murray, Wis.
Allen, La.	Fisher	O'Hara
Bailey	Gore	O'Konski
Baker	Granger	Ostertag
Barden	Hand	Perkins
Bates, Ky.	Hébert	Phillips
Battle	Hedrick	Poulson
Berry	Heffernan	Powell
Blatnik	Hess	Price
Brooks	Holifield	Quinn
Brown, Ohio	Howell	Redden
Burleson	Ikard	Rivers
Busbey	Jackson, Calif.	Rodino
Byrne, N. Y.	Johnson	Roosevelt
Camp	Kearney	Sabath
Celler	Kennedy	Sadlak
Chatham	Keogh	Scudder
Chelf	Kersten, Mo.	Shelley
Cole, N. Y.	Kilburn	Short
Cox	Latham	Spence
Crawford	Lucas	Staggers
Crosser	McCarthy	Stockman
Deane	McCulloch	Taylor
DeGraffenried	Mack, Ill.	Thompson, Tex.
Delaney	Meader	Velde
Denton	Miller, Calif.	Vinson
Dollinger	Morrison	Watts
Durham	Moulder	Willis
Eaton	Murdock	
Eberharter	Murphy	

The SPEAKER. On this roll call 340 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

REHABILITATION OF FLOOD-STRICKEN AREAS

Mr. NORRELL. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 341 making appropriations for rehabilitation of flood-stricken areas for the fiscal year 1952, and for other purposes, and that general debate be limited to 1 hour to be equally controlled by the gentleman from Ohio [Mr. CLEVENGER] and myself.

Mr. CLEVENGER. Mr. Speaker, that will be satisfactory.

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

There was no objection.

Mr. NORRELL. 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 House Joint Resolution 341, making appropriations for rehabilitation of flood-stricken areas for the fiscal year 1952, and for other purposes.

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 House Joint Resolution 341, with Mr. COLMER in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the previous order of the House general debate will be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Ohio [Mr. CLEVENGER] and the gentleman from Arkansas [Mr. NORRELL].

The gentleman from Arkansas is recognized.

Mr. NORRELL. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, in the beginning may I say that my colleagues on the subcommittee which have handled this budget request, composed of the gentleman from Mississippi [Mr. WHITTEN], the gentleman from Massachusetts [Mr. FURCOLO], the gentleman from Ohio [Mr. CLEVENGER], and the gentleman from New Hampshire [Mr. COTTON], have done a magnificent job. I wish time would permit me to tell you how we went into this matter, how honestly we tried to discharge our duties without politics, in an effort to do what is right for the flood-stricken people of the Midwest and also the taxpayers and citizens of the United States. May I also at this time pay tribute to our colleagues from the Midwestern States, both Democrats and Republicans, who have been very alert, able, and conscientious in trying to do their job as statesmen should. They have done the best they could for their constituents. The staff has also done a magnificent job.

We bring to you today a bill dealing with a very difficult problem, but we bring to you a bill that has come out of the subcommittee by unanimous vote.

The first job this committee had to do was to determine something about the extent of the damages suffered in Kansas, Missouri, Oklahoma, and Illinois. We went into that thoroughly. We heard witnesses from the several States, the Government agencies, and our colleagues here in the House.

Mr. Chairman, there is no argument about the damages to property and financial loss. In addition to the financial angle there has been great physical pain, mental anguish and, yes, there has been death, although surprisingly small.

The July floods in the Midwest were the worst ever recorded in this country. Stream flow in central Kansas, for example, was 70 times normal in July. While appraisals of loss are still incomplete, it is estimated that total damages sustained in the area will exceed $2,500,000,000. It is estimated that some 34,000 farms were totally or partially covered by floodwaters, that about 30,000 farm buildings, including homes, were destroyed or badly damaged, and that a quarter of a billion dollars' worth of crops were destroyed. It appears that nearly 6,000 business concerns ranging from large assembly plants and packing plants to small grocery stores and drug stores were destroyed or seriously damaged. In addition to this the railroads and utilities in the area suffered substantial losses. According to the latest information more than 40,000 families were driven from their homes, 10,000 of which were washed away or almost entirely destroyed.

It is probable that losses to agriculture will exceed half a billion dollars. Damage to commercial property will run around $1,500,000,000. Damage to public property, including such things as streets, highways, bridges, schools, and hospitals, will exceed one-quarter of a billion dollars and loss to private families will exceed $60,000,000.

Now, if they have been damaged to this extent, the second question to arise necessarily would be, what have we done about it? We wanted to know that before we made additional appropriations.

Briefly, what are we doing about the $2,500,000,000 in damages?

Earlier this year we made available for this area $25,000,000. I think you are entitled to know what has become of that money. Your subcommittee learned it has been expended in this way: One million dollars has gone to the Commodity Credit Corporation for feed and livestock; about $7,000,000 has gone to the State of Kansas to provide for general clean-up and emergency rehabilitation. They needed it. Two million five hundred thousand dollars has gone to the State of Missouri for the same purpose. Oklahoma has received a lesser amount, about $250,000, because the damage was not so great in that State. Emergency housing has cost in excess of $4,000,000, and public health matters through the Federal Security Agency have required $228,000. They have expended, in other words, about $15,500,000 of that money; and when we started our hearings they had a balance of $10,500,000 unallocated. But applications had been made, which, when allowed, would consume the balance of the money in that fund.

Now then, we went into what other agencies of the Government are doing. And I think you will be interested in this. We found that financial aid of around $150,000,000 is already available to this area from regular Federal agencies. For instance, the Farmers Home Administration has about $13,000,000 in one fund, and in another, $14,000,000, for aid to the midwestern area. In the Farm Credit Administration, debts of farmers have already been extended to the tune of $6,500,000, and additional loans have been made in the amount of $2,000,000. In addition, around 7,000 farmers in the area will collect under crop insurance. It is estimated that they will collect about $2,500,000. The Red Cross has done a wonderful job, and you will be interested in knowing that they have, so they say, expended somewhere between $6,000,000 and $10,000,000 for relief in this area. The Salvation Army and others have done, of course, a good job. Then the Reconstruction Finance Corporation has $35,000,000 to be used throughout the country, and they can channel a sizable sum of that money into this area.

About a month ago you passed a bill authorizing $200,000,000 for advance commitments by the Federal National Mortgage Association for the purchase of FHA-insured and VA-guaranteed mortgages on housing. Of this amount $50,000,000 has been set up for this area, and more is available if needed. Now then, that is not the whole story. Other agencies that have been doing a great work are the Corps of Engineers, the Soil Conservation Service, the Extension Service, the Bureau of Animal Industry, and Bureau of Public Roads. A total of 61 Federal agencies have been providing assistance in the area. A complete list of the agencies is as follows:

Department of Agriculture: Production and Marketing Administration, Commodity Credit Corporation, Farmers Home Administration, Farm Credit Administration, Federal Farm Mortgage Corporation, Production Credit Associations, Federal Land Bank Association, Banks for Cooperatives, Intermediate Credit Banks, Federal Crop Insurance Corporation, Soil Conservation Service, Extension Service, Agricultural Research Administration, Rural Electrification Administration, Agricultural Mobilization Committees.

Atomic Energy Commission.

Civil Service Commission.

Department of Commerce: National Production Authority, Bureau of Public Roads, Civil Aeronautics Administration, Coast and Geodetic Survey, Weather Bureau.

Comptroller General of the United States.

Defense Production Administration.

Defense Transport Administration.

Department of Defense: Munitions Board (Armed Forces Regional Council), Department of the Army—Corps of Engineers, Department of the Navy, Department of the Air Force—Air Matériel Command.

Economic Stabilization Agency: Office of Price Stabilization, Wage Stabilization Board, Salary Stabilization Board, Office of Rent Stabilization (formerly the Housing Expediter).

Federal Civil Defense Administration.

Federal Communications Commission.

Federal Reserve System, Board of Governors.

Federal Security Agency: Public Health Service, Food and Drug Administration, Office of Education.

General Services Administration.

Housing and Home Finance Agency: Community Facilities Service, Home Loan Bank Board, Federal Housing Administration, Public Housing Administration, National Housing Council.

Department of the Interior: Defense Electric Power Administration, Defense Minerals Administration, Defense Solid Fuels Administration, Defense Fisheries Administration, Geological Survey, Petroleum Administration for Defense, Bureau of Mines, Bureau of Reclamation, Bureau of Indian Affairs.

Department of Labor: Wage and Hour and Public Contracts Divisions, Bureau of Employment Security, Defense Manpower Administration.

Office of Defense Mobilization: Committee on Defense Transportation Storage.

Reconstruction Finance Corporation.

Department of the Treasury: United States Coast Guard.

Veterans' Administration.

Now then, when we got that information, we decided that a liberal people and benevolent Government, had been trying to do its utmost for a gracious and kind and noble citizenry of the flood area.

We come now to the budget estimate. What did it contain? We can divide it into three sections:

The first proposal was for an indemnity program. It recommended that we appropriate $190,000,000 to start with to indemnify the people in this area for flood losses.

The second thing the budget estimate proposed was to provide loans on a more liberal basis, if possible, to the tune of about $160,000,000 through a Director of a Flood Disaster Administration.

The third thing included was the flood insurance fund, and in the estimate they had $50,000,000, which would constitute a beginning.

What did the committee do? May I say that when this committee entered on this job we realized that it would be a difficult problem. I entered it with mingled feelings of sorrow and joy—sorrow because of the great losses out there among good, conscientious American citizens and joy because I was going to be in position to try to do something for those people that needed assistance and help.

What did we do? The committee recommended approval of a few of these items. One recommendation was that $18,440,000 of additional funds be appropriated not to the Director of Relief but to the Department of Agriculture, not under any new formula but under existing law, to be carried out like the program now being carried on under the Department of Agriculture.

Then we recommended the appropriation of $30,000,000 to the disaster loan revolving fund of the Farmers Home Administration. There is already $13,000,000 available from this fund and $14,000,000 available from the regular lending program in this agency.

The third thing we did was to increase the $25,000,000 we allowed earlier this year by $5,000,000. That is authorized. It is not a new program.

Then we increased the ceiling on the Reconstruction Finance Corporation disaster loans so that they can borrow more money to provide loans, not gifts, not indemnities, but loans that can be made up to 100 percent in certain circumstances on household goods and houses or anything the people need to buy.

These additional funds, together with funds already available to these agencies, will provide adequate funds to enable business and home owners to reestablish themselves. There is no doubt about that.

We turned down the budget estimate as submitted, because there was no legislative authority for it. I happen to be a man who believes that the Committee on Appropriations is not a policy-making committee. That is the job of the legislative committees. We appropriated this money, not as requested, but according to the law.

I want to touch on the indemnity program for a minute. We did not go along with that. It was not authorized. It is a new policy which, Mr. Chairman, could involve a sum of money in the future that is so staggering that the mortal mind cannot comprehend it. The Committee on Appropriations ought not to start it. If we want to start it, we ought to do it through the Legislative Committee in the usual legislative way.

The other thing which I want to discuss in my remaining time is the insurance feature. We had the best experts we could get come down here and advise us because, while it was not authorized, and while it was a new policy, we did want to give the matter serious, careful, friendly, and sympathetic consideration. So they appeared before the committee. These men said, representing the insurance industry of the Nation, "Back in 1944, we conducted an investigation to see if such a plan was economically feasible, and decided after a long study that it was not, and we abandoned it. Recently, we have started another study and we are now trying to determine if the matter is feasible." They said that the total assets of the insurance companies are about $2,500,000,000 and if

the insurance companies should attempt to write flood insurance, they thought that in a few years the losses would be enough to liquidate them entirely.

In conclusion, I want to say we have done what I believe to be a good job. Every segment of society in this area is well cared for and can get along. There is no doubt about that at all. We have done as much as a grateful people would want us to do. If this subcommittee can be criticized in any way, Mr. Chairman, it can be criticized for doing too much. But God knows, if on one side there are those who are able to take care of themselves, and on the other are people who are prostrate and cannot take care of themselves, I want to err on the side of the prostrate. So we bring to you a bill that appropriates under existing law about $53,440,000, and raises the ceiling of the RFC $60,000,000. We think it is a good bill, Mr. Chairman, and we hope the people in the great midwestern area of this country will agree with us, and we know they will.

Mr. CLEVENGER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the chairman of this subcommittee has beautifully stated this matter. To repeat what he has said would only make his remarks less effective.

I know that you all realize we operate in a very difficult situation. At a time when our Ways and Means Committee is down to the bottom of the barrel, looking for something new to tax, at a time when our Government, wisely or unwisely—and in my opinion it has been unwise—has scattered billions of dollars of our money all over the world and is still doing so, it makes a very difficult operation for an honest Committee on Appropriations to withhold what seems to tell you that you would love to give, yet which we had no legal right to give.

The chairman has well said that what we have done, we have done in accordance with existing law. We can replace furniture with a loan on just a personal note, that will allow a man to earn it and to own it and to leave with him his independence, and not replace that with a feeling of dependence, and that he is pauperizing himself in accepting it.

We have properly put into the hands of the Soil Conservation Service of the Department of Agriculture the program of opening up these closed channels and streams, and to start on the reclamation of the area in the regular way, under the guidance of local committees.

We have left with public housing the restoration of permanent housing by virtue of loans to those who cannot build it themselves. We have furnished some 1,400 portable houses for those who had to have housing at once. These have been good trailer homes with facilities that are adequate. The best thing about this is that there has been no epidemic. There has been no great loss of life; no conditions of disease; no unusual condition following the inundation of this great area.

It is not a condition of receiving this aid but it is the recommendation of this part of that committee, and I so made it in the hearing, that it is the duty of municipal and county officials in this area that has so greatly encroached upon the bed of the Missouri River at this critical point, that proper zoning be had. I know it will be a hot political issue, but it is one that local governments must have to face. They have to realize that by the grace of God 9,000 houses were washed out and yet only a very, very few lives were lost. They should not be permitted to rebuild in this exposed area. Of course the automobile had something to do with that, because it enabled those people to get out and to take out their neighbors. The all-important thing about this bill, and the reason I would like to see it enacted just as quickly as possible, is that these people are already on the field. They are already organized. There is no organization of any superduper committee which we might not be able to control. Every one of these agencies is already there.

I have no desire to add longer to the delay in getting this relief started to these people that they may rehabilitate themselves. So I am only taking these few minutes of your time. I have had the pleasure of working with these gentlemen before. Let me tell you that in the men on this committee on the majority side, the gentleman from Arkansas [Mr. NORRELL], the gentleman from Mississippi [Mr. WHITTEN], the gentleman from Massachusetts [Mr. FURCOLO], and my colleague the gentleman from New Hampshire [Mr. COTTON], you would have to search long to find men whose sympathies are greater, whose desire to operate as far as the law would allow them to go in alleviating this suffering is greater. I have grown to admire each and every one of these men.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. NORRELL. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Chairman, we are dealing here, not with a local or State problem, but with a national problem.

The area that has been inundated by this record-breaking flood, vast as it is, is small in comparison with the area of the country which produced this flood and dumped this water down upon helpless and defenseless valleys. It is a national catastrophe and only the Nation is in a position to compensate this area and these people for this appalling disaster over which they had no control and no power to avert. The very fact that the natural course of the river has been diverted and its channel choked by dikes and dams and piling and revetment, which retarded the flow of the water and sent it out over the banks and into the towns and cities in a volume never known before, is all the more reason why the Government which filled the river with these obstructions should make amends and as nearly as possible restore property and compensate for the damages for which it is responsible. Of course money cannot compensate for loss of life and ruined health and broken family circles driven permanently from homes and lands whose productivity has been washed away or buried beneath deserts of sterile sand.

Nor is the loss merely a local loss, confined to the community and locality or even the States in the path of the deluge which swept down from the watersheds of the continent. It too is essentially national. The amount of the immediate damage to the farms and cities which have been washed away is small in comparison with the economic loss to the Nation as a whole. Every class and industry and individual has, to a greater or lesser degree, depended for some part of its income on the wealth and business produced and distributed by these devastated areas. It has been estimated that every dollar's worth of commodities produced by these inundated plants and factories and fields has produced $10 worth of business in the country at large and has been integrated with the income of every business and locality in the entire Nation. It is not a local problem either geographically or economically, and we must approach it from that point of view.

It is not necessary here to recount the scope of the incomprehensible destruction wrought by this Government-accelerated flood. The newspapers of the country characterize it as the most destructive flood in the history of the Nation. After a careful screening, the committee estimates the loss at approximately $2,500,000,000. When the cost of recovery is included and the years of patient and unrequited efforts to bring it back to where it was before the deluge struck, that is undoubtedly a conservative estimate. Even at that it is so vast as to be beyond the capacity of the finite mind of man to comprehend.

Here in the House we took immediate and urgent steps to meet the situation. Before the crest had passed the mouth of the Kaw, acting on the personal request of the President, we appropriated $25,000,000 for emergency relief. And we made prompt preparation to act on the President's budget message asking for this bill. Hearings were delayed by failure to receive the justifications required by law but we started on them as soon as received and in a comprehensive processing the committee heard every individual and agency and reported out the bill in record time.

We are particularly fortunate in the personnel of the committee which has had charge of the bill. Chairman NORRELL is from an area in the heart of the Mississippi Basin and is one of the outstanding Members of the House. Mr. WHITTEN, who is chairman of the Subcommittee on Agriculture and is one of the ablest members of the Committee on Appropriations has long experience and familiarity with the agricultural features of the problem. Mr. FURCOLO is from an urban area and in position to pass on those phases pertaining to urban and industrial questions. Mr. CLEVENGER and Mr. COTTON, the minority representatives, are among the ablest members of the Committee on Appropriations, and have rendered exceptional and invaluable service in the handling of the bill. A more competent and better qualified committee could not have been assembled.

The earnestness and industry with which the committee pushed the consid-

eration of the hearings and the fairness and impartiality with which they heard all witnesses is emphasized by the concluding statement of Col. A. E. Howse, in charge of the presentation of the evidence who, though subject to strictures because of delay in submitting data, said:

I would like to make a comment on the record. In the 10 years I have been in and out of the Government, I have never been accorded more courtesy, or a fairer or a more impartial hearing in all my experience.

I will say this to you very candidly. I honestly do not see how this committee could have been more cooperative than they have been.

Of course the size of the bill and the contribution by the Government should be commensurate with the size of the flood and the amount of the damage. Government responsibility for the maximum destructiveness of the flood through artificial constriction of the natural channel of the river would warrant compensation for all damage in excess of the damage which would have been suffered from normal floods such as the valleys experienced before the channel was filled with obstacles and barriers. But as the committee points out, this is impossible due to the size of the totals involved and the lack of law authorizing such appropriations. As an alternative the committee provides relief for every case through the enlistment of existing Government agencies and provides:

An additional $18,440,000 for the Agriculture Department to use in the restoration of farms.

An additional $30,000,000 for the Farmers Home Administration to be loaned to farmers for repair of homes and facilities.

An additional $5,000,000 for the President's emergency disaster fund.

An increase from $40,000,000 to $100,000,000 in the amount the RFC may loan to rehabilitate businesses and homes.

An extension from 10 to 20 years in the time limit on loans for acquisition or construction of housing.

Such funds are to be used for the repair or replacement of buildings, replacement of machinery or household goods, replacement and feeding of livestock, for clothing and operating expenses and any other items necessary to get farmers back on their feet and farms back into normal production.

In other words, this bill goes further in the alleviation of distress and loss occasioned by the flood than any similar law has ever gone in the legislation of the Nation, and the relief provided by the bill does all that the Federal Government can do under the Federal statutes. It does not do all I would like to see done but it is as far as the Congress or the Government can go.

There are those who oppose this bill because of the huge amounts involved, who insist that the Government is not responsible, who object to contributing money to help those unfortunate families whom the flood has placed in a position where they cannot help themselves.

But the amounts provided by this bill are not gifts or contributions. They are not gratuitous expenditures from the Federal Treasury. They are amounts due. They are investments in humanity, investments in the future, which will pay vast dividends to the Nation by returning barren wastes to productivity. They are essential to the national defense and will provide food for our armies and our allies. They are a part of our American way of life.

Time is the essence. Every day, every hour, adds to the problem and decreases the prospect of complete rehabilitation. He gives twice who gives promptly. I trust the bill can be passed without reduction and transmitted to the Senate this afternoon.

Mr. CLEVENGER. Mr. Chairman, I yield 8 minutes to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Chairman, these five gentlemen who served as the subcommittee of the Committee on Appropriations for the consideration of these matters are five of the finest, most able, honest, and conscientious Members of the House of Representatives. When they tell you they feel they have done a good job, in their hearts I believe they think that very thing. They have done all right as far as things have gone. But, Mr. Chairman, this does not help those who need help the most; the families of those workers who lived in the flood areas and worked in the packing plants, the steel mills, the grain elevators, the railroad yards, soap factories, and other industrial plants. These are families who were left with nothing when the flood hit there without warning, because the radio told them they were safe behind the dikes which the engineers said would hold. These men had nothing but their jobs, their families, their furniture, their clothes, and maybe an old jalopy. When the floods hit they were lucky to get themselves and their families out with the clothes they had on their backs.

It is not going to do them any good to get a loan merely to heap another debt upon their heads. Most of them are already in debt, undoubtedly partly for furniture and belongings which they had at the time of the flood. Some of them were newlyweds just getting started. Many are elderly people. How are you helping them by adding another burden of debt and putting it on their backs?

Put a load of debt upon them, which they can never pay, and say you are helping them? Why, if it were not so tragic, it would be laughable. Help? Oh, I know, we are told that these loans will be liberalized; but instead of loans many of these people are getting nothing more or less than a run-around.

I could tell you case after case. My mail is filled with letters reciting "brush offs." For instance, let us take the case of Mike Sambol, a man who built up a very good independent packing business of his own. He did it the hard way, working 18 to 20 hours a day, saving his money and investing it in his business. He was flooded out. He tried to get a loan from the RFC, a liberalized loan. What did they tell him? "Why, you only have an eighth-grade education. We cannot lend you money." He had already made a success of the business that the flood wiped out. What did education have to do with his ability. Yet in that same period of time they could lend $50,000 to rehabilitate a race track, they could lend $500,000 to another packing firm, but they could not help Mike.

I could tell you of the elderly widow who had two houses. She lived in one and got rent from the other, together with a little pension. Now both of these houses are gone, the furniture is gone. She is 82 years old. Do you say a loan is going to help her?

I can tell you of independent businessman after independent businessman who had put everything they had saved in their whole lives into that area. It is gone. They are not going to get help in this proposal here.

The owners perhaps can get and pay off a loan. The farmers? They say there will be money for these tenant farmers who lost all of their machinery and everything else. Come back here a year from now and see how much help they got out of this bill.

Mr. Chairman, these folks in the Midwest have been independent. They have come out of storms, droughts and floods before. But this is a bigger and more devastating flood than any that ever hit this Nation. I know. The Second District of Kansas got the impact of the flood and the full force of it, not only on the Kansas River but on the Neosho and Marais des Cygnes as well, where it wiped out home after home and farm after farm and business after business. There is no direct grant here in this measure. It provides nothing but loans—debts, if you please. It may help some but it will not help those who need it most and need it now.

People say, all right, you are from the great independent Middle West, why are you coming to Uncle Sam crying for help? We are coming to Uncle Sam because this is the only place we can get it. In all these other flood years Uncle Sam was not draining off a half-billion dollars of taxes. We then had money left in our own pockets to take care of our own troubles, but Uncle Sam has it all now. This is the only place we can come to get the help we want so much for these people, a return of but a small part of the billions we have sent here via the tax collector.

There is a liability on the part of the Government. If there had been adequate warning of this danger coming to these people they could have got most of their stuff out. They went to bed with the radio in their ears, with the engineers saying that the dikes will hold; but come midnight and 3 o'clock in the morning, the dikes had not held and in the Argentine and Armourdale districts of my home town of Kansas City, Kans., there were walls of water 14 feet high sweeping everything before them. These people were lucky to get out with their lives, their clothes, and their families. That is all they have left. Yet all you are offering them is a chance to go into debt for the rest of their lives. If they are only 25 now these loans will still not be paid out when these debt-ridden refugees die.

The committee raised the warning that we have got to be concerned about the magnitude of our public debt. I have been worrying about that, too; I have

been raising a warning, too. No one seemed to heed me when I protested against drain off of our wealth to send it overseas. Why is it raised now when we want to help these people while in the last 6 years you have been spending billions upon billions of dollars aiding war refugees? Now you worry about the effect on the public debt of a few million dollars for the refugees from these ravaging floodwaters.

If this great Nation can break precedents as it has been breaking them for the last 20 years, certainly it could break a precedent here to help people who now cannot help themselves. The greatest of all flood disasters did not stop because it was breaking a precedent.

The logical way for this to be handled was for the legislative committee to have handled it, first, enacting if they saw fit, a law under which money could be spent. The Committee on Appropriations is not a legislative committee. One of the most strictly enforced rules of the House—and I suppose it will be enforced against me—is that there cannot be any legislation in an appropriation measure. My colleague the gentleman from Missouri [Mr. BOLLING] introduced a bill aimed to give some of the various types relief. It was referred to the Committee on the Judiciary. A hearing was started; at least, I assume it was started. The papers said there had been a hearing, that the gentleman from Missouri [Mr. BOLLING] appeared in support of the legislation, and that there was a statement made. My district, the most heavily hit, was not informed of any such hearing. For some reason I was not notified there was going to be a hearing. That bill is still before that committee and nothing has been done since. The second Bolling bill was introduced, and was referred to the Committee on Appropriations. Oh, there have been a lot of funny things going on about this. The people out home have been told by the officials from Washington that there would be a direct grant in aid. You remember that committee after committee, flying out there from Washington in Government planes, at Government expense, looked over the scene and the damage, reporting how dreadful the tragedy was. The visitors repeatedly told them how they are going to help. But these Washington visitors did not tell them that all they were doing to give these folks was a chance to go in debt for the rest of their lives. These Washington visitors did not mean what they said when they told these flood victims out there that Washington was going to do it by direct grants.

Look at page 35 of the hearings and you will see where Mr. Howse, the big mogul of all of this proposal, said in these words—regardless of what the flood sufferers were told out there in the newspapers. These Washington sightseers played up their hopes that they were going to reestablish the mud-covered homes, supply them with furniture and clothes and whatnot—I am quoting from page 35 of the hearings before the subcommittee, and this is Mr. Howse speaking:

> It is not intended to reimburse the homeowner for household goods, furniture, or personal possessions.

These unfortunates that I am talking about are not homeowners. They cannot afford to buy a home. They are renters. They are tenants. They have no land for security. All they have is their name and their future as a pledge for any debt. I am going to propose an amendment which will take care of this group of people. It is the working man that needs it the most. This proposal only provides $300 to a maximum of $3,000 for the indemnity for personal belongings, furniture and clothes, household goods, and things like that. Grants would go only to those who canot qualify for these proposed loans. It will be administered by the local boards, working without pay as public service. It applies only to this disaster and all claims must be filed by July 1, 1952. I trust that there will not be a parliamentary question of a point of order raised to it.

Mr. ARMSTRONG. Mr. Chairman, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Missouri.

Mr. ARMSTRONG. I was under the impression that the $5,000,000 for disaster relief was to supplement a certain sum—I do not have it here, but over $25,000,000 that had been previously appropriated.

Mr. SCRIVNER. Yes; there is an additional $5,000,000, but that goes to the States, and then the States, in turn, reallocate it to the various communities to help rehabilitate the community. Not one single penny goes to the individuals I have been talking about for the procurement of clothes or furniture.

Mr. ARMSTRONG. I was under the impression it went to the individual.

Mr. SCRIVNER. It goes to rehabilitate the communities. These areas throughout the States have tons of mud and dirty, stinking muck and slime. In some cases it will cost individuals $2,000 to clear their property, but none of this $5,000,000 will go to these as individuals.

Mr. NORRELL. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. FURCOLO].

Mr. FURCOLO. Mr. Chairman, before discussing the request before us, I want to pay tribute to all the members of the subcommittee handling this appropriation, and particularly the chairman, the gentleman from Arkansas. He not only gave every witness every opportunity to testify fully, but he also tried to get additional evidence and, with it all, did everything possible to expedite the matter.

Last week, immediately after the testimony had been heard, I prepared a statement that summarized my viewpoint on this matter, and I now offer it for the consideration of the Congress.

The Congress is asked to appropriate $400,000,000 to finance a program that falls roughly into three phases: First, direct aid, indemnification, or grants not intended to be repaid; second, loans; third, flood insurance.

The evidence presented to the committee gives a clear and accurate picture of the damage in the disaster area and of the need for help. However, to answer the question of "What to do about it?" the committee has merely a mass of testimony that is contradictory, unconvincing, and unsatisfactory.

The evidence indicates clearly that the Government has no detailed or carefully thought out program or policy for distributing the funds either by loan, grant, insurance, or any other method or combination of methods. That is not offered in adverse criticism because the evidence also establishes the difficulty, if not the impossibility, of advancing any hard and fast program or policy of any kind. It may not be practicable to have more than a policy framework with the details to be filled in by trial and error techniques. That is admittedly dangerous and unsatisfactory but failure to get the stricken area back on its feet may be even more dangerous and unsatisfactory.

The evidence establishes beyond question a disaster of unprecedented magnitude. Its toll in human misery and private loss is almost indescribable. Its impact on our domestic economy is obvious and the Office of Defense Mobilization evidence also clearly indicates that the disaster has seriously impeded our war effort.

Although not spelled out in detail for individual cities, towns, and villages, it is also apparent that many communities cannot recover, rehabilitate, and resume normal life without outside help. Whether the States in the disaster area have or have not given full measure in self-help, it nevertheless still remains true that additional assistance must be forthcoming from sources beyond the borders of the States directly affected.

Four hundred million dollars has been requested. The committee has decided that approximately $150,000,000 will be channeled into the area, either by direct appropriation of the committee or by funds already made available to existing agencies after the President's request and before the date of this report.

The committee has granted approximately all the money requested for loans but has denied all the money requested for flood insurance and for outright grants or indemnification to individuals for loss of property. It has increased the disaster relief fund by $5,000,000.

On the evidence presented to the committee, the flood insurance phase of the program cannot be put into effect. Apparently private insurance companies either cannot or will not undertake a program of such magnitude where the risk is well-nigh incalculable.

As far as any form of Government insurance is concerned, no feasible program was advanced by anyone. The evidence presented was insufficient to be the basis for any opinion except that the whole matter should be the subject of an exhaustive and detailed study that was not possible in a speedy hearing on an emergency program.

On the scanty and insufficient evidence presented, I think any reasonable person would conclude that any wide scale and all-inclusive program of flood insurance is out of the question. However, in order to prevent mass unemployment due to any wholesale uprooting of industry—if evidence adduced should indicate such a probability—it might be possible

to inaugurate some selective insurance program through the cooperation of private insurance companies with premiums paid for a brief period—for example, 10 years—by the joint contribution of the Federal Government, the State or local government, and the industry itself. Every possible solution should be thoroughly explored.

It is possible that some thought should also be given to granting tax concessions as an inducement to damaged industry to relocate in the area, assuming it is essential that it remain there.

On the question of grants or direct aid to individuals who need assistance but cannot qualify for loans, the Government has no practical solution that is ascertainable from the evidence. The committee has recommended a very liberalized loan policy plus the amount of $5,000,000 in direct aid—in addition to the $25,800,000 already appropriated for direct aid. While I do not think any member of the committee regards that as a complete solution, I think we all believe it is at least better than nothing.

I am supporting the committee recommendation for a liberalized loan policy. I also do not disagree with the committee recommendation of $5,000,000 for flood relief. I shall not only support that recommendation but shall also support any recommendation of many times that amount for direct aid or grants not intended to be repaid if such aid is conditioned upon reasonable standards and if adequate safeguards or precautionary measures are adopted.

For example, it might well be that before any outright grant should be made to any individual he would have to establish that:

First. His family's need is extreme.

Second. There are so many similar cases that the local community or State is unable to provide all the needed assistance.

Third. A local citizens' committee or some organization similar to the Red Cross recommends the grant.

Fourth. The community or State is willing to contribute a fraction of the grant.

I believe there is a need for direct aid or outright grants and that, in addition to whatever safeguards we may establish, we are also going to be compelled to rely on the discretion, judgment, and honesty of those who will administer the program.

Of course in any such program the danger of abuse is great, but the need is even greater, in my opinion.

If the hearings established anything conclusively, it is the utter lack of any planned course of action on the part of the Federal Government in disasters of this magnitude. The testimony repeatedly emphasized the need for speed in getting a program into high gear. Yet those who have the responsibility for rehabilitation of the striken area are virtually helpless in their attempts to outline an effective program when it is not known how far, if at all, the Congress is willing to go in granting assistance. Certainly it should not be left to the last minute decision of an Appropriations Subcommittee that has not had either sufficient time or authorization to decide a matter of such tremendous scope and far-reaching implications. This disaster has caught us unprepared but that must never happen again. Let us at least benefit by our knowledge that we must decide how far we want to go in such disasters.

The Congress should immediately undertake a full-scale investigation of the entire matter of major disasters. The proper legislative committee should hold long and complete hearings, an over-all policy should be formulated, the Nation should scrutinize it, and then the Congress should by legislation specify just how far the Federal Government will go in assisting disaster victims. Let no one criticize any program or lack of program until the Congress itself has met its own responsibility of providing the framework for a program.

In any large scale disaster there are certain criteria that may determine whether or not Federal assistance should be forthcoming. One or more of the following stages or situations may exist after any disaster. Let the proper legislative committee examine them—and others—and then draw the line at that point where Federal aid should be advanced, whether by loan or grants or any other method.

After any disaster there may be one or more of the following situations where the question is, Shall Federal assistance be given if?—

First. Immediate emergency aid is essential: This would include rescue of victims; medical aid to prevent disease; providing food, clothing, shelter, and so forth, to prevent starvation and exposure; and other emergency measures connected with "drying off" the victims of a flood.

Second. The war effort is seriously impeded and it is imperative to restore as quickly as possible the status quo before the disaster.

Third. The war effort is not seriously impeded—or there is no war effort, in time of peace—but local or State help alone is not sufficient to enable the community to "dig itself out" and resume its place in the domestic economy of the Nation. This is a situation where it affects the community as a whole and directly.

Fourth. The individual cannot be rehabilitated or resume his former productive status without assistance and he is unable to obtain sufficient local or State assistance because there are too many other individuals in the same classification. This category is one affecting individuals directly but not the community as a whole.

Fifth. There is nothing to justify assistance except sympathy: This is the "compassionate case" where there may be no productive capacity or any basis for help other than the Golden Rule.

Sixth. Indemnification for losses is asked, even though there is no need of help for rehabilitation purposes. Here the individual has suffered loss of personal possessions, and so forth, and asks the Federal Government to reimburse him. This looks to the past, for the most part, and is not primarily concerned with the present or the future.

Seventh. Assistance is probably necessary to protect the individual against future disasters: This preventive category looks to the future, for the most part. However, it may also play a role in the present—for example, on the question of whether or not an industry is going to leave a certain area if there be no insurance or other guarantee against future loss.

There probably are many other phases or situations or criteria. I have merely suggested a few to indicate the scope of the question. Where the line is to be drawn is something for the Congress to decide only after long and careful study.

For the purposes of the case now before us for attention, I think I am safe in saying that the evidence very clearly indicates that most of the help requested falls within criteria first, second, and third. I believe that the Congress is willing to advance Federal aid when at least such justification exists.

We cannot now tell where exhaustive study will indicate the line should be drawn; however, it seems to me that in any event it will not be drawn to exclude criteria first, second, and third.

We must be very careful not to establish a precedent that will return to haunt the Congress or bankrupt the Treasury. In full recognition of the need for such caution, it nevertheless seems that Federal assistance must be given in any case where failure to aid will seriously impede the war effort. What other decision can be made if the choice is between establishing a precedent or risking the security of the Nation?

Not quite so clear a case is the situation where the war effort is not impeded but only the peacetime economy of the Nation is damaged by the inability of a community to "dig itself out" with just local or State help. But will not any Congress in all probability be willing to help in such a situation?

The danger of establishing a precedent under such conditions is more demote than the danger of failing to act. Perhaps we are willing to go even further but it is not necessary in the case at hand. The most we need to say to justify assistance here is: The Federal Government will give aid and where failure to act seriously impedes the war effort, or hurts the Nation's domestic economy, and State help alone is not sufficient to remedy the condition. Is that a dangerous precedent?

Let me mention one other point briefly: The Treasury Department says it will lose about $250,000,000 in income tax receipts from that area this year because of the loss of income from business. Granted that at least part of that will be "made up" elsewhere, the fact still remains that, if rehabilitated, the area probably will pour back into the Treasury in taxes at least every cent that is poured into it now.

This report should not be concluded without stating that the evidence also clearly indicates that governmental departments and agencies that have sought to help the stricken area have done an outstanding and, in fact, a remarkable job up to the present time. Tribune should also be paid to the people of the

States, the Armed Forces, the Red Cross and similar agencies, and to all who helped in the first stages of the disaster. However, I single out the Federal governmental bodies not because their contribution was greater but only because some or all of such departments and agencies will be concerned in administering the proposed program. The Congress may want to know their record and experience. I think I am safe in saying that the evidence indicates clearly that the governmental departments and agencies have performed an extremely fine and creditable work in the disaster area.

Lastly, if the situation is even half as serious as the chief witness for the Government contended in his testimony, then Congress must act first and talk about it later.

Mr. CLEVENGER. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Chairman, a flood which devastates an area is different, perhaps, from any other catastrophe that occurs. It is different because a man sitting in his farmyard or in his home or standing in his place of business finds himself faced with the futility of ever being able to do anything about the situation.

After the flood has passed away and the muck and the mire have covered his home, his business, or his farm or scoured hundreds of acres so that there is not a living creature or crop left thereon, he looks at the sky again and wonders whether it will occur exactly in the same place, in exactly the same situation, tomorrow. He wonders if it will occur again next month or next year.

Man has attempted to devise certain things which will prevent floods but they will not prevent disaster from occurring even though all of the man-made programs and plans are finally put into effect. Floods will still continue. We have hurricanes, we have earthquakes, and we have fires. But none of them compare with floods because, though you may be able to indemnify yourself by insurance against these other catastrophes, you cannot indemnify yourself against floods. It is said lightning never strikes twice—but floods strike the same area year after year. Fires, droughts, earthquakes, are almost never repeated, but floods are always recurring in the same areas.

So, Mr. Chairman, we have a precedent here which can be considered by this Congress. This Congress has enacted appropriation measures amounting to billions of dollars for the control of floods, so the problem of floods has been considered heretofore by the Congress as a national problem, one with which the Federal Government should deal.

In the passage of time and with the limitations of appropriations it is not possible for the Congress immediately to put into effect all the flood control projects necessary. We must pick and choose among certain areas. But we recognize the responsibility. Now we choose a certain area in which we put a flood-control project. Therefore, we leave another area unprotected. That other area, unprotected, deserves the consideration of this Congress.

Therefore, Mr. Chairman, it is my judgment that we here owe a responsibility and a duty to the people who have suffered this great loss to see to it that they are rehabilitated. It is not, Mr. Chairman, because it is charity, but because it is a national problem, a national problem involving the economic security of this Nation. Congress has that responsibility.

The President has declared that this flood was a major national catastrophe. That is true, and it is our job to see to it that the people are given this help because it will benefit the Nation as a whole.

Mr. Chairman, billions of dollars have been sent by the Congress and by the Government to foreign countries to aid stricken areas. We have appropriated direct grants to foreign countries for flood relief. In view of this precedent, Mr. Chairman, how can we deny aid to our own stricken people?

The bill offered by the committee merely extends further borrowing powers. These people, this area, cannot be rehabilitated by crushing, burdensome debts, no matter how liberal are the terms. What they need is assistance through grants, and they need it now.

Mr. CLEVENGER. Mr. Chairman, I yield 5 minutes to a member of the committee, the gentleman from Oklahoma [Mr. SCHWABE].

Mr. SCHWABE. Mr. Chairman, I want to take this opportunity to express my sincere appreciation to this worthy committee for the most commendable job they have done under the greatest difficulty and handicap. It is always difficult to go against sympathy or the sympathy racket that can be engendered as a result of a great catastrophe. It takes men of fiber—men of the type who are on this committee to stand up against the persuasions that are prompted to influence them. I want to agree with the chairman that if anything is wrong with this bill it is that the committee leaned backward to be considerate, tolerant, and merciful to suffering humanity. That is the only error they made so far as I can see.

Mr. Chairman, I say that because I represent perhaps the second most hard-hit district of any Member of Congress, the northeastern district of Oklahoma, Congressional District 1. We suffered tremendously from the floods that came out of southeastern Kansas. The streams do not rise in my district, but they rise in Kansas, and as the gentleman from Missouri [Mr. CANNON] said awhile ago, the water was dumped upon us from another State, but that does not relieve us from a liability and a responsibility here. In my humble opinion, if we had taken the precaution in the past that should have been taken, we would not have had any floods in Oklahoma that were so devastating as these were. Year after year, almost annually, we suffer from severe floods on what we call the Grand River, which is the projection of the Neosho River after it leaves Kansas and comes across the line into Oklahoma. And we suffer floods on the Verdigris River, which with its tributaries rise in Kansas, and the Verdigris flows down through my district, near Nowata and Claremore, and through that part of the country, and from the Caney River, which comes out of Kansas. We have suffered year after year because we have not had flood prevention at the sources of those rivers, where they rise in Kansas. The dams that have been authorized by Congress, and approved by the Army engineers, to be located in Kansas, have not been built, except in one instance. If they had been built, we would not have suffered, as we have, such disastrous results in Miami or near Claremore or Nowata this year. But I suggest to you that this approach through the recognized agencies of Government, which have been doing a good job down there, is the proper approach rather than the direct or indemnity relief program which was suggested. The insurance program is not practical. These programs suggest unchartered courses, as the gentleman from Missouri [Mr. CANNON], chairman of the Committee on Appropriations, and the gentleman from Arkansas [Mr. NORRELL], chairman of the subcommittee, have suggested, and such a proposal should come from the legislative committees, if they are to be considered by this Congress. This committee has done all that a Committee on Appropriations is warranted or justified in doing. In my district hundreds of people have suffered severe losses, all they had, as the gentleman from Kansas [Mr. SCRIVNER] says. It is just as bad as it is for the people of his district, except that they are not so many in number. That is the only difference. It is a difference in magnitude and numerical strength, rather than in principle.

I have had very few letters from the people in my district. Those that I have received have said: "You know we have had these floods before. We know how to take care of ourselves. We still have that western spirit which will give us the urge to go forward and to do as we have in the past, and not come to Uncle Sam every time we have a devastating flood. We are not going to do it in this instance."

Notice in the report we received only $225,000, and we are not complaining.

Mr. NORRELL. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. BOLLING].

Mr. BOLLING. Mr. Chairman, the members of the subcommittee and the full Committee on Appropriations have recommended to the House legislation which, according to my understanding, represents the most generous treatment of any flood disaster in the history of the United States. I know that they labored hard and conscientiously on this piece of legislation. I disagree flatly with their conclusions. Their recommendations contained in this resolution are not good enough. This program of loans, although the most generous in our history, is not adequate to do the job at hand.

Something has been said of other floods and of precedent. This flood is so completely unprecedented that no other flood can be compared with it. In other floods individual human beings

have been hurt as badly but in no other flood have so many been hurt to so great an extent.

I believe as I believed on the 1st of August, when I first introduced a bill providing for indemnification, as did the junior Senator from Missouri [Mr. HENNINGS], that in order to get this area back on its feet we must have an indemnification program. I believe that we must have flood insurance. All other natural disasters, fire, windstorm, and hailstorm are covered by private insurance, everything except floods. Floods fall in the class of war-risk insurance. No private insurance company is capable, at a reasonable premium rate, of handling flood insurance in the area affected. It seems to me that if we are going to use the natural resources and the industrial capacity that we now have, we must take some action to protect the individuals in those areas through a system of reinsurance.

I remain convinced today, as I was on the 21st of July, when I walked and drove through and flew over these areas, that we must have the things proposed in my bill, H. R. 5022, which I introduced on August 1 and all those things contained in the President's proposal of August 20 and in my bill H. R. 5259 of the same date.

The CHAIRMAN. The gentleman from Missouri has consumed 3 minutes.

Mr. BAKEWELL. 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 Missouri?

There was no objection.

Mr. BAKEWELL. Mr. Chairman, I rise to add my voice to those who have said that they will support House Joint Resolution 341. I believe, as does my colleague, the gentleman from Kansas [Mr. SCRIVNER], that this bill is inadequate. The Government of the United States is not an insurer against personal loss. But, Mr. Chairman, where thousands of our fellow Americans are deprived of their property, their homes, and their means of livelihood as a result of an act of God and through no fault of their own, we should properly concern ourselves.

We have been most generous in giving aid to the peoples of Europe and of Asia and of Africa. By and large, I think that program has been wise but, Mr. Chairman, I could not in good conscience ever again vote $1 for foreign aid if we fail at this time to take care of our countrymen in their hour of need.

This bill provides for loans. I do not think we should pass this legislation as loans if at some future time we intend to cancel, reduce, or otherwise alter the agreement to repay. That sort of procedure makes the Government appear to be two-faced. It is the type of approach that is unrealistic. I believe, as does my colleague from Kansas and my colleagues from the flood-devastated sections of Missouri, that there should be limited direct assistance to the flood victims.

Mr. Chairman, residents have sent me photographs of their farms taken before and after the recent floods. In one photograph you see a thriving farm, a fine two-story house, an imposing barn, a silo, and a substantial tool shed. In the other photograph not one of the buildings is standing. Some have been completely swept away, torn from the ground and irretrievably lost. Other buildings have crumpled or are twisted, torn, misshapen humps of rubble, useless for any purpose save salvage of material. Not only has the farmer in question lost his physical assets, but also his crops, his livestock, and his machinery have been destroyed. In truth, his very means of sustenance have been taken from him. He has been deprived of the ability to feed his family and to earn his daily bread. He has no alternative but to go and seek employment where it is available either as a farmhand in some nondevastated area or as a laborer in industry. For this man and all like him, Mr. Chairman, I say that we should in good conscience provide an outright grant of assistance. If the law is properly drawn, wisely and honestly administered, none of this money will miscarry in the channels where it does not belong. If properly handled, none of this money will go to undeserving chiselers.

Mr. Chairman, I believe that this bill is inadequate, but as amendments proposed providing for direct grants have been defeated, I have no alternative but to support the bill in its present form. Again I say that we cannot in good conscience refuse to come to the aid and assistance of our fellow countrymen while at the same time we pour billions of dollars into foreign relief.

Mr. CLEVENGER. Mr. Chairman, I yield the remainder of the time on this side to the gentleman from New Hampshire [Mr. COTTON].

Mr. COTTON. Mr. Chairman, may I inquire how much time the gentleman from Arkansas has remaining?

The CHAIRMAN. Four minutes.

Mr. COTTON. I thank the Chairman. I should like to be notified when I have consumed 4 minutes because I wish to yield a minute to the gentleman from Mississippi [Mr. WHITTEN] in order that he may have a full 5 minutes to conclude for the committee.

Mr. Chairman, I want to take this time to make sure that the RECORD is straight as to who is actually helping those in the flood area who need help so much.

Between the time that the President of the United States sent his message to the Congress in August, and the time that those who were charged with the administration of flood relief came before your subcommittee, there was a complete change of policy on the part of those administering relief. That is brought out on pages 111 and 112 of the hearings. On that page we were inquiring from Colonel Howse, who was designated by Mr. Wilson, who was in turn designated by the President to have charge of the administration of this program. Interrogating Mr. Howse we referred to the President's message in which the President made his appeal for this program on two grounds: The first, humanitarian; and the second, to restore production in this area for the war effort. So we asked Colonel Howse if those two principles were to be followed in the administering of these indemnities. Remember, they were asking $190,000,000 for direct indemnification. Mr. Howse replied on page 111:

> Mr. COTTON, I would say to you that the second principle is not present in this presentation at all insofar as we are concerned.

When he said "second principle" he meant the humanitarian principle.

I then called to his attention the fact that the President of the United States named that as the first reason; that the man who had nothing but his job, who had lost the shirt from his back, all his household furniture from his rented home, needed help. Colonel Howse replied:

> Mr. HOWSE. Mr. COTTON, I would say to you, at the risk of being repetitious—and I say this very respectfully—this is an emergency program insofar as we are concerned. Of necessity, the program is developed as we progress.
>
> Now, the President's message went to the Congress on the 20th of August, if I recall correctly. This is nearly a month later, and during that period of time we have learned by some experience in the area, and we have had a chance to develop our own thinking in this respect, and we have eliminated—and I do not want to seem to be in the position of second-guessing the President by any means—but we have eliminated from our thinking the items that I mentioned yesterday and this morning: the receivables, the inventory, the crops, the livestock, the household goods, the personal possessions, and in that elimination my personal view is that we have pretty well eliminated the humanitarian point of view also.

So if your committee had recommended giving to these gentlemen $190,000,000 for direct indemnity and thus open the floodgates so that every time in the future when we have a flood or windstorm in this country every man on this floor would be besieged by his constituents to get him a cash indemnification from the Treasury—if we had given it to them it would not have gone to the poor fellow who needed it most, but would have gone to the plants and the industries to restore production. That should be borne in mind, and your committee I think in resorting to every means that we have legally at our disposal in the way of loans and direct relief went farther and did more for the flood-stricken areas than these gentlemen representing the President proposed to do.

Mr. Chairman, I yield the remainder of my time to the gentleman from Mississippi [Mr. WHITTEN].

Mr. NORRELL. Mr. Chairman, I yield the balance of my time to the gentleman from Mississippi [Mr. WHITTEN].

The CHAIRMAN. The gentleman from Arkansas yields 4 minutes to the gentleman from Mississippi and the gentleman from New Hampshire yields one-half minute to the gentleman from Mississippi.

The gentleman from Mississippi is recognized for 4½ minutes.

Mr. WHITTEN. Mr. Chairman, in public service we frequently are called on to do most unpleasant tasks. I believe that in the 20 years I have been in public office this is the hardest job I have been called on to perform. That is, in the face of tragedy and disaster to

stand firm for the orderly processes of Government and to do those things which we can do in law. Your committee appreciated the tremendous disaster that has occurred. The committee has done everything that it can do under the laws of the United States of America—everything.

Under the Disaster Loan Act when this disaster occurred 61 Federal agencies and bureaus were in there to save human lives, to prevent human suffering, to coordinate and do the thousand and one things that might help and to prevent it from being any worse than it was. They did this without regard to where the money was going to come from, they took it from their regular appropriations. They did that and the testimony shows that they did a fine job. The Congress appropriated $25,000,000 which was added to that to do everything to alleviate and relieve and prevent and to reestablish the people and the area on a temporary basis so that we could take stock and set out to bring about a restoration on a permanent basis. That has been done. But this committee, perchance, being afraid that in the over-all, in some of the towns and cities there might be some things that are of an emergency nature that must be done, has added an additional five million. For this disaster the Congress has given approximately three times as much in that way as has ever been given in any disaster in the Nation's history for this immediate relief.

In addition to that, this committee has provided in this bill all that it is authorized to do under the law. It has raised the loan authorization to the Farmers' Home Administration, which means a man who has lost his home or has suffered damage to his farm can go in and on his own signature, even if he has no security, borrow 100 percent of what it takes to get reestablished. We have raised the loan authorization of the RFC so that it can make 100-percent loans, even if the individual has no security, in order to get the people reestablished. We have raised the limits on the amount of loans which the Federal Housing Administration can insure residential buildings so that they can make available homes for the man who had a home and an apartment for the man who rented an apartment, and make it possible for him to go ahead.

If the FHA should not fully meet the needs of housing, and there is no reason it should not, the RFC can step in. If the Farmers Home Administration fails to fully meet the needs for the farmers, the RFC can take it up. So to the extent that we can we met the important, direct problem here, when the flood was going on. In this bill we have provided for restoration to the fullest extent that there is any authority for the committee to do.

Now there was another program that was asked of us. I would like to say first that every witness agreed that if your desire was to restore and to reestablish the area, it could come nearer being done by the lending of money where you could control its use and see that it went to restoration as against giving an indemnity check which could be used to move to California or to some other State. I opposed the British loan on the basis of even on a loan basis, providing the money to spend as they liked and wherever they liked. I thought we should only have provided credit so we could control the use and see to it that they resulted in real restoration. But insofar as restoration is concerned in the area of this disaster the witnesses said that they could bring about restoration better if they controlled the use of the money that is made available which can be done under the loan program here provided.

The official request before this committee, however, was for indemnification. We were asked to provide a blank check to the administrator; for him to go into the area and give everybody 80 percent of up to $20,000 that they had lost. Under the proposal, it made no difference if the individual had a billion dollars left or if that was all he had. Of course, we wish that were possible but there is a grave question as to the wisdom of the Government embarking on such a policy, and if it were wise there is presently no legislative authority to do it. As I have said, we have no authority to do it. If you give indemnification to one, you have to do it through a general act, and then each individual in the Nation who suffers such loss would be just as much entitled to indemnification as an individual here. There would be no limit and in my judgment there is no way to provide enough money for such a general policy. Certainly I know there should be thorough study of any such program before it is begun. In the meantime, we do provide here the funds; we provide them through the regular agencies where they can see that the funds are used for restoration of the area.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Resolved, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1952, the following sums:

Mr. BOLLING. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. BOLLING: Strike out all after the resolving clause and insert in lieu thereof the following: "That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for expenses necessary to enable the President, through such agencies of the Government (including new agencies which the President is hereby authorized to create) as he may direct, and under such regulations as he may approve, to provide for and to take such measures as he may deem necessary for relief and rehabilitation in the areas declared by the President during July and August 1951, to be disaster areas because of floods, including (a) partial indemnification for physical loss of, or damage to, such tangible real or personal property as may be deemed administratively feasible, but such indemnification (1) shall not exceed $20,000 for all claims of any one person and shall in no case exceed 80 percent of an amount equal to the cost of replacing, rehabilitating, repairing, or reconstructing such property (less depreciation), (2) may be required to be contingent upon financial participation of State and/or local governments and compromise of creditors' claims (including claims of Federal agencies which are hereby authorized to be compromised without consideration), and (3) shall be adjusted on account of any assistance, compensation, insurance, or other reimbursement received or due on account of such loss or damage; (b) loans to State and local governments, on such terms and conditions as may be deemed necessary, to enable financial participation by such governments in the indemnification program authorized herein; (c) direct loans, or the guaranteeing of loans made by any public or private financing institution, upon such terms and conditions as may be deemed necessary, for rehabilitation of houses, farms, and private businesses; (d) conservation and land restoration measures; (e) personal services, without regard to the civil-service laws; (f) hire of passenger motor vehicles and aircraft; (g) advance of funds under section 11 of the act of August 2, 1946 (41 U. S. C. 529); (h) expenses of attendance at meetings concerned with the purposes of this appropriation; and (i) services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); $400,000,000 to remain available until June 30, 1952: *Provided*, That prior to the payment of any indemnity, or the granting or guaranteeing of any loan under this act, the recipient thereof, or the cognizant State or local government, may be required to provide reasonable assurance of the relocation, reconstruction, replacement, rehabilitation, or repair of the damaged property so as to provide reasonable protection against the recurrence of flood loss or damage to such property, or the indiscriminate redevelopment thereof, and for these purposes there may be acquired by purchase, donation, other means of transfer, or condemnation, and without regard to section 355 of the Revised Statutes (40 U. S. C. 255), land which is subject to recurrent flooding, and such land may be utilized or disposed of in such a manner as to reduce the likelihood of further serious flood damage: *Provided further*, That any indemnification made pursuant to the provisions of this appropriation shall be final and conclusive for all purposes: *Provided further*, That the authority conferred by this appropriation and the funds provided herein shall be supplementary to, and not in substitution for, nor in limitation of, any other authority conferred or funds provided under any other law: *And provided further*, That the functions and duties exercised under this act shall be excluded from the operation of the Administrative Procedures Act (60 Stat. 237), except as to the requirements of section 3 thereof.

"FLOOD INSURANCE REVOLVING FUND

"SEC. 2. There is hereby created the 'Flood insurance revolving fund,' which shall be available, without fiscal year limitation, for all expenses necessary for the establishment and operation of a Federal flood insurance program to provide insurance and reinsurance (when not otherwise available at reasonable rates and upon reasonable conditions from private sources) against damage to, or loss of, private property (including that owned by State or local governments) from floods occurring within the United States or its Territories, including expenses of attendance at meetings concerned with the purposes of said funds; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); advance of funds under section 11 of said act of August 2, 1946 (31 U. S. C. 529); and purchase and hire of passenger motor vehicles. Said program shall be administered by such agency of the Government (including new agencies which the President is hereby authorized to create) as the President may direct, and shall be operated under such

regulations as he may approve. For the foregoing purposes, there may be transferred to said fund, from the appropriation for 'Rehabilitation of midwestern flood-stricken area,' such amounts as the President shall determine to be necessary which shall remain available without regard to the limits of disaster areas. In addition, said fund shall be credited with all net receipts from insurance premiums, salvage, or other recoveries from insurance activities thereunder, and there are authorized to be appropriated such additional amounts as may be required: *Provided,* That any insurance or reinsurance issued under said fund shall be based, insofar as practicable, upon consideration of the risk involved, and said program shall utilize to the maximum extent possible the facilities of private insurance companies: *Provided further,* That reinsurance shall not be provided under said fund at rates less than, nor obtained under said fund at rates more than, the rates established by the Government on the same or similar risks or the rates charged by the insurance carrier for the insurance so reinsured, whichever is most advantageous to the Government, except that there may be made to the insurance carrier such allowances for expenses on account of the cost of services rendered or facilities furnished as may be deemed reasonably to accord with good business practice, but such allowance to the carrier shall not provide for any payment by the carrier on account of solicitation for or stimulation of insurance business: *And provided further,* That such program of insurance shall be so administered as not to serve as an inducement for indiscriminate investments in facilities in areas which are subject to recurring floods."

Mr. NORRELL. Mr. Chairman, I desire to make a point of order against the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. BOLLING. Mr. Chairman, will the gentleman withhold that for a moment?

Mr. NORRELL. If I may do so without waiving any of my parliamentary rights, I will be glad to do so.

The CHAIRMAN. The gentleman from Arkansas reserves a point of order against the amendment.

The gentleman from Missouri is recognized for 5 minutes.

Mr. BOLLING. I thank the gentleman from Arkansas for his courtesy in reserving the point of order.

Mr. Chairman, this amendment in the nature of a substitute is the bill I introduced immediately after the receipt of the President's proposal. It contains, as you have noted, a provision for indemnification, a provision for guaranteed and insured loans, and a provision for flood insurance.

I had hoped that no point of order would be raised against this so that the House as a whole could act on the merits of the case as a whole. It is clear that the subcommittee and the full Committee on Appropriations found against that case. The reason given is that it contains legislation on an appropriation bill. That, also, is the point of order. My experience in the House is shorter than that of many Members. However, it is more than sufficient to know that this is only an evasion of the issue. There have been innumerable cases of legislation on appropriation bills during the past 3 years. The Appropriations Committee can and does do what it pleases in that regard. It could have—it should have—faced this issue squarely and not hidden behind an excuse.

As I have said earlier, I respect good faith of every member of the subcommittee and the full committee. I believe, however, that they approach this problem looking to the past, not to the present or to the future. This flood—the great flood—is the greatest natural disaster in the history of the United States. It is a completely unprecedented flood. It has injured our defense production. More important to me, it has injured the lives of thousands and thousands of human beings.

The first bill I introduced on this subject was designed, and is now designed, to take care of people. I am concerned about the defense production of the United States because in the long run our survival as a nation depends on that, but I am primarily concerned about the human beings then affected and now affected, and, if all they get is loans, who will be affected for generations, by the failure of Congress to look forward. The future, not the past, is our concern.

I think it very clear that loans piled on top of debts will not do the job. As I said, I appreciate the generosity of the committee in going further than the Congress has ever gone in such a situation. I reiterate that I do not think that is enough from a humanitarian point of view or from a national defense point of view.

It is said that we cannot set the precedent of indemnification. It is said that we cannot have flood insurance because it is impractical. It is said that the proposal should have gone to a legislative committee and not to the Appropriations Committee.

Having already pointed out that there are innumerable examples of the Appropriations Committee's recommending and securing the passage of appropriations bills which contained legislation, which established new policies, let me point out why the Appropriations Committee was the right place for the proposal to go. There is urgent necessity for the fastest congressional action possible. It is obvious that one-committee action is faster than two. It is obvious that the likelihood of the Congress adjourning without any action at all would be greater if authorizing legislation were first considered by a legislative committee of the House, then by the House as a whole, then by a legislative committee of the Senate, then by the Senate as a whole, then by a joint committee of conference, then once more by each body and then the whole laborious process repeated to obtain the appropriations authorized in the first place.

In this matter there was and is an urgent necessity for speed of action. There can be no evasion of the issue. The oft-repeated excuse is not sound. The Appropriations Committee and the House cannot duck the fact that they are deciding the questions of indemnification and flood insurance when they pass on House Joint Resolution 341.

Now, what of partial indemnification? Unprecedented disaster requires unprecedented measures. There have been many terrible floods, many terrible fires, many terrible windstorms. There has never been a flood or other natural disaster in our Nation's history as great as the Kansas-Missouri flood of 1951. The great flood affected not only thousands of individuals but hundreds of towns and cities, disrupted the communications of great parts of whole States. The great flood has had an enormous impact on our Nation's defense mobilization effort. The great flood may have seriously damaged the world's food supply. The great flood is the greatest of all our natural disasters.

In the past the capacities of individuals, cities, counties, States, and national organizations, such as the American Red Cross and the Salvation Army, have been sufficient to restore individuals and areas to economic and social health. They are not sufficient to do that job today. I came to this conclusion in late July after personally viewing the aftermath of disaster, not only from the perspective of an airplane but also from the ground where on foot and by car I saw and smelled and heard what the uncontrolled waters had done to business and industry and always to people. Nothing that has happened since has changed my judgment. More recent events have only strengthened my conviction that a program of Federal grants-in-aid is essential if this great food and industrial production area is to be restored to its full capacity to produce in behalf of freedom.

Unprecedented, yes, although we can point to the similar program of the Philippine War Damage Commission; unprecedented, yes, but so was this flood and so in its times was the Constitution of the United States. This area represents an important part of the strength of the United States, of the free world. We have broken many precedents in recent years to strengthen the free world.

Surely the precedent is not the point. Getting the job done is the point—getting the job done for our own people in our own country.

Let us examine flood insurance. Private insurance companies find themselves unable to adequately spread the risk so that their premiums will not be prohibitive for flood insurance in areas like the area recently stricken. Can we as a nation afford to let any part of those areas be abandoned, those areas which produce so much of agricultural and industrial goods, at a time when we are mobilizing all our resources in defense of our freedom? I think not. I think we must face up realistically to this problem. Some system of Federal flood insurance, probable reinsurance, is essential if we are to use all our valuable human and material resources in these difficult and dangerous times.

Mr. Chairman, I hope that the point of order will not be pressed. I urge that we get this job done now, that the House of Representatives approve the substitute amendment which I now offer—the substitute which appropriates $400,000,000 and provides for partial indemnification, generous loans, and flood insurance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITTEN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The gentlemen may proceed.

Mr. WHITTEN. Mr. Chairman, the amendment offered by the gentleman from Missouri provides for indemnification and would provide for the creation of an insurance company to insure against future floods. Indemnification means that the Government could, and would, go out and pay in any place in the United States, losses sustained by floods; how about fire, lightning, frost with citrus, and so forth. An individual in any area of the United States who lost his home, or lost everything he had, would be suffering the same damage as an individual might suffer who happened to be the victim of a disaster where many people were involved. So far as insurance is concerned, you cannot set up an insurance company just by passing a law. You must provide funds with which to pay the claims. The testimony before our committee showed that the loss in the Missouri Valley alone was greater than the net value of all the insurance companies that handle property insurance was less than that. There is no conceivable way of raising money with which to provide the backing for such an insurance company. We tried it with crop insurance, and it failed, because only those in high-risk areas were interested. We have that on an experimental basis now, but to start out to indemnify an individual for his losses was recognized by the people of those two States as being fraught with danger because the constitutions of those two States prohibit the issuance of State checks to individuals on this kind of basis. The intent here is good and goodness knows we wish to help. But this would create a dangerous precedent. In the South during the reconstruction days we had legislative bodies who assumed this power. They issued checks to their friends and even to themselves. That is not what Colonel Howse intends in this area, but how about the future? Colonel Howse wants to go there with the checks and to give them to the people for what they have lost. But the next Congress might be confronted with a different situation, and it might be done on a different basis. I do not care who you send out there, but on this basis, presented to this committee, you would have him given the sole discretion of deciding to whom he would give the checks. I say that is a dangerous course for the Government to start on regardless of how bad and how serious the present situation may be. Now this amendment does not intend to go quite that far but that is what the proponents for this course of action told our committee it would provide for.

Therefore, Mr. Chairman, the pending amendment is clearly legislation offered to an appropriation bill. Not only that but it is not germane and would provide what constitutes a complete departure from the existing principles of government.

If the time has come to embark on any such program as that, you should not ask the subcommittee of the Committee on Appropriations to bring in this proposal when the very witnesses before us said, "We do not have any plan, we do not know what we want to do. We talked to one man about this insurance program, but he has not yet made his report and at this time we would not wish to use his name."

Colonel Howse, who attempted to justify the request for the $50,000,000 for insurance, said, "We have talked to one insurance expert, but he has not given us a report, and I am not at liberty to give you his name." This amendment would set up such an insurance company on that kind of showing. In effect it would provide for indemnification for past losses and through this insurance approach for indemnification for future losses—all with payments out of the Federal Treasury. It is clearly different from anything known under our present law, and goes far beyond the authority of this committee, and certainly is not pertinent to anything in the bill which we are now considering.

Mr. NORRELL. Mr. Chairman, I make the point of order against the amendment because it is not germane to House Joint Resolution 341, which is now before the Committee. It sets up legislation, a rather extensive program of indemnifying flood-control insurance; and there is not anything, not one paragraph or one sentence or one word in the pending resolution on either one of those subjects.

The CHAIRMAN (Mr. COLMER). The Chair is ready to rule.

The amendment which is offered in the nature of a substitute authorizes the President to create new agencies of Government, and to approve regulations for their operations, and it authorizes the payment of indemnities for damage to private property. The amendment also would create a new program of Federal flood-damage insurance and provide for its administration.

While it appears that the general purposes of the amendment to assist flood-stricken areas is somewhat similar to the general purposes of the resolution, such similarity does not constitute germaneness under the many precedents of the House.

The amendment introduces propositions and subjects entirely different from, beyond the scope of, unrelated to, and new to the pending joint resolution. Therefore the amendment is not germane to the resolution, and the point of order is sustained.

Mr. MORRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, while I recognize the parliamentary situation, I would not want the impression to prevail in the Committee at this time that there is not some other method whereby we may approach properly and legally the problem that is presented by this amendment that has just been held to be out of order.

Certainly a sovereign—and of course our Government is a sovereign—has the inherent right to defend, protect, and save itself; of course we can imagine a tragedy being even greater than this tragedy that has brought about this proposed legislation; and our Government, as a sovereign, has the right, in my judgment, to make grants and to make loans which it may find necessary to protect and save itself or some portion of itself. When the matter is properly presented before some legislative committee, certainly it would be proper for us to consider that legislation, and it would be in due order.

In addition to that, I call your attention to the interstate commerce section of our Constitution. Most, if not all, of the streams that are so devastating are either main streams that flow across State boundaries or are tributaries of main streams that flow across State boundaries. Certainly, under the interstate commerce clause of our Constitution, we would have the legal right to make reasonable grants to people who have lost their all in such a disaster as this. Also we would have a right to make loans that are so reasonable that people could effectively rehabilitate themselves and pay the money back over a long period of years. Most certainly, if there ever was a situation in our great country that demands our action along that line, I believe it is that growing out of these flood disasters.

As we all know, we have spent billions of dollars in foreign countries for similar matters. Surely we ought to be liberal with our own people along that line. A man works hard during his life and saves up a little nest egg and has that wiped out overnight by conditions over which he has and can have no control, and then to say that a benevolent government, a strong, powerful government like ours should not come to his rescue is to say that government has failed, to some extent, in my opinion. I think if we are to do justice and equity to these people, we must recognize the tragedy that is theirs, and we must do something in addition to that proposed in this resolution, along that line.

In my concluding remarks I want to compliment this great subcommittee and this great Committee on Appropriations for doing this much. Although I do not believe this is nearly enough, I want to say, God bless you for giving us at least this much. You have felt that under your jurisdiction and under your prerogatives this is about all you could do at this time.

I respect your opinions and your views, but I say that there are other parliamentary procedures that we can and should take to do more than this. I do want you to know, however, that I express from the depths of my heart my appreciation and thanks for what you have done.

Mr. JENSEN. Mr. Chairman, I rise in opposition to the pro forma amendment to make an inquiry of the committee, the gentleman from Arkansas [Mr. NORRELL], who is handling this bill. I note beginning on the first page of the bill under the heading "Department of Agriculture":

Conservation and use of agricultural land resources: For an additional amount, $16,480,000, including the furnishing of services, materials, and payments for conservation and land restoration measures, to enable the Secretary to carry out flood assistance and rehabilitation in agricultural areas, damaged

by excessive rains, runoff, and floodwaters, designated by the Secretary of Agriculture as—

And so forth. My question is: Is the language in this bill broad enough to include the disastrous flood condition that has existed for years, and still exists along the Missouri River from Sioux City to Kansas City, where thousands upon thousands, if not hundreds of thousands, of acres of land have been flooded, much of which is yet inundated and almost all of which is out of production for this year and will be next year unless something is done to get the flood water off that land and keep it off—is the language in this bill broad enough to include the Missouri River and its tributaries from Sioux City to Kansas City?

Mr. NORRELL. I think I can answer the question adequately for the gentleman, but the gentleman from Mississippi [Mr. WHITTEN] is, as the gentleman from Iowa knows, chairman of the Agriculture subcommittee of the Committee on Appropriations, and with the gentleman's permission I shall yield to the gentleman from Mississippi to answer the question.

Mr. JENSEN. I shall be pleased to hear from the able gentleman from Mississippi.

Mr. WHITTEN. I may say to the gentleman from Iowa that the agricultural items in here are under the regular program of the Department authorized by law; that is true not only here but elsewhere. In the particular instance, this money is provided under the regular law but would be limited to the areas designated by the Secretary as disaster areas under Public Law No. 38. I personally am not familiar with just what that territory is that has been declared to be a disaster area. But if the damage is of such proportion as to meet the requirements of the law the Secretary could add such areas as came in that category and make this fund available for that section; but he would have to first declare it a disaster area under the terms of Public Law No. 38 passed April 6, 1949.

Mr. JENSEN. I am sure he has already done that; most of the counties, if not all of the counties in Iowa from Sioux City to the Missouri State line have been declared a disaster area. The people in those counties are eligible under that declaration for disaster loans; so they must be in the disaster area covered by this bill.

Mr. WHITTEN. That is the only limitation, that these funds are made available to meet the regular agricultural programs due to the disasters in areas declared to be disaster areas under that law. If he has not already done so and if it is actually in such disaster area, it strikes me he could cover it by so declaring.

Mr. JENSEN. I think everyone must admit that the flood conditions which now prevail from Kansas City to Sioux City play a very great part in the disaster that happened farther down the stream. I thank the gentleman from Mississippi [Mr. WHITTEN]. Since the area I have mentioned has been declared a disaster area, or at least those counties which the Secretary of Agriculture has already declared a disaster area, clearly come within the provisions of this bill.

Mr. SCRIVNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SCRIVNER: On page 1, line 6, add a new section entitled "Federal Flood Claims Commission," and the following:

"There is hereby created a Federal Flood Claims Commission, hereinafter referred to as the Commission, to be composed of the Director of Defense Mobilization, the Administrator of the Reconstruction Finance Corporation, and the Administrator of the Housing and Home Finance Agency, to direct and supervise under such regulations as it may adopt, the payment of claims for losses of tangible personal property suffered by individuals whose property was damaged by the floods of July 1951 in areas designated by the President as disaster flood areas; and local Federal flood claim boards in each county in such designated disaster flood areas, to receive and process such claims.

"The said Commission shall have an executive director, who shall be selected by the Commission from an existing Federal agency, and whose duties shall be in addition to those presently exercised by him.

"The President is hereby authorized to request the Governors of States in which disaster flood areas exist to name a Federal flood claims board in each county within the designated disaster flood area of their respective States, to consist of not more than five members, to be selected from each of the two major political parties, said board members to serve as a civic duty and without compensation.

"The Executive Director of the Commission is authorized to requisition from existing agencies, on behalf of the Commission, and to assign, such clerical staffs as may be deemed necessary for both the office of the commission and of the board offices in the several counties.

"No claim shall be considered for a minimum of less than $300, and the maximum allowable to any one claimant shall be $3,000; no claim shall be entertained from individuals found to be eligible to relief under any other of the provisions of this act; and there shall be deducted from the total amount found to be allowable the amount of any cash relief benefits and/or insurance already received by the claimant from any agency, public or private, on account of loss suffered in the July 1951 flood. All claims must be filed with the appropriate local county board, on or before June 30, 1952.

"The local board in each county shall receive and process claims; shall, according to rules and regulations of the Commission, require the admission of proof of loss and of the actual value of property lost, and shall determine the fact and the extent of loss suffered. Upon a finding that a claim is allowable the board shall certify the claim and the amount allowed to the commission, which shall thereupon make immediate payment direct to the claimant.

"The right to claim shall vest only in the person who suffered the loss, or (1) the widow or widower, or (2) if there be no surviving widow or widower, then the surviving children.

"For the implementation of the provisions of this section there is hereby appropriated out of any money in the Treasury of the United States not otherwise appropriated the sum of $100,000,000.

"Any person found guilty of making a false or fraudulent claim, or assisting in the presentation of false or fraudulent claims, shall be deemed guilty of a felony and shall, upon conviction thereof, be fined not to exceed $10,000, or be imprisoned not more than 3 years in a Federal penitentiary, or both.

"No part of any amount allowed under this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with claims hereunder, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. NORRELL. Mr. Chairman, I desire to make a point of order against the amendment just offered.

Mr. SCRIVNER. Mr. Chairman, will the gentleman reserve his point of order?

Mr. NORRELL. I will be glad to, without waiving any parliamentary rights to make the point of order later on.

Mr. SCRIVNER. Mr. Chairman, this amendment which I have proposed does not have some of the objectionable features upon which the Chair ruled a few moments ago. It has no matter of flood insurance; it relates only to this one disastrous flood for which we are called upon to provide funds.

My amendment does provide for direct grants of a minimum of $300 to a maximum of $3,000 to the people in this particular flood area, this particular disaster, who cannot get relief under the other provisions of law as implemented by these appropriations today. In other words, it says in so many words that no claim shall be considered from any individual who is eligible for relief under any of these other provisions. As I said earlier today, loans are not of any help to these workingmen, who have nothing left but his job, if he is lucky, and his family, whether he is young or old, because all that is offered here is a chance to add to an already great burden of debt a still greater burden.

My amendment provides that the heads of the three agencies already existing shall make up a flood commission. The President shall request the Governors to name a board of five members in each one of the affected counties to be made up of members of both political parties to receive the claims and process them without pay. The clerical help is to be provided by already existing agencies. And then the local board is to pass upon these applications for grants. They know these people, they know the situation; they know pretty well whether the man is lying or not. This amendment provides that they shall claim only the actual value of the proporty lost, not the cost of replacement, but the actual value of the property at the time it was lost. If a claimant does put in a fraudulent claim he faces a charge of felony and upon conviction he could be fined not more than $10,000 or imprisonment of not more than 3 years. That Mr. Chairman, is the amendment simply stated.

I set $300 as a minimum because if the loss was not more than $300 in any of these cases, whether a workman or not, whether a widow or not, certainly any loss less than $300 can be absorbed by that person. I fix a maximum of $3,000 because if the loss was greater than $3,000 it is apparent that the person who owned that much is not in the group of

people I am trying to help here by this particular language.

If time permitted, I could show you case after case of these people, many of them just getting a good start, many of them veterans, some of them just completed school, they just got started. All they have now is a big debt, a growing family, with no chance to ever get out from under except by some aid similar to that proposed in this amendment.

Something was said about precedent. Well, precedents have gone by the boards so rapidly in the last 20 years that it is almost laughable to discuss precedent. A precedent exists today that is costing you many, many billions when the total cost is paid. That precedent, the placing of thousands of our troops, in time of peace, in many countries in the world. When did you ever do that before? Never, and nobody complained about shattering precedent then. But here is a small request to help some little people to the tune of $300 up to $3,000, and somebody says, "Yes, but you are establishing a precedent." This flood was a precedent. Never in all the history did you have a flood like it. We had dikes, we had levees that would have taken care of any anticipated flood, any flood that had occurred up to July 13, 1951. Since this flood itself broke precedent and came down in far greater torrents than ever before then, of course, as has been said, it does call for a precedent in legislative action. To be sure that it is not an all-time encompassing proposal I have limited this to the losses sustained in the July 1951 flood in the areas already designated by the President as disaster areas. In order that it will not hang on and on and on, I have provided that all claims must be filed on or before June 30, 1952, so that there is about a 7-month deadline, and if they cannot decide how much they have lost by that time, certainly they have not been hurt very much.

Mr. Chairman, I hope the point of order will be withdrawn so we can provide this needed help now.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. NORRELL. Mr. Chairman, I am willing to further reserve my point of order if I do not waive anything by permitting the gentleman from Mississippi to discuss the amendment. I do not want to do anything that will imperil my parliamentary status at this time.

The CHAIRMAN. It is not the practice of the House to reserve a point of order and then debate another amendment. Does the gentleman desire to press his point of order?

Mr. NORRELL. Yes; I do, Mr. Chairman.

Mr. WHITTEN. Will the gentleman yield to me for the purpose of addressing myself to the point of order?

Mr. NORRELL. If I do not waive any parliamentary rights, I will yield.

The CHAIRMAN. Of course, the Chair will recognize either gentleman, the gentleman from Arkansas or the gentleman from Mississippi, whoever wants to be heard on the point of order.

Mr. NORRELL. I would like to be heard on the point of order, Mr. Chairman.

Mr. WHITTEN. I, too, Mr. Chairman desire to be heard on the point of order.

Mr. NORRELL. Mr. Chairman, I desire to make a point of order and then yield to the gentleman from Mississippi [Mr. WHITTEN] to be heard on the point of order, if that is satisfactory to the Chairman.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. NORRELL. I make the point of order, Mr. Chairman, that the amendment is not germane to the pending House joint resolution; that it sets up a Claims Commission and establishes an indemnification for flood-control damages, and the House joint resolution does not do that. It is not germane to the pending resolution; either the paragraph or the entire resolution. There is nothing in it with reference to that.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on the point of order?

Mr. WHITTEN. I do not care to be heard now, Mr. Chairman.

Mr. NORRELL. Mr. Chairman, I should like to say this in connection with the point of order. The committee appreciates the position of our colleagues the gentlemen from Kansas and Missouri, but there is an orderly procedure. The Committee on Appropriations is not a policy-making committee. The amendment is not germane, and I am compelled to insist on the point of order to that effect.

The CHAIRMAN. The Chair is ready to rule.

The amendment offered by the gentleman from Kansas would set up a new commission. The general purposes of the amendment would be to bring about the payment of indemnities, a matter beyond the scope of the pending bill. Therefore, the point of order against this amendment would have to be sustained, as was the previous one, and largely for the same reason.

The Chair sustains the point of order.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Missouri-Kansas-Oklahoma flood was as great a disaster to the country as would be any adversity on the field of battle. The floods caused great havoc. There is no question but that they held up the defense effort to the extent that millions upon millions of man-hours were lost, and thousands upon thousands of lives which could have been devoted to the defense effort were jeopardized so that they just could not function.

Strangely enough—or not strangely enough either, because the people of my district are generous and charitable and sympathetic to all sections of the country—I have received more mail on this Kansas flood situation than on almost any other subject, right from my own district in the past few weeks. The people are exercised, and they are very much concerned that this disastrous flood which has wrought so much havoc in the Middle West might visit itself on some other sections. Sooner or later, the people on the Susquehanna and Chenango Rivers in the Northeast will have to face the same catastrophe.

My point is this: I believe the time has come to get at the cause and to correct that before we try to effect a cure on these over-all flood catastrophes. If we create a great slush fund we can remedy overnight the flood disasters which may hit in the Mississippi Valley, in the Middle West, or in the Northeast, or anywhere else, so that we can make it a policy of this Nation to come in and assist the people, with the travail and the labors they have suffered; we could rescue them from these catastrophes.

Mr. ARMSTRONG. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield to the gentleman from Missouri.

Mr. ARMSTRONG. I wonder if the gentleman would not like to change that term to "reserve fund"?

Mr. EDWIN ARTHUR HALL. That came into my mind because we are talking about floods. "Reserve" would be more appropriate.

I endorse some sort of program which will eliminate these catastrophes, insofar as we are able to. In my particular section we have been faced with these major problems ever since I can remember. Thousands upon thousands of people, year after year, are in the same position of catastrophe that they are out there now.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. HOFFMAN of Michigan. What are you going to do for my constituents? We had an early frost up there, and we had a rainy season. Their tomato crop and several other crops are all gone. What are you going to do about them?

Mr. EDWIN ARTHUR HALL. I do not know what is going to be done for the gentleman's constituents or for my constituents either, but it is my understanding that this week we are going to vote billions of dollars for people in other parts of the world, rightly or wrongly, I am not quarreling about that at the moment.

Mr. HOFFMAN of Michigan. You are going to vote for that?

Mr. EDWIN ARTHUR HALL. But they will certainly not have to do what the average American has to do in order to get assistance or relief—they will not have to take a pauper's oath and they will not have to show extreme need as the people here in this country have had to do for the past 20 or 25 years in order to get any public assistance whatsoever.

Mr. HOFFMAN of Michigan. The gentleman comes from the great State of New York, which is represented by that fighting warrior, Tom Dewey, who has been advocating giving us away. Where are you going to stand on Tom? What are you going to do about him?

Mr. EDWIN ARTHUR HALL. I will tell you after the next congressional reapportionment. I do not know what plans they have for me.

Mr. HOFFMAN of Michigan. You mean you will tell us, if you are here?

Mr. EDWIN ARTHUR HALL. That is correct.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. ROONEY. Does the gentleman mean to say he is not in on this reapportionment?

Mr. EDWIN ARTHUR HALL. So they tell me. All I get is what I hear from the rumor train which comes down from Albany.

Mr. ROONEY. I guess we are in the same boat.

Mr. EDWIN ARTHUR HALL. That would mean that one of the best Members in the House is to be removed. Certainly, the time has come to clarify this whole issue of control and flood disaster. These folks out in Kansas, Missouri, and Oklahoma deserve the very best treatment that we can possibly give to them because such disasters will visit other sections of the country in years to come, and they have the right to expect decent treatment from the rest of the country, just as we in New York State, frustrated as we are—I am speaking of flood control. We ought to do something to help them.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope I am not worrying the Members of the House by taking the floor so much on this subject, but I think you have seen some examples here of what makes it so difficult to serve on this subcommittee. The feelings of those from the section of the country affected, and who know these people personally, and who realize this disaster for what it is—and it is a major disaster, is pretty hard to stand up against. I do want to repeat here, that this committee has done everything possible under the law of the United States. It has gone further than we have ever gone before in history. All the witnesses testified insofar as rehabilitation and restoration were concerned, that you could do it better under the program which we have brought to you than under the kind of program advocated, for which there is no authority in the law.

With regard to the insurance law program, I would like to point this out. There is no authority for it. Secondly, Colonel Howse who advocated it told us "We do not have any plan." He said he had talked to one insurance man, a man connected with some underwriters organization. He said he was not at liberty to give us his name. He said this man had not yet reported back to him. I said, "Do you mean you want us to give you $50,000,000, not only without authority, but at a time when you do not have any plan, and when the only man you have talked to has not even given you a report, and you cannot give us his name?" He said "That is what I mean." Is that sound? Now, if you were to, by legislation, provide this insurance, it will be paying after another flood happens. Is that what you should do in an area like this, or should you go in there with some flood control program and try to prevent the disasters before they happen?

Mr. COLE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. COLE of Kansas. The point I made in my original statement in connection with flood control was this: That limitations of time and appropriations require the Congress to select certain sites upon which flood-control projects shall be placed. Some sites will be left unprotected. Those sites and the people at those sites, in my judgment, have a right to have the same sort of consideration that these people living at the sites which have been protected have. You say why do we not go in and have flood control—yes, that is wonderful, but we are not going to get it.

Mr. WHITTEN. I say this, although flood control would be slow and might be late, eventually it would do some good. But insurance, if the Government were to write it, does not prevent anything, it just provides for a payment after the disaster occurs. I have pointed out to you here that the proponents have no plan and they have talked to only one insurance man. He has not given them a report; they are not at liberty to give us his name. The committee called the insurance people before us. They said they could not conceive of any approach under which you could get a broad enough base to get enough money to support any such program; that if you had any such program that it would amount to an indemnification, that is, a promise to indemnify a man if it happened some time again in the future, that is if by legislation you sought to provide some such program. There is none now. Let me give you a homely illustration that will illustrate what we on this committee were called upon to do. It was our view that we are trustees of the people of this Nation, and that we are supposed to operate under the law. The chief witness of one of these agencies who appeared before us was formerly the head of a bank in Chicago which had $32,000,000 deposits. I asked him this question:

> You as president of that bank were a trustee for the safekeeping of the depositors' money; you said you have $32,000,000 of depositors' funds in your bank and under your care. If one of your depositors had the misfortune of losing everything he had in the world and he came to you for help and you said, "We sympathize with you; we will lend you whatever you need from the funds we have here to put you back on your feet and if you are indeed wiped out, all we will require will be your own signature."

I said:

> If after that you told him that his friend in Congress or elsewhere had come to you and said you were not being fair, that you should not treat it as a loan, you should give it to him as a gift out of the funds you held, what would you, as president of that institution and trustee of that $32,000,000, say of a proposition like that?

He said:

> I would say it was silly.

I asked him then:

> Suppose that while you were out the vice president came in and he, learning of your action, said that your offer was not enough, and the vice president gave him the money; but then this customer's friend came to you and said, "We got the money from the vice president, the money wasn't his but he just gave it to us; but now that isn't fair because the customer might lose everything he has again and we want you to set aside in insurance an equal amount so if it does happen again we won't have to depend upon the vice president but can get the money from the insurance fund"; what would you say?

He said:

> I would say he was silly.

We are trustees of all the people when we represent them in the Government of the United States. We have gone the whole way, all the way, under the authority that we have under the law that provides loans even without security, if need be, and now we are asked not only to give our unfortunate fellow citizens substantially what he lost up to $16,000, but to guarantee him should it ever happen again; we will have money for the second loss already set aside.

I know I may get credit for being unsympathetic by taking this stand, but I believe it to be the only one we in the Congress can take.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. CANFIELD. Mr. Chairman, I ask unanimous consent that the gentleman from Mississippi may proceed for one additional minute.

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

There was no objection.

Mr. CANFIELD. In the gentleman's original presentation on the floor this afternoon he indicated that there were 61 Federal agencies engaged in relief in these disaster areas. I am astonished that there are so many agencies engaged in relief; and, consequently, I wonder if there may not be considerable overlapping; there must be a great deal of overlapping. Would the gentleman care to discuss that question?

Mr. WHITTEN. I said 61 agencies. I believe that is what was told our committee, but the testimony was later corrected to 61 bureaus and agencies. At any rate there were 61 different Government divisions which made their facilities and people available for this relief work. This was provided under the disaster-relief law, under which the whole Government can go out and do what they can without regard to whose money was being spent at time of disaster to help prevent suffering, loss of life and property. For this they have authority of law. The gentleman may be right, we may have more than enough agencies. But were we to adopt a policy under which we paid everybody for everything which they lost—that is a sufficient departure from what I understand to be the right principles of Government—that certainly you ought to have full and adequate hearings to see where it will end, for it will reach across the country; it will reach into every creek bottom, into every home, in every county in every State, and in every Territory. The annual demands would far exceed the ability of the Nation to meet them.

We do feel that we have done here all the law permits us to do. The record shows that what we have provided will restore the area more quickly than would indemnification. Let us proceed with this restoration.

If we are to embark on indemnification, let us at least do it after full and

adequate soundings as to where it would lead us.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE

Conservation and use of agricultural land resources: For an additional amount, $16,480,000, including the furnishing of services, materials, and payments for conservation and land-restoration measures, to enable the Secretary to carry out flood assistance and rehabilitation in agricultural areas, damaged by excessive rains, runoff, and floodwaters, designated by the Secretary of Agriculture as disaster areas under Public Law 38, approved April 6, 1949: *Provided,* That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act (16 U. S. C. 590h) and may be distributed among States without regard to other provisions of law: *Provided further,* That the administrative expense limitations provided under this appropriation item in the Department of Agriculture Appropriation Act, 1952, may be increased by not more than $1,780,000, of which not more than $180,000 may be made available to State extension services to provide assistance through the Cooperative Agriculture Extension Service.

Soil Conservation Service: For an additional amount for salaries and expenses, $1,960,000, for emergency restoration of channel capacity in tributary stream channels and waterways, and related measures, affecting more than individual farms, in agricultural areas, damaged by excessive rains, runoff, and floodwaters, designated by the Secretary of Agriculture as disaster areas under Public Law 38, approved April 6, 1949.

Farmers Home Administration: For an additional amount for the Disaster Loan Revolving Fund established under Public Law 38, approved April 6, 1949, $30,000,000.

DISASTER RELIEF

For an additional amount for disaster relief, $5,000,000.

RECONSTRUCTION FINANCE CORPORATION

Disaster loans: Section 4 (c) of the Reconstruction Finance Corporation Act, as amended, is hereby amended by striking out "$40,000,000" and inserting in lieu thereof "$100,000,000": *Provided,* That any loan, including renewal or extension thereof, under section 4 (a) (4) of such act for acquisition or construction (including acquisition of site therefor) of housing for the personal occupancy of the applicant, may be made for a period of not to exceed 20 years.

Administrative expenses: The amount authorized for administrative expenses of the Reconstruction Finance Corporation as set forth in the Supplemental Appropriation Act, 1952, is hereby increased to $17,750,000.

SEC. 102. This act may be cited as the "Flood Rehabilitation Act, 1952."

Mr. NORRELL. Mr. Chairman, I move that the Committee do now rise and report the House joint resolution back to the House without amendment, with the recommendation that the bill do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COLMER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Joint Resolution 341, making appropriations for rehabilitation of flood stricken areas for the fiscal year 1952, and for other purposes, had directed him to report the resolution back to the House with the recommendation that the resolution do pass.

Mr. NORRELL. Mr. Speaker, I move the previous question on the House joint resolution to final passage.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution 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 House joint resolution.

The House joint resolution was passed. A motion to reconsider was laid on the table.

AMENDMENT TO RAILROAD RETIREMENT ACT AND THE RAILROAD RETIREMENT TAX ACT

Mr. MITCHELL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 428 and ask for its immediate consideration.

The Clerk read the House resolution, as follows:

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. 3669) to amend the Railroad Retirement Act and the Railroad Retirement Tax Act, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MITCHELL. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and I yield myself such time as I may use.

Mr. Speaker, this resolution makes in order the consideration of H. R. 3669, a bill to amend the Railroad Retirement Act and the Railroad Retirement Tax Act. The bill proposes sorely needed increases in pensions and annuities for retired railroad employees. In asking for a rule on the bill the committee pointed out that there has been no raise in the payment to annuitants since 1948, and no raise in payments to survivors since 1946. The cost of living increase since these dates has been tremendous. The lag between retirement payments and costs is great and emphasizes the desperate need of those retiring after long years of railroad service.

The bill reported by the committee majority, provides briefly a 15-percent increase in annuities and pensions for retired employees, and a 33⅓-percent increase in each of the survivors benefit. The committee, at the same time it granted the rule on the measure, reported out a resolution brought to the committee by members of the Interstate and Foreign Commerce Committee which provides for further study of the whole problem. It provides for committee appointment of an advisory council composed of representatives of the interested Federal agencies which handle the retirement acts, railroad labor unions, and informed disinterested individuals.

There is no controversy on the need for increased pensions but because there is controversy in this technical and difficult field, this rule provides for 2 hours' debate after which the bill is open for amendment so that the committee can work its will. The bill to be considered, of course, strikes out the Crosser bill and substitutes the Hall bill.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. MITCHELL. I yield to the gentleman from Arkansas.

Mr. HARRIS. As I understand, the gentleman from Washington [Mr. MITCHELL], who has charge of the rule, has just stated that at the same time of reporting a rule making this bill in order the Committee on Rules reported a resolution providing for further study on certain basic issues involved.

Mr. MITCHELL. That is correct.

Mr. HARRIS. Do I understand then it is the intention, under the announced program, for the gentleman or some other member of the Committee on Rules to call up this resolution immediately following the consideration of this bill?

Mr. MITCHELL. That is the understanding. I do not think any definite agreement or arrangement was made, but that is the understanding.

Mr. HARRIS. That was the understanding in the Committee on Rules in reporting the legislation?

Mr. MITCHELL. That is correct.

Mr. HARRIS. The majority leader, I believe, in making the statement last week on the program for this week, which is included in the RECORD of Thursday, stated the resolution would be called up immediately after the consideration of this bill.

Mr. MITCHELL. That is correct.

Mr. CROSSER. Mr. Speaker, if the gentleman will yield, there was no understanding of that kind with me, and I was there during the discussion.

Mr. HARRIS. Mr. Speaker, if the gentleman will yield further, I would like to say to my very distinguished chairman that I did not imply or intend to imply that he agreed to any such procedure or program, but I am merely relating what happened in connection with the legislation.

Mr. MITCHELL. Of course, that is a decision the House will have to make when the resolution comes up.

I have no further requests for time, Mr. Speaker.

Mr. ALLEN of Illinois. Mr. Speaker, H. R. 3669, as reported in the House, amends the Railroad Retirement Act of 1937 to provide an immediate across-the-board increase of 15 percent to all annuitants subject to it; and an increase of 33⅓ percent in survivors' annuities. These increases are to be accomplished without raising the railroad retirement tax, already embodied in the act, above the maximum of 6¼ percent, effective January 1, 1952.

The committee amendment proposes no changes in the act itself except the stated increases. It leaves to the future

any amendments to the classes of beneficiaries, or any correlation of the Railroad Retirement Act with the Social Security Act.

RETIREMENT BENEFITS

An average increase of 15 percent is made in the retirement annuities by increasing the percentages for computing the amount as follows: 2.76—now 2.40—percent of the first $100 of compensation, 2.07—now 1.80—percent of the second $100, and 1.38—now 1.20—of the third $100. This increase applies also to minimum retirement annuities for those having more than 5 years of service.

SURVIVORS' ANNUITIES

A 33⅓ percent increase is made in the survivors' annuities payable, first, to widows over 65 years of age; and, second, widows not of that age but having a dependent child in their care. These latter have previously received three-fourths the employee's basic amount; and will now receive an amount equal to his basic amount.

A 25 percent increase is made in insurance lump sums of employees who die leaving no one immediately entitled to a monthly annuity by setting the sum payable to the survivor at 10 times the employee's basic amount—now eight times.

For those employees who are separated from railroad service with benefits transferable to social security, the benefits paid their survivors shall be those provided for by the Social Security Act amendments of 1950.

ANNUITY TOTALS

A perfecting amendment is made to the section controlling minimum and maximum survivor annuity totals to increase the minimum to $14—now $10; and the maximum to $160—now $120. This increase averages 40 percent and 33⅓ percent, respectively.

EFFECTIVE DATES

First. The increase of 15 percent in currently payable retirement annuities, pensions, that is, private pension amounts taken over and incorporated in the Railroad Retirement Act of 1937—and joint and survivor annuities, shall be effective with respect to amounts due the first calendar month after enactment.

Second. The increase of 33⅓ percent in currently payable survivors' annuities shall be effective as of the same date.

Third. The use of the new formulas for computing retirement benefits and survivors' annuities shall be effective (a) after the last day of the month when the bill is enacted, and (b) with respect to deaths occurring after enactment, respectively.

Mr. MITCHELL. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. CROSSER. 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. 3669) to amend the Railroad Retirement Act and the Railroad Retirement Tax Act, and for other purposes.

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. 3669, with Mr. DAVIS of Tennessee in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CROSSER. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Chairman, our committee spent a good many hours trying to work out legislation which would aid our railroad employees as much as possible. We had a unanimous objective in mind; that is, to raise the amount which annuitants, pensioners, and survivors currently receive from the railroad retirement fund. Many competent witnesses came before us representing each of the points of view. The committee worked diligently, and in my opinion, many of the some twenty-odd brotherhoods worked diligently to try to arrive at what might be termed a unanimous decision as to what is the proper answer to this problem.

After all of the efforts made by the various brotherhoods and by the various members of our commitee, on both the Democratic and Republican sides of the aisle, we failed to agree as to what is the best method to meet what we all recognize as a real problem; to wit, the raising of the benefits of these people.

We all know it is very much apparent that those who receive pensions and annuities and survivors' benefits are having greater difficulties than ever before in paying for the necessities of life. I personally do not question the motives of any of those on our committee with whom I happen to find myself in disagreement concerning this bill. Both bills have some merit, undeniably that is true. The Hall bill, which is in the form of an amendment to the Crosser bill, definitely would undertake to raise by 15 percent all of those who receive annuities and pensions. It would undertake to raise by 33⅓ percent survivors' benefits. No one can dispute the fact that that objective is a laudable one. The Hall bill is a simple bill, there is no question about that. The Crosser bill, on the other hand, approaches this problem from a different standpoint. It is a more involved bill. But, again, the Crosser bill has for its objective the same worthy purposes, although to be arrived at in a different way, than the Hall bill has.

This fact must be borne in mind definitely when we consider retirement systems that the Government backs. In the case of social security, you find that your legislation is written in a manner that is weighted in favor of those who receive the lesser incomes and those who have worked shorter periods of years. On the contrary, the railroad-retirement legislation is weighted more in favor of those who receive the larger incomes and those who have worked a longer period of time. That fundamental difference exists between these two Government-backed retirement systems.

Consequently, we find that those who are receiving the least amount now in the railroad-retirement system naturally are in far greater need than those who receive a lot more. That stands to reason. What the Crosser bill is trying to do, in my opinion, through its provisions, is to bring about some adjustment that will enable those who need help the most to get more help. It is that simple, in my opinion.

It stands to reason that if a fellow is getting $20 a month as a pension or an annuity and you raise him 15 percent you raise him about $3. You certainly have helped him some; you have helped him $3 worth. On the other hand, if a fellow is getting $150 a month, and you raise him 15 percent, you have helped him more.

One of the primary objectives, I repeat, and one of the fundamental differences is that we are undertaking to bring about some adjustments that will give the greatest benefit to those who need help the most. As I said originally, the railroad brotherhoods are not together on this. Naturally, any time you draw a line, any time you make a fundamental change, there are some who are not as favorably affected as others. In this instance undeniably there are some who are not as favorably affected as others. All annuitants, pensioners, and survivors are favorably affected by the Hall and Crosser bills. The ones in my opinion who are most favorably affected by the Crosser amendments are the ones who need the help the most, such as survivors and particularly pensioners and annuitants who are receiving the least. I have given you the kind of illustration which I think makes that clear. The Hall bill, as I say, raises by 15 percent the pensioners and annuitants. It raises by about 33⅓ percent, those who obtain benefits as survivors. The Crosser bill undertakes to raise by 60 to 80 percent approximately, the benefits that survivors receive, and roughly by about 29 percent the pensioners and annuitants. In order to do that, however, the Crosser bill has some innovations and some changes that have themselves been points of controversy. For example—and of course I realize there is a place for argument with reference to this provision which I shall mention—there is a provision which says that if a man receives a pension or an annuity, he will be allowed to earn no more than $50 per month. I do not necessarily like this provision; however, the Social Security Act has it; the Congress approved the Social Security Act, of course. Naturally, that brings up controversy. It was discussed at length in our committee, and, of course, voted upon. Anybody can question it who wishes to, but the purpose of the sponsors of this provision is very clear. The purpose is to try to keep people working longer—incidentally statistics show that they have been working longer without it, and I want the committee to get that—they have been working longer recently, and the purpose is to keep them working longer and paying in longer, and therefore getting greater benefits instead of drawing

from the funds. This provision if enacted is a net gain for the fund as I understand. Of course, it is needed in order to bear part of the burden we have been told.

Then we have another provision in the Crosser bill, which I feel is meritorious although controversial, and that is with reference to bringing up to what might be termed the social-security standard all recipients of pensions and annuities under the Railroad Retirement Act. That may be unsound, but it was felt by several members of the committee that that objective at least is one that we should be interested in attaining. So, we have written a piece of legislation—the Crosser bill—which seeks to attain that very objective.

Still another objective which we have had is to try to give the annuitants and pensioners more by approaching it from the direction of helping the spouse, and giving the spouse one-half that which the annuitants or pensioners receive up to an amount of $50 a month. True enough, that will not give some people very much, but it will again aid those who, in the opinion of us who support the Crosser bill, most need aid.

Let us take a few examples that relate to what the two bills, the Hall bill and Crosser bill, do.

A man who is now receiving $72 a month under the Railroad Retirement Act would receive from the Crosser bill a total annuity of $92.88. The Hall substitute would give that same man $82.80, or $10 a month less.

A man now receiving $90 a month under the Crosser bill would be increased to $116.10, an increase of $26. Under the Hall substitute the man would receive $103.50, or $13 less than under the Crosser bill.

These are actual statistics I am bringing to you in order that you may know as you decide this issue what you are doing. I am not one who is coming here trying to tell you that this is an open and shut case; it is naturally a controversial case, and the membership, irrespective of what group of railroad employees or employers favor one thing or another, the membership should try to decide this on the basis of what you yourselves wish to do with reference to those who need help, and they all do need help.

A man who is now receiving $144 a month would be given $185.76 by the Crosser bill, or an increase of $41.76. Under the Hall substitute this man would receive $165.60, or $20 less than under the Crosser bill.

These three illustrations represent a relatively low paid annuitant, an average annuitant, and a high level annuitant. Let us now take three examples from among the lower class of survivors' widows and children. These examples are even more startling because they demonstrate that railroad widows and children are being asked by the supporters of the Hall substitute to accept less than is given the people under social security, as I pointed out a moment ago.

A widow without any children now receiving $34.11 would be given $45.48 a month if the Hall bill were enacted. As I told you a moment ago, the Hall bill does raise this group 33⅓ percent, approximately. The Social Security Act, and that is the standard we seek to reach by the Crosser bill, would provide this same woman with an annuity of $48.75. Therefore this widow is being offered less than we are now giving people under the Social Security Act. The Crosser bill undertakes to recognize that fact and to bring up to the social-security standard that widow and those who survive with her. The Crosser bill, on the other hand, would give the widow a total of $57 a month.

A widow with one dependent child who is now receiving $43.43, under the Hall substitute would receive $57.97; and, yet, this same woman under social security would receive $75 a month. The Crosser bill provides a total annuity for such a widow and child of $94 a month, almost doubling her present annuity.

Let us take another illustration, that of a widow and two dependent children, who are now receiving $56.85, under the Hall substitute would receive $75.80. The social security would provide this same woman $97. Under the Crosser bill she would receive a total annuity of $114.

I have tried to point out some examples of just exactly what the operation will be under the Hall bill, under the Crosser bill, and what the operation actually is under the Social Security Act. I want to say again what I said originally, that in the opinion of those who support the Crosser bill we are trying as best we can to give more aid where more help is needed; we are trying to give the greatest benefits where the greatest need exists. Also we are definitely trying to help them all. I personally like all our railroad people. I simply wish to do what is right and sound not only in regard to the employees, but also in regard to the employers who participate, I might add also.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. BECKWORTH. I yield.

Mr. COOLEY. What would the widow receive who had three children?

Mr. BECKWORTH. I do not happen to have those figures but I would say that we are trying not only to take care of that type of family you mention but we are also trying to take care of the families I have just mentioned. I did not try in collecting the figures I have referred to, to go into too much detail because of the shortness of time, but I will try to get the information for the gentleman quickly.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from Missouri.

Mr. CANNON. May I take advantage of the opportunity to express a deserved and richly merited tribute of appreciation to the Great Commoner from Ohio, the chairman of the committee, and the author of more beneficial labor legislation than any other man who has ever sat in the American Congress.

It is said that history is made up of the biographies of great men. Certainly when the biography of the gentleman from Ohio [Mr. CROSSER] is written it will constitute one of the most important chapters in the history of progressive legislation ever written by any government on the globe. He has in his more than a third of a century of service in the House sponsored and supported measures which have changed the course of American life and American standards of living and brought health and happiness and prosperity to millions of families who, from children to grandsires, today rise up to call him blessed.

And here in the House among his colleagues who know him best, there is none whom we, in the Biblical language of the book of Esther, more delight to honor.

Mr. BECKWORTH. The gentleman from Ohio for 15 years has worked diligently on this problem. I have had occasion to work on this type of legislation with him and others on the committee for a number of years and I say that he as well as others has done a constructive piece of work unquestionably and undeniably. There is no question about that. In my opinion, he is not undertaking to mislead those of us who are working with him on this bill nor the House when he undertakes to say what he is trying to do in this bill.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. WOLVERTON. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. LEONARD W. HALL].

Mr. LEONARD W. HALL. Mr. Chairman, we spent weeks and really months working on this bill. I agree with the gentleman from Texas that on at least one thing we were unanimous. Every member of our committee desired to increase the benefits under the Railroad Retirement Act.

There was quite a bit of controversy, however, during all of the hearings. The first thing we learned was that the Federal Security Administration said it could not support the bill. The Budget advised us by letter that the bill—and when I speak of the bill I mean the original Crosser bill—had a number of defects and that there should be a real study of the whole situation.

I offered my substitute at the end of the hearings in executive session. It provides a 15 percent increase for pensioners and annuitants, a 33⅓ percent for survivors and a 25 percent increase in lump-sum survivorship cases. I want to make it clear at the outset that the substitute was not offered by me and was not supported by other members of the committee with any understanding that it was going to remain permanent law. We feel, however, that something should be done immediately to help these poor people who are not getting very much in the way of pensions and annuities. We intend the committee bill to be stopgap legislation to be followed by a study which you will have a chance to vote on tomorrow, setting up a committee to report back here on February 15, 1952, as to what we can do for the annuitants, the pensioners, and the survivors under the Railroad Retirement Act and at the same time keep the retirement fund solvent.

Of course, the gentleman from Texas [Mr. BECKWORTH] has told you of some of those provisions of the Crosser bill

which seem very attractive when you just mention them. He mentions, for instance, the benefit that the living spouse gets of $50 a month under the Crosser bill. Mr. Chairman, I think that is nothing more than bait for other provisions of the bill.

Let us look at that provision for the sponse in connection with the $50 work clause in the Crosser bill. Think of it. A man on retirement under the Railroad Retirement Act amended as the Crosser bill would have it amended if he makes $50 a month, he loses his retirement pension and his spouse would not get the $50 a month that the gentleman from Texas [Mr. BECKWORTH] talked about. So I claim that is just bait. Congressmen pay no more money into the pension fund than do the railroad workers who today pay 6 percent into that fund. Next year they will pay 6¼ percent. We as Congressmen pay 6 percent. Have we any work clause in our pension law? Have any of the Army and Navy people any work clause in their pension law? Has any civil servant of the Government any work clause in his retirement law? Of course not. Once we retire, once an Army or Navy individual retires, once a civil servant of the Government retires, he can go out and make as much as he wants. Are we going to say to railroad workers: You can pay as much into your fund as Congressmen do but if you quit and take your pension and make $50 a month, we are going to take you off the pension rolls? Those who voted for my substitute for the Crosser bill felt that would not be fair.

Now, of course, when you give new benefits you must have more money. The gentleman from Texas [Mr. BECKWORTH] passed over this very quickly. One of the places where they are going to get extra money is by raising the wage base from $300 to $400 a month, the base that will be taxed. We are told by those in charge of the Crosser bill that it will raise $80,000,000. Now where does that $80,000,000 come from?

That $80,000,000 comes from two sources. First, The railroad workers will be assessed or taxed $40,000,000 more if the Crosser bill is enacted into law. The railroad workers will have to pay, those making $400 a month, $6 a month on top of the additional income tax which will be required by the new tax bill that we passed. Second, The other $40,000,000 will come from the railroad companies. And, Mr. Chairman, where will the companies get the $40,000,000? That amount of money is figured in their rate base, and if we pass the Crosser bill the railroads can go before the Interstate Commerce Commission and ask for new rates to take care of the payment of that $40,000,000.

Yes there is great controversy about this bill. When the brotherhoods themselves are split, when you have government bureaus and commissions opposed to this bill, when you even have our great committee split into three groups, I think it is time that we very carefully consider it. I think we, who supported the substitute, took the simple, the best and the fairest course. We said, "Yes, we agree with you that these annuitants and pensioners need more money" I say to you frankly that the quickest way to give them that relief is to vote for the committee bill. If you do that they can begin to get relief in the month of November. If we pass the Crosser bill, no one here today can tell us when they will receive any benefits whatsoever.

So, in conclusion, let me say this: First, the committee bill is nothing but a stopgap bill; we admit that. We want to study the situation, and when we come back next year with the result of that study, we hope we can give these pensioners and annuitants even more money. But until we have that study I do not think we should attempt to amend the splendid railroad retirement law in any broad scale fashion as is attempted by the Crosser bill.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. LEONARD W. HALL. I yield to the gentleman from New York.

Mr. KEATING. Did the Federal Security Agency and the Bureau of the Budget review and take any position in regard to the substitute?

Mr. LEONARD W. HALL. They did not, because my substitute was offered at the last session of the committee. But I will say this, that a member of the Railroad Retirement Board wrote in and said that the committee bill was the better bill.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. LEONARD W. HALL. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. Notwithstanding the fact that the bill introduced by the gentleman from New York was not presented to the various agencies of Government, yet a reading of the report of the Bureau of the Budget and the Federal Security Administration shows that they are in entire accord with the approach made by the gentleman from New York in the bill reported by a majority of the committee. In fact, the majority of the committee has followed the recommendations that were made by both of these bureaus.

Mr. LEONARD W. HALL. Those reports indicate that they would approve the provisions of the committee bill.

Mr. CROSSER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Chairman, I dislike very much to take a position opposed to that of my colleague, the gentleman from New York [Mr. LEONARD W. HALL] who has just spoken. But I believe, for one thing, if you will look into the sponsorship of the Crosser bill, who was the author of the original Railroad Retirement Act, and who has devoted a substantial part of his life to the betterment of conditions of railroad employees, you will realize that this is not a hodgepodge as stated by the gentleman from New York, but is the result of intensive study over many, many years. As a matter of fact, if we use the term "hodgepodge" it seems to me, as a member of this committee, that that language might well be applied to the substitute offered by the gentleman from New York. He admits his amendment was offered on the last day of our deliberations, and was never submitted to any of the departments or to the brotherhoods themselves, and therefore we never really had any indication of how they would feel about it.

Mr. Chairman, along with 11 other members of the House Committee on Interstate and Foreign Commerce, I am urging the House to adopt the original Crosser bill in place of the Hall substitute which has been reported out of our committee. The Crosser bill represents many months of painstaking study on the part of the most competent experts in the field of railroad retirement. The Railroad Retirement Board has endorsed this legislation as well as a majority of the employees who are affected, as well as the A. F. of L. and 80 percent of the railroad brotherhoods.

There is a sharp difference in the approach of the Crosser bill to the retirement problems that we face and the approach of the so-called Hall substitute. The Hall substitute is meager in that it gives inadequate benefit increases to those who are most in need. In addition, it leaves these needy people, for the greater part surviving widows and children, in a position of receiving less benefits than they would receive if covered by social security.

That is very significant. Why should these employees of the railroads be treated any differently from other employees in industry? In many cases the railroad employees have paid more into the system, yet they will be receiving less.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Arkansas.

Mr. HARRIS. Is it not a fact that under the committee amendment as reported, the retired annuitants and pensioners will receive a 15-percent increase, and under the original bill which was introduced by our distinguished chairman, the retired annuitants and pensioners will receive an increase of 13.8 percent?

Mr. KLEIN. That may be true, but it is only a half truth, because there are other benefits which they would receive under the Crosser bill which they will not receive under the Hall substitute. As a matter of fact, taking into consideration the other benefits to the railroad workers in the Crosser bill, the increase is about 30 percent.

There is no defense for such an action. The simple issue is whether we want to vote railroad men adequate benefits in the form of the Crosser bill or inadequate benefits in the form of the Hall substitute.

Probably in no area is there a sharper difference between these two bills than in the treatment of aged wives of retired railroad men. Under the present law no benefit is given to a man who is retired and who has the responsibility of supporting his wife. In every conceivable governmental policy we have recognized the added responsibility of a man who has a family to support. For example, in the Internal Revenue Code, the Congress, for many years, has recognized the problem by giving to an employee added deductions to compensate him for the care of a wife, or any other dependent. There is a reason for this.

Obviously, a man who has a wife to support has more basic responsibilities and is under a greater financial burden than one who is single and with no dependents.

In the social security laws we have recognized this burden on the aged annuitants and pensioners and made provision for a spouse's benefit. Under the Social Security Act a retired employee whose wife is 65 years of age or more is given a benefit up to a maximum of $40. There again we find clear expression on the part of Congress in recognizing the greater need of those with wives to support, in comparison with those who have none.

The Crosser bill, which we are now considering and which I hope we will pass, provides a spouse's benefit. This benefit amounts to one-half the retired employee's annuity with a maximum of $50. There can be no question as to the valid need of this benefit. That old maxim about two being able to live as cheaply as one more often than not is feminine propaganda which proves very effective at the age of 20. By the time these railroad men, or for that matter any individual, have reached the age of 65 the wisdom and maturity of age prove that two cannot live as cheaply as one. A man with a wife to support is deserving of great consideration. Such a benefit as is proposed in the Crosser bill is entirely in keeping with our American concept of the home and the family. It recognizes marriage as an institution and also the basic fact of life that a retired employee who has a family is under a greater financial burden than a single one.

There are some who say that single men should not be taxed to support the wives of those railroad men who are employed. This is a ridiculous statement. It is just as ridiculous to say this as it would be to say that healthy railroad men should not be taxed to support disabled railroad men as is presently the case. It is just as nonsensical to say that people who have no children should not be required to pay taxes for the upkeep of schools. The fact is that of those who are now retired, almost 50 percent have wives who would immediately begin to draw this spouse's benefit. In addition, almost 70 percent of all retired employees have wives who at one time or another will enjoy this provision. The inclusion of this spouse's benefit on the retirement benefits proposed in the Crosser bill bring the average payments to all retired employees up to a point which represents a general increase of about 30 percent. This increase for retired employees of 30 percent coupled with the increases provided for survivors of more than 75 percent make the Crosser bill, by all odds, the best possible bill for railroad employees. I urge all of the Members of the House to support our chairman, the gentleman from Ohio [Mr. CROSSER], and his original bill. BOB CROSSER is making this appeal on behalf of the rank-and-file railroad employees. I have never seen nor heard of a Congressman having regretted adopting the advice of BOB CROSSER in a railroad retirement matter. His advice has always been sound and completely safe in this field. I urge all Members to support the original Crosser bill.

Mr. WOLVERTON. Mr. Chairman, I yield myself 7 minutes.

Mr. Chairman, retired railroad workers and the survivors of those who are deceased are in need of immediate relief. The need for increasing the amount of monthly benefits paid to them under the Railroad Retirement Act is urgent. It demands immediate action upon the part of Congress. Relief must be given at the earliest possible day.

For several years now the scale of the benefits to retired railway workers and their survivors has lagged far behind the steadily rising cost of living. This has produced a situation that cannot and should not be ignored any longer. The condition of some of these retired workers and their families, whom we seek to aid by increased benefits, is desperate. In many instances, it is pathetic. They all need help and they need it now without further delay.

The bill which we have reported goes to the very heart of the matter by eliminating all controversial issues raised by the bill being supported by a minority of the committee and does the all-important thing, namely, increases benefits to all beneficiaries now under the railroad retirement system and thereby grants immediate relief to enable them to live more in accord with what they are entitled to have as a result of long years of service and the high rate of taxes that have been paid into the retirement fund.

The bill we support provides the additional aid in an easy and effectual way by making a straight increase of 15 percent to all retired workers and 33⅓ percent to their survivors, over and above the amounts they now receive. These increases would be effective immediately upon the enactment of the bill. The increase provided by this bill for retired workers is larger than that provided in the bill supported by the minority for this class of beneficiaries and the amount of increase provided by the bill for survivors is far in excess of the average paid under social security to this class of beneficiaries. Furthermore, it is hoped that as a result of the study of the retirement act, as provided in a special resolution introduced on behalf of the majority of the committee by the gentleman from Arkansas [Mr. HARRIS], and which we seek to have adopted in connection with this bill, that it will be possible to find ways and means of still further increasing benefits and improving the stability of the retirement fund.

MINORITY (CROSSER) BILL

The committee did not consider it advisable to accept H. R. 3669 as originally introduced, and, voted upon in the committee, for two basic reasons. First, it was so involved and complex that it would have taken many months, and, in the opinion of some even more than a year, before the necessary records could be completed to provide the information on the basis of which the benefits could be paid. In contrast to this the committee bill now before you, and, which represents the views of a majority of the committee, has removed all technicalities and makes it possible for the increased benefits payable within 1 month after enactment. All that it will require is one letter to the Treasury Department to increase the present benefits of retired workers by 15 percent and survivors of deceased workers by 33⅓ percent. It would be just as easy as that. We recognized that there was need for immediate relief. Our bill gives it.

The second reason the committee selected the more simple and easy approach in preference to the involved and controversial provisions of H. R. 3669, was because it introduced new principles into the Railroad Retirement Act, that were foreign to, and, in conflict with, the fundamental principles that formed the basis of the Railroad Retirement Act.

A short summary of some of these provisions is as follows:

(a) Transfer from railroad retirement to social security all railroad employees having less than 10 years of service. Under this provision of the minority—Crosser bill—the railroad retirement fund would be entirely relieved of the payment of benefits to persons who have had less than 10 years of service in the railroad industry, and all such would be transferred to the social security system. This would affect approximately 5,000,000 individuals now having the right to benefits, either present or future, under the Railroad Retirement Act. All of these individuals have paid into the retirement fund four times greater than that paid under social security, and, yet they are stricken from railroad retirement rolls and put under social security without any compensation for the additional tax they have paid and which under the minority bill would be forfeited. There are many who believe that a system can be devised that will correlate the railroad retirement benefits with those of social security, but, everyone almost without exception, including Murray Latimer, recognized today, as the outstanding pension economist in this country, Social Security Administration, Bureau of the Budget, are all of the opinion that the method provided in the so-called Crosser bill would be inequitable, unjust, and, fall far short of accomplishing the benefits claimed for it, and in fact would prove a great detriment to stability of the railroad retirement fund, and would weaken rather than strengthen the fund.

(b) Fifty - dollar - work - limitation clause: The minority sponsored Crosser bill—H. R. 3669—provides what is termed a $50-work-limitation clause. This would deny a retired worker the right to earn more than $50 monthly in employment covered by the Social Security Act without losing his pension or annuity. At present there is no such limitation in the law.

Under the present Railroad Retirement Act the only work restriction imposed upon retired employees provides that while receiving an annuity, they must not be employed by a common carrier railroad recognized under the Railroad Retirement Act or by their last regular employer prior to going on pension.

Benefits under social security are not restricted in any way if annuitants are

employed on the railroads or in any other employment except that covered under the Social Security Act. The retired Government employee is not restricted as to earnings because of employment in any other field except employment in the Federal Government. It is only reasonable and fair that railroad employees, who will pay a higher tax rate than either of the above-mentioned groups, beginning January 1, 1952, be given the same privilege to supplement their fixed retirement incomes in other fields.

One of the provisions of the present Railroad Retirement Act provides that an employee who has attained age 60 and has 30 years of service may retire on a reduced annuity. Each year a number of employees who have been disqualified for work by the railroads and who do not meet the Railroad Retirement Board's disability test, as well as many others who meet the requirements for a reduced annuity before age 65, retire on such a reduced railroad retirement annuity and they obtain work outside the railroad industry to supplement their retirement benefits. This $50-work-restriction clause will create a great hardship upon the disqualified employee who did not qualify for a disability annuity, and of course it would discourage others from retiring on a reduced annuity. It would practically nullify the reduced annuity provision in the present act.

The only argument that has been made in favor of the $50-work restriction contained in the minority bill is that such a provision will provide additional funds with which to finance the increases and new provisions, such as the spouse's annuity, proposed by the minority bill.

Although the present Railroad Retirement Act provides for retirement at age 65 the average retirement age is about 68 years, which means that there has been a saving in the railroad retirement fund in two respects: First, no annuities have been paid for the 3 years from 65 to 68; second, taxes have been received during the same 3 years from these employees who could have been receiving annuities.

Of course the $50 work restriction is intended to create further savings by discouraging retirement even at age 68. The Railroad Retirement Board has estimated that the $50 a month work restriction will save the Railroad Retirement Fund $50,000,000 a year. When you consider that the average annuity paid each year is about $1,000, then such a $50,000,000 a year saving would mean approximately 50,000 employees who are ready for retirement will not retire because of the $50 limitation on earnings. Thus, the minority—Crossser—bill changes the Retirement Act into a compulsory work act.

The Railroad Retirement Act as enacted by Congress was intended to make it possible for men to retire, rather than to be restrictive legislation. That is, it proposed to provide benefits and encourage retirement of railroad employees at age 65, instead of imposing restrictions upon the aged employee to discourage his retirement at age 65.

Another feature overlooked in the $50-work-restriction clause is the administrative problem, which will mean the policing of some 200,000 retirement claims each month by a corps of new employees.

The Railroad Retirement Board's experience with respect to the policing once every 6 months of the present work-restriction clause as applied to the disabled employee, should certainly provide sufficient evidence as to the amount of extra work that can be expected if a monthly check is necessary. All of this is so unfair to retired workers that it is inconceivable that anyone would recommend its adoption.

(c) Increased tax base from present monthly wage of $300 to $400: The minority bill—H. R. 3669—seeks additional revenue by providing that the present payroll tax rate be applied to all wages up to $400 per month instead of $300 as under the present law.

This increase of the tax base was vigorously opposed by the representatives of the operating brotherhoods and others coming within that classification on the basis that in many cases it would result in increasing the individual's tax from the present $18 to $24 per month, an increase of 33⅓ percent.

There are many other controversial provisions of the minority sponsored bill that might be enumerated and enlarged upon if the available time had not been limited to 2 hours of debate. It is inconceivable that debate on a bill of this importance should be limited to such a brief period. When it is considered that this bill affects the welfare of thousands of aged people sufficient time should have been allotted to enable the fullest discussion to be had.

Before closing, however, I do wish to emphasize that the committee in reporting a bill that leaves out all the controversial features that would delay passage, create dissension, and delay the payment of increased benefits, has acted wisely and in the best interests of these needy retired railroad workers and their survivors.

In this connection I direct your attention to the hearings that were held by the committee. They demonstrate that the sponsors of the proposed Crosser bill—H. R. 3669—are the only supporters of the bill. In contrast we find that the Social Security Agency, the Bureau of the Budget, and, practically every actuary either opposed the bill—H. R. 3669—as introduced, or, withheld approval. In making this statement I do not wish to reflect on the sincerity of those who worked long and hard in seeking to find a complete solution of all the problems inherent to the legislation, but, the fact remains that H. R. 3669 is not the answer. Its provisions call for further study and additional information before approval can be given. I favor the adoption of the resolution that will provide such a study, but, in the meantime it is imperative that we provide immediate aid to the retired railroad workers and survivors of deceased workers. This is what our bill does.

ALL EXPERTS, SOCIAL SECURITY ADMINISTRATION, AND BUREAU OF BUDGET OPPOSE MINORITY BILL

Before voting on either the majority or minority bill, I recommend that the Members of the House read the reports received from the Bureau of the Budget, Social Security Administration, the Squire report dissenting from Railroad Retirement Board report, the testimony of Murray Latimer, the most outstanding pension economist in this country today, together with the testimony given by all the actuaries who testified in the Senate hearings but were not called to testify in the House hearings, and, you will find that all of them disapproved of the changes sought to be made by the minority report in the basic principles of the present Railroad Retirement Act or testified that the plan submitted would be highly detrimental to the stability of the retirement fund.

BUREAU OF BUDGET OBJECTS TO MINORITY BILL

The Bureau of the Budget in a clear, logical and forceful manner opposes the adoption of the minority bill—Crosser—H. R. 3669, and, recommends only a reasonable increase in present benefits to be followed by a study of a plan that would make the railroad retirement system supplementary or additional to social security old-age benefits. This would give immediate relief to retired workers and their families without delay and then a study with a report at an early date of the possibilities of increasing benefits under a combination of railroad retirement and social-security benefits. This is exactly the position taken by the majority of the committee. They believe in giving immediate aid by increasing benefits at once and then a study as to ways and means of increasing them, with a report to be made by February 15, 1951.

The following is the report of the Bureau of the Budget appearing on pages 40 and 41 of the committee report:

BUREAU OF THE BUDGET,
Washington, D. C., May 22, 1951.

Hon. ROBERT CROSSER,
Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D. C.

MY DEAR MR. CROSSER: In response to an oral request from your committee the Bureau of the Budget hereby submits a report on H. R. 3669, a bill to amend the Railroad Retirement Act and the Railroad Retirement Tax Act, and for other purposes.

This bill would liberalize employee retirement benefits by roughly 15 percent, would add spouse's benefits paterned after the old-age and survivors insurance system, and would raise considerably the level of survivor benefits. It would raise the taxable wage base from $300 to $400 a month. It would not raise railroad retirement tax rates. Instead the bill proposes to meet in part the cost of these benefit increases by shifting to the OASI system the full responsibility for paying benefits to short-term workers (those with less than 10 years of railroad service). The bill would not require any transfers of money between the trust funds but would merely call for a joint Federal Security Agency-Railroad Retirement Board report by 1956 recommending such legislative changes as would be necessary to place the Federal OASI trust fund in the same position in which it would have been

if railroad employment had been covered under OASI since 1936.

At the outset it should be made clear that the principle of making the OASI system the basic form of protection for all employed people, would carry out the President's recommendation made in his 1952 budget message, to the effect that:

"Our aim should be to establish for all employed people a minimum protection that each person takes with him wherever he works. Pension and insurance plans for special groups should supplement social-security benefits as industry pensions already do for several million workers."

This principle was also the recommendation of the Advisory Council on Social Security of the Senate Committee on Finance which reported as follows on April 20, 1948:

"Railroad employees: The Congress should direct the Social Security Administration and the Railroad Retirement Board to undertake a study to determine the most practicable and equitable method of making the railroad retirement system supplementary to the basic old-age and survivors insurance program. Benefits and contributions of the railroad retirement system should be adjusted to supplement the basic protection afforded by old-age and survivors insurance, so that the combined protection of the two programs would at least equal that under the Railroad Retirement Act."

H. R. 3669, although it appears to move in the direction of interrelation, has a number of serious defects.

1. The workers with less than 10 years' service in the railroad industry—and these make up a very large percentage of the total—would get virtually all of their benefits from the OASI system and nothing from the railroad retirement system; yes under the bill they would pay for the same OASI benefits four times as much taxes as nonrailroad workers pay currently. In a sense, the short-term employees would be forced to subsidize the longer-term employees—a situation that might result in considerable discontent.

2. Any breaking point between programs, such as the 10-year limit, produces glaring inequities. For example, under the bill, the total retirement benefits at age 65 for a man with earnings of $300 a month and with 9 years of railroad service and 11 years under social security, would be reduced from $103 a month to $80. The total benefit for a man with 10 years of service under each system would rise from $105.50 to $112.50 a month.

3. The principle set forth to govern the joint report on financial adjustment, if implemented by law, would establish a very questionable precedent, i. e., the favorable tax rate and slower accumulation of reserves under OASI would be made available to another, separate program with limited coverage. In effect, it puts the OASI system in the position of paying benefits to another system for the use and advantage of that system, rather than directly to the individual workers. Such a precedent might be used to obtain for other special programs with limited coverage the advantage of favorable OASI financing without actual participation in that system. The strength of a comprehensive social-security program depends on wide coverage with its pooling of high-cost and low-cost risks; the proposed arrangement would weaken the system.

4. Because of the extreme complexity of the proposed interrelations between the two systems, those persons who are covered under both would be thoroughly confused as to their rights, benefits, and equities. This complexity would also give rise to delays in adjudicating claims and to heavy administrative expenses to both systems.

5. According to the estimates submitted to the Senate Committee on Labor and Public Welfare by the Railroad Retirement Board, the cost of the benefits of the railroad retirement system would exceed the combined employer-employee tax rate by 1.6 percent of payroll, which, on a level-premium basis, is approximately $80,000,000 a year. The estimates of the Board show that in the absence of additional financing the trust fund would be exhausted within the next 50 years. Moreover, according to the testimony which the Federal Security Agency has presented to the Senate committee, the division of cost between the railroad retirement program and the old-age and survivors insurance program would call for transfers in the opposite direction from that indicated by the Railroad Retirement Board, and in this event the inadequacy of the railroad tax rate would be even more than indicated above. Because of the great importance of this to the financial soundness of both systems, this question should not be left unresolved.

6. An increase of $1,500,000,000 in the unfunded liability of the railroad retirement fund would result under H. R. 3669, largely from credits to be given to older workers for their service prior to the establishment of the system. This presents a serious question of financial policy for a system with limited coverage.

7. The Federal Government has appropriated $330,000,000 for military service credits of railroad workers. Most of this amount is attributable to the military service of individuals whose benefits would, under the bill, become a responsibility of the old-age and survivors insurance system. The bill fails to require the railroad retirement fund to make a refund to the Treasury to reflect this transfer of liability.

8. The absence of authority for financial adjustments means that the OASI trust fund would actually pay benefits to short-term workers until 1956, with no legislative assurance of a subsequent settlement from the Railroad Retirement Board. This lack of assurance may well cause considerable apprehension on the part of the workers and their families who are relying on old-age and survivors insurance for their basic economic security.

Any need to provide higher and more varied benefits for railroad workers toward which the bill is pointed should and can be met in a simpler and more equitable way, consistent with broad national interests and long-range objectives. Better dollar-for-dollar value can be given by providing coverage for all railroad workers under the old-age and survivors insurance system, with the railroad retirement program retained to supplement the old-age and survivors insurance benefits. This would carry out the recommendations of both the President and the Senate Advisory Council on Social Security.

The railroad workers would get more benefits for less money if OASI benefits were made available to all railroad workers, with the Railroad Retirement Board paying the difference between OASI benefits and the present railroad retirement benefits. That is, the workers would get the more advantageous OASI survivors protection and, at the same time, the present 12 percent railroad retirement tax rate could be lowered to a combined OASI-railroad retirement rate which has been estimated roughly at 8.5 percent. As the OASI rate rises over the years, the combined rate would, of course, rise also, but it would not reach its peak of about 12 percent until 1970, whereas the railroad retirement rate is 12 percent now and will rise to 12.5 percent next January. Alternatively, railroad retirement benefits might be increased with less of a tax decrease.

We shall be glad to arrange for elaboration of the points made in this letter should your committee so desire.

SOCIAL SECURITY ADMINISTRATION OBJECTS TO MINORITY BILL

The following are extracts from the social-security report recommending against adoption of H. R. 3669 in its present form:

While the Federal Security Agency strongly recommends the coordination of the railroad system with the old-age and survivors insurance program, we believe that the method of coordination proposed in H. R. 3669 has serious defects. In the opinion of this agency the provisions of the bill would cause misunderstanding and confusion among those affected by it, and the financial arrangements proposed in the bill might have adverse effects.

The provisions of H. R. 3669 which govern the coordination of payments by the two programs are inconsistent and difficult to understand and to explain. The general principles on which they are based apparently are that old-age and survivors insurance should pay the short-term railroad worker and his survivors, and the railroad program should pay the long-term worker and his survivors, and that wage credits under the two programs should be combined. However, these principles are not consistently carried out in the coordination provisions and as a consequence many inequitable and anomalous situations would arise.

RECOMMENDATIONS OF THE FEDERAL SECURITY AGENCY

In view of the above considerations the Federal Security Agency cannot recommend the adoption of H. R. 3669 or H. R. 3755. As indicated, though, we are convinced that a satisfactory method of coordination can be developed. This should not be excessively time consuming. However, we recognize that there is a problem which must be solved immediately. This problem, of course, is that of the railroad workers who are already retired and about to retire, as well as the survivors of those workers who have died, or will die within the near future. These people are faced now with rising living costs and inadequate benefits. There is no need to postpone alleviating this problem until a coordination plan has been developed.

It would be possible, of course, simply to provide a flat increase or a percentage increase in the benefits payable to these beneficiaries. Alternatively, the committee might wish to consider a solution to the problem similar to that which was adopted for old-age and survivors insurance beneficiaries who were on the rolls at the time of the 1950 amendments to the Social Security Act.

While the above is sufficient to show the opposition of the Social Security Administration to H. R. 3669 as originally introduced, yet, a reading of the whole report will prove most helpful in determining the wisdom of the majority of the committee in striking out of H. R. 3669 the controversial features and leaving a straight increase of 15 percent to retired workers and 33⅓ percent to survivors with a study as advised by the Social Security Administration, as well as the Budget Bureau, to be conducted immediately.

MURRAY W. LATIMER, OFTEN REFERRED TO AS THE FATHER OF THE RAILROAD RETIREMENT SYSTEM, IS OPPOSED TO H. R. 3669

In testifying before the Senate Committee on Labor and Public Welfare on S. 1347, a bill identical with H. R. 3669, and confirmed by similar testimony before the House Committee on Interstate and Foreign Commerce qualified himself to an extraordinary degree as an expert

on all matters pertaining to old-age pensions, and, with particular reference to railroad retirement legislation.

He said:

My name is Murray W. Latimer. I am now a consultant on pension, insurance, and other employee benefit plans with offices at 1625 K Street NW., in Washington. I have asked for the privilege of appearing before you today out of a sense of civic duty, because I have had unusual opportunity, through the years, to study this type of legislation. From July 1934 to January 1946 I was Chairman of the Railroad Retirement Board. It was my duty to present to the committees of Congress, on behalf of the Railroad Retirement Board, proposals for the major part of the railroad retirement legislation as it now appears on the statute books. By the enactment of S. 1347 you would throw into the discard certain principles which I had thought basic to the railroad retirement system, or for that matter to any other system providing social insurance against the hazards of age. I feel a deep personal concern about what happens to those principles in the railroad retirement system.

Second, I have devoted more than 25 years to the promotion of old-age security. I am the author of several intensive studies of industrial pension plans. Before there was a Railroad Retirement Act I was in charge of the studies made by the office of the Federal Coordinator of Transportation, Joseph B. Eastman, which formed the basis for the original cost estimates of the railroad retirement system.

I was the Chairman of the Technical Board of the Committee on Economic Security and Chairman of the Old-Age Security Committee of that Board, and as such I was in charge of the studies which preceded the old-age parts of the Social Security Act; and I was the first Director of the Bureau of the Social Security Board which administers the old-age insurance title of the Social Security Act.

During the past 4 years I have represented the labor organization which is the bargaining agent for about 90 percent of the workers in the basic steel industry in the formulation and revision of retirement plans applicable to more than 600,000 men in the steel industry. I am currently serving as pension consultant to employers in the automobile manufacturing, telephone, and distilling industries, to unions in the newspaper, the paper manufacturing and lithographic industries, and to joint trustees representing management and labor in the hosiery industry in relation to problems having to do, among other things, with the coordination between private pensions and the Social Security Act. What I have to say, therefore, is predicated not only on my 11½ years of experience with the railroad retirement system but also on similar experience with title II of the Social Security Act and with a variety of private pension systems covering more than 1,000,000 workers in other industries.

This background of experience gives added weight to the testimony he gave against the provisions of H. R. 3966—Crosser bill. It is only by a full reading of his testimony that the full significance of the dangers involved can be understood and appreciated. I, however, in part, said:

Now I have a number of objections to H. R. 3669. First of all, it would result in a tax levy on the vast majority of railroad workers from now on in perpetuity, and in return for which it is not proposed to give equivalent value.

Second, it would produce a forfeiture of annuity rights for an unknown but undoubtedly large number—when I say "large" I mean in the millions—of former railroad workers with no adequate offsetting value, and frequently no offsetting value at all.

Third, it would have the effect of reducing some annuities immediately and many others within the next 2 or 3 years. This is far from a bill to increase annuities.

Fourth, it would introduce inequities and anomalies on a staggering scale, and that also in perpetuity.

Fifth, it would worsen labor relations on the railroads, already in rather substantial need of improvement, to the great detriment of the national interest.

Sixth, it would adopt policies for the railroad retirement systems which, if applied to a private pension plan intended to supplement the Social Security Act, would preclude an employer from getting credit as a cost of operation for his contributions to that pension fund. That is a matter on which I am particularly concerned.

Seventh, it would permit the railroad retirement account to retain all the appropriations on account of military service, without any justification. It would amount to a Government subsidy of about a quarter of a billion dollars.

Eighth, it would make impossible the adoption by Congress of a uniform national policy on social security.

And finally, in my judgment, it would lead with certainty to the creation of a Government subsidy for this system, not disguised in the form of an end subsidy, not disguised in the form of a Government subsidy, but a plan, outright, unequivocal, unadulterated subsidy.

With reference to the injustice incident to transferring railroad workers with less than 10 years of railroad service from Railroad Retirement to Social Security, in part, he said:

The next valuation of the liabilities under the railroad-retirement system, and I pass on to the second point, Mr. Chairman, would, I suppose, indicate some 5,600,000 or 5,700,000 persons who have been under the railroad-retirement system since January 1, 1937, and who in 1950 were not under the system. Everyone of these has paid a tax rate at a rate higher than he would have paid under social security, and everyone of those who has less than 10 years of service will have his railroad retirement annuity wiped out. He paid a tax on what I think he had a right to assume was a promise of the Government of the United States to pay him an annuity. The Government now says it will not do so if it passes H. R. 3669. Now that wipes out probably $350,000,000 or $400,000,000 right off the books. That may be exaggeration.

I feel a rather keen personal interest on that point because I have perjured myself numerous times, involuntarily, but nevertheless I have told many people things which just are not so. So I feel somewhat keenly about it, and I would feel nonetheless so if it could be shown that my estimate is grossly exaggerated, but it is not.

I do not think that I have ever seen another legislative proposal by a serious group of people who advocated a plain, outright, point-blank repudiation of Government obligation. That is exactly what it is.

The impression has been that the bill H. R. 3669, Mr. Chairman, is a bill to increase annuities under the Railroad Retirement Act. That is one of its purposes. It also has another purpose which is to reduce a good many thousand annuities which are now being paid. Section 7 provides precisely that. There is to be coordination after this bill is passed by which those persons who have in all good faith taken social-security employment, thereby acquired the right to benefits, primary insurance amounts under the Social Security Act, will have their benefits with respect to prior service under the Railroad Retirement Act reduced for that reason. I do not know and neither does anybody else know how many annuities that would reduce, but I would guess that it is in the neighborhood of 20,000 to 25,000.

In concluding his testimony, Mr. Latimer points out a method which could in his opinion get desired results to the benefit of those under the Railroad Retirement Act. He said:

I make this statement advisedly. You can do this some other way and you will come back eventually to doing it in the way that is the one sensible way of doing it, which is to accept the principle of the universality of the social-security system, and build on top of that for the railroad retirement people.

Now they ought to have a system over and above social security. In particular the disability annuities are very, very desirable. It would be unfortunate in the extreme to take them out. Larger annuities than those under the Social Security Act are needed. It would be unfortunate in the extreme to suggest that they be reduced, but to increase them by taking it out of the hides of the short-service people and to increase them by reducing 20,000 or 25,000 of the present annuitants and to increase them by taking away the annuities which 5,000,000 people have had the right to think they had is surely not the way to do it.

There is a way to do it, there is a better way to do it, and it will get more—I say this all advisedly—it will get more for the long-service railroad employees whom this bill benefits to a great degree, it will get more for them than H. R. 3669 will give them. And you would get rid of the anomalies and the inequities, you would get rid of the instabilities that H. R. 3669 would introduce because of its very great dependence on the rate of forfeiture, and you would introduce equity where now you have chaos.

That concludes my statement, Mr. Chairman.

Mr. Chairman, in conclusion I want to make it distinct and clear: There is no dissension within the Committee on Interstate and Foreign Commerce in its desire to give increased benefits to retired railroad workers and their survivors. The controversy that has arisen and that has undoubtedly become apparent to the Members of the House is the result of provisions that are contained in the Crosser bill which, in the opinion of a majority of the committee, would change the basic principles upon which the original Railroad Retirement Act was passed. A large majority of the members of the committee were of the opinion that the primary thing to be done at this time is to give immediate relief to retired railroad workers and their survivors. The stories that have come to us are pathetic. They show that an urgent condition resulting from the present high cost of living makes it imperative that relief be given at the earliest possible moment to these retired workers. The committee bill went to the very heart of the matter. We eliminated all the controversial questions that were contained in the Crosser bill, and went to the very heart of the matter by saying we will at once give to retired workers, a 15 percent increase and to the survivors a 33⅓ percent increase, which raises their benefits above the social security allowance, and is in a larger amount because 2 years ago we raised

the pensioners but did not raise the survivors. This is an endeavor to correct that situation. If that is done, I call your attention that all that is necessary for these retired workers and survivors to get the increase, is for the Railroad Retirement Board to write a letter to the Treasury and say "increase pensioners and annuitants by 15 percent and survivors by 33⅓ percent." And in the next month's mail, they will have their increase.

What would happen under the Crosser bill? If past experience can be any guide to us in this matter, there is no doubt whatsoever in my mind, that it would be, as some have testified, as much as a year and maybe more before all those who would seek to benefit under that bill would receive their increased benefits.

The majority of the committee adopted the substitute, with no desire other than to do something, do it quickly, do it easily, and in a way which would be helpful until we could study the more controversial features which are contained in the Crosser bill, H. R. 3669.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WOLVERTON. Very briefly, if the gentleman please.

Mr. COOLEY. Will the gentleman tell us about the impact on the fund?

Mr. WOLVERTON. I will. Every actuary who testified in the other body, testified that the Crosser bill would deplete the fund within 50 years, and that at the time the fund would be depleted, there would be $16,200,000,000 of unpaid liabilities on the books to which the railroad workers would be entitled with no money in the fund to pay them a single dollar.

That is too serious a situation, in my opinion, for those who are interested in retired railroad workers to adopt a plan without any testimony of actuaries to support it. None were called for that purpose. All who did appear testified against the Crosser bill as being unsound and detrimental to the stability of the retirement fund. Bear in mind that not an actuary from either the Security Administration or the Railroad Retirement Board, or the Bureau of the Budget was ever called before our committee to give any testimony whatsoever, probably due to the fact that when they did testify in the other body, they testified against the Crosser bill in that particular.

Mr. COOLEY. Will the gentleman tell us the impact of the Hall bill on the fund as compared to the Crosser bill?

Mr. WOLVERTON. The impact of the Hall bill, if you read the testimony, is such that in time—in perpetuity—it would affect the fund, but it would not do it immediately, nor anywhere near the extent that the Crosser bill would affect the soundness of the fund. The Hall bill would not do it within the time that we propose to make this study and report back to the Congress.

Let me tell you what is in the offing. I think you will agree with me that there is a great deal of sense to it. I have not committed myself to the proposition as yet, but to show you the advantages that might come from a study, toward increasing all the benefits to railroad workers and their survivors without raising either the tax rate or the tax base, is a suggestion which has been made by the Bureau of the Budget, the Social Security Board, and Mr. Latimer, who is above all others, the father of railroad legislation.

They say, and it is true, that railroad workers are paying four times as much in the way of taxes as are paid by those under social security, yet retired railroad workers or their survivors are not receiving comparative benefits based on the amount they pay. The suggestion is made by the agencies I have referred to, that the Railroad Retirement Board could purchase from the Social Security Administration for all retired railroad workers all benefits under the social-security system at the 3-percent rate the amount now being paid by employers and employees under the social-security system. That would leave 9 percent difference between the 3 percent now being paid by workers under social security and the 12 percent being paid by railroad workers. This method would provide retired railroad workers increased benefits to a considerable amount. I take it there is a lot of real sense in that. It deserves consideration to say the least.

When you talk about sincerity of interest in behalf of the retired railroad workers it does not begin or end with any one individual in this House. I have been in this House for 25 years. There has never been a retirement bill that I have not supported with my vote. There is no one in this House, I care not what his name may be, who has had and now has a more sincere desire to be helpful to the railroad workers than I have; and I propose to do what I think is in their interest and I will not be deterred from doing that.

In conclusion permit me to suggest this to the membership: Read the report of the Bureau of the Budget; read the report of the Social Security Administration; read the testimony of Mr. Squire, the dissenting member of the Railroad Retirement Board; read the testimony of Mr. Latimer, and I am just as certain as that I stand here that you will agree that the majority of the committee have acted wisely and well in saying that we will give immediate relief to those who are in need, and make a complete study between now and February of next year under the resolution that is pending to see what further help can be given. We ask you to support our program by supporting the Hall bill and the Harris resolution for an immediate study as to ways and means of further increasing benefits and strengthening the stability of the retirement fund.

Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. CROSSER. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. ROGERS].

The CHAIRMAN. The gentleman from Florida is recognized for 10 minutes.

Mr. ROGERS of Florida. Mr. Chairman, I hope we can get the import and purpose of the report as made by a majority of your committee. We are bringing in here a bill which gives relief, temporary relief, needed relief, until a constructive bill can be worked out under which we can get the brotherhoods to agree. I wish you would go back and study the history of the Railroad Retirement Act. When it first started there was a fight between the railroads and labor and the act was held unconstitutional. Then they got together in a friendly manner and agreed on a bill and it was passed and no question of constitutionality was raised. In 1948 we gave a 20-percent increase in benefits. Now they want more. Surely they are entitled to some further relief, and that is what your committee has provided. That is what your committee has done. There appeared before your committee four brotherhoods one way, some brotherhoods the other way—a divided approach.

Even your committee is divided. Look at the report. We have been 2 or 3 months considering this question and we differ on what to bring in. We have three reports filed here. We have a majority report, we have one minority report and an additional minority report. If we cannot arrive at something good or worth while in that length of time, how in the name of heaven can we call upon you to exercise the privilege and function that you have to legislate on this very important matter?

It is important, Mr. Chairman, something should be done, and we ought to do it in unison instead of coming in here and fighting and fighting and fighting. That is what we are doing. This is an opportunity to get together.

The Bureau of the Budget has said it cannot recommend at this time the Crosser bill. The Social Security Administration came in with a report saying that it does not favor the Crosser bill. If you were to take the Crosser bill you would have three changes from present law.

First. It would integrate the railroad retirement system into the social security law. It would tie up the Railroad Retirement Act with social security. The Railroad Retirement Act has been outstanding legislation within itself to take care of railroad men. Now, they come in here and try to tie it in to the social security system. The Bureau of the Budget says that should not be done without further study and they say in reference to the feasibility of integrating this system into the social security system that they could not give their endorsement to such a program.

Second. Increase taxes to be paid by railroad workers.

Third. It prevents an annuitant or pensioner from earning more than $50 after retirement unless he wants to lose his retirement pay.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. Is it not a fact that that provision under the Crosser bill that would transfer workers with less than 10 years of service on the railroads to social security would affect approximately 5,000,000 previous and present workers?

Mr. ROGERS of Florida. I think that is correct.

Let me tell you what they are trying to do further than that. Your Ways and Means Committee is the father of the social-security legislation. That committee has not been consulted and its members do not know anything about the provisions of this Crosser bill. They ought to have an opportunity to come in here and say to this House: Before we let you ruin a system that we put into force and effect we want to study it some, we want a further investigation.

It is not fair for the Committee on Interstate and Foreign Commerce to impose upon the functions of the great Ways and Means Committee, that has jurisdiction of social-security legislation.

This is all we are asking you to do: Just give these railroad people immediate relief. They need it. But while we are doing that let us make a study. Let us get the Social Security Board, the Railroad Retirement Board and the Ways and Means Committee together before we integrate and tie it up with the social-security system. Let us not take apart such legislation in effect until we know what we are going to do. Let the committee have further study on this legislation.

We went through very active hearings and we heard evidence. We came to the conclusion that the thing to do is to give some temporary relief to these people until we could work out a good bill. That will not be long and there will not be any further expense.

The bill, as reported by the committee, provides for an increase of 15 percent in annuities and pensions and provides, in general, for a 33⅓-percent increase in survivor benefits.

The need for increasing the amount of monthly benefits paid to the retired railroad employees and to the survivors of deceased railroad employees is urgent. For several years now, the scale of benefits to railroad workers and their families has lagged far behind the steadily rising cost of living and wage rates. The standard railway-labor organizations and many Members of Congress have been seriously concerned with the inadequacy of these benefits in view of the steadily rising price level. When the formula for computing retirement annuities was adopted, 14 years ago, annuities bore a reasonable relationship to the cost of living at that time and to the wage income that employees were accustomed to receive prior to their retirement. However, the relationships of retirement income to living costs and wage rates which existed in 1937 have no validity whatsoever today.

Mr. BECKWORTH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Texas.

Mr. BECKWORTH. On the very thing the gentleman is talking about, what evidence or testimony or any other proof does the gentleman have that it will take such a long time to put into effect the provisions of the Crosser bill? I am not talking about stating it but the evidence or proof.

Mr. ROGERS of Florida. I say to the gentleman that the Bureau of the Budget said that it wanted more study, I want to say to the gentleman further that the Social Security Administration, the acting chairman of the Social Security Administration, said that they cannot recommend the adoption of H. R. 3369. In the Crosser bill they have a provision that these fellows who have paid their security tax, who have been with the railroads for 30 or 40 years, and when they get 65 years old and want to retire—and they have a vested right in that—if they do retire and get more than $50 through self-employment or through working for anybody else they lose their retirement benefits. The enactment of this provision would be unconstitutional on the ground of impairment of contract.

Does that appeal to you as being fair? If it does, let us attach an amendment here that the Congressmen who have taken advantage of the retirement pay, when they quit this House, cannot go out and secure employment or be hired by anybody else and make more than $50. If you do that, all right, but if you are not willing to do that, let us not adopt the Crosser bill. Now, the Crosser bill will increase the tax base, thus increasing the tax on employees as well as on employers.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Indiana.

Mr. HALLECK. I have said to a number of railroad men who talked to me in recent times, particularly during the recess, that I thought they were entitled to an increase in their pension and the pensions of their widows, and I wanted to vote for it. Would I be fulfilling that obligation if I voted for the committee bill?

Mr. ROGERS of Florida. I do not think there is any doubt about it, because it provides for a 15-percent increase for all pensioners and all annuitants plus 33⅓ percent for survivors.

Mr. HALLECK. One further question. What assurance can the gentleman give us as to whether or not we could expect reasonably quick action and compliance with the provisions of the bill if it is adopted?

Mr. ROGERS of Florida. I will say to the gentleman there is a provision in the committee amendment to take care of that.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Florida. I yield to the gentleman from Arkansas.

Mr. HARRIS. A month from the enactment of the bill the checks increasing the annuities will go to the beneficiaries.

Mr. HALLECK. That is what I was getting at, because I was impressed with the urgency of action by many of the men who talked to me.

Mr. ROGERS of Florida. They will immediately get it.

I hold here a report that is signed by Mr. Shields, grand chief engineer, Brotherhood of Locomotive Engineers; D. B. Robertson, president, the Brotherhood of Locomotive Firemen and Enginemen; R. O. Hughes, president, Order of Railway Conductors; and W. P. Kennedy, president, Brotherhood of Railroad Trainmen. In other words, here are four brotherhoods that come here and point out the defects in the Crosser bill, and they say this:

We earnestly favor the passage of this majority bill. It will accomplish four things:

1. Increase pensions and annuities 15 percent.
2. Increase survivor annuities 33⅓ percent.
3. Increase lump-sum death benefits 25 percent.
4. Provide for a thorough study of the railroad retirement system in order to determine what further benefits may be provided without jeopardizing the fund.

That is what we want to do. We want just a little more time to get all these brotherhoods and agencies together if you are not in too big a hurry.

The report goes on to say:

We oppose the minority bill (the original Crosser bill) because:

1. It proposes a tie-in with social security which will reduce the annuities of thousands of retired railroad workers.
2. It increases the taxes to be paid by railroad workers.
3. It limits to $50 a month the amount that can be earned by a pensioner or annuitant.
4. According to every actuary who testified, it will bankrupt the railroad retirement fund.

Are we going to let them do that? Is it not to the interest of this Government and to the interest of the brotherhoods to give us a little time to study this bill more thoroughly? That is all the committee amendment seeks to do. Let us endeavor to get unity and harmony among all classes of railroad employees before passing a bill under the terms of which all employees will have to abide.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. HESELTON].

Mr. CROSSER. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. HESELTON. Mr. Chairman, I realize that it is completely impossible to try to discuss fully the reasons why I support, with three of my colleagues on my side of the aisle, the provisions of the original bill, H. R. 3669. We have submitted very brief additional minority views of only three pages at the end of the committee report which we hope will be helpful. But I do want to touch briefly, if I may, on certain points made by my colleagues on my own side whose complete sincerity I recognize and appreciate.

Something has been made of the proposition that if you adopt the committee substitute there will be immediate relief. There is no reason to be concerned about that whatsoever. The provision of H. R. 3669, in section 27 (a), specifies that the relief under that bill shall go into effect after the last day of the month in which that bill is enacted. The formulas for computation and recomputation of benefits are all prepared and could be applied immediately. You cannot get any faster action under the Hall substitute than you can under the original bill.

I want to agree that there are two major principles upon which the entire committee was in accord. First, there is obviously great need for assistance for the beneficiaries under the Railroad

Retirement Act. There is the greatest need, however, for the beneficiaries who are receiving the least, and under the committee bill as reported those people will suffer most in terms of being deprived of the benefits they need and which we could provide under the original H. R. 3669.

Let me give you two simple illustrations: This flat percentage increase to the surviving widow would increase her benefit from $29.68 a month to $39.57. That is under the committee bill. It constitutes no relief.

For the average dependent child that receives $17.18 a month now, an increase to only $22.90 under the Hall substitute can hardly be described as adequate relief.

However, under H. R. 3669, as it was originally introduced, by reason of the guaranty that these beneficiaries would receive at least a minimum of what they otherwise would be receiving under Social Security, you would increase these benefits up to between 60 and more than 75 percent, to people who desperately need that assistance.

Let me give you two further specific examples. Where the average monthly pay was $150, under the present act a widow receives $30.10 monthly. Under the committee bill, she would receive only $40.13; a widow under similar circumstances under the present Social Security Act receives $43.13; under H. R. 3669, as originally introduced, she would receive $52.

In the case of a widow with one dependent child where the average monthly pay was $150, under the present act she receives $50.17. Under the committee bill she would receive only $66.88; a widow under similar circumstances under the present Social Security Act receives $86.26; under H. R. 3669, as originally introduced, she would receive $104.

In the second place, I think we are all agreed upon the principle that in trying to provide this relief we must not jeopardize this fund. The gentleman from North Carolina [Mr. COOLEY] asked a question a few minutes ago as to the possibility of jeopardizing the fund. In our additional minority views we have taken the report of the Railroad Retirement Board on the cost of the Hall substitute. It is covered in the fourth and fifth paragraphs. We have tried to translate that in terms of dollars.

The result is the estimated annual cost of the committee bill would be $720,790,000. The estimated annual income under a $4,900,000,000 payroll, the payroll they originally started with, would be $612,500,000. So you have an estimated deficit annually of $108,290,000.

My colleagues and friends have indicated to you their conviction that something further must be done, but I say to you when we are confronted with a proposition that can and, I assert, would result in the complete insolvency of this fund in a little over 22 years, it would be a most serious step for you to take.

What would be the result if we pass the original H. R. 3669? Through the savings involved and the additional revenue provided, you would be assured that you would not jeopardize the solvency of the retirement fund. The total estimated annual savings and increased revenue would be approximately $230,000,000. The committee received a responsible and, I think, reliable estimate that the end result would be an increase of the reserve to approximately $7,600,000,000 in between 15 to 20 years and from that the fund would be stabilized at a level of approximately $7,500,000,000.

The original H. R. 3669 has been described as a hodgepodge. Let me say to you that it is the work of a responsible committee of 18 standard railroad labor organizations over a period of more than a year. They are not coming in here with an overnight draft of legislation and asking you to accept it. They recognize what these changes will mean to them and to the people whom they represent.

It is true that the four operating brotherhoods are opposed to the original H. R. 3669, and I recognize their sincerity. But I suggest to you that when you weigh all the evidence and arguments in reaching your final decision you should take into consideration that the people who have been working sincerely and intelligently on this bill for this long period of time and who have supported it and defended it ably and successfully before the committees of both the House and the Senate are people who have the best interests of all railroad workers at heart. We have a right to rely upon their integrity, their honesty, their intelligence, and their knowledge of the matters which they place before the committee and before this House.

May I now briefly touch upon a few of the major differences between the original H. R. 3669 and the committee bill.

H. R. 3669 would provide increases for annuitants and pensioners and benefits for aged wives of a total of 29 percent.

The committee bill would provide increases for annuitants and pensioners of only 15 percent and provides no benefits for aged wives.

H. R. 3669 provides increases for survivors ranging from 60 percent to more than 75 percent.

The committee bill would provide increases for survivors of only 33⅓ percent and the end result would be a very large number receiving lower benefits than if the workers had been covered by social security.

H. R. 3669 provides a fundamentally vital guaranty that no beneficiary would receive less than if the worker had been under the social-security system.

The committee bill contains no such guaranty.

H. R. 3669 establishes, as our minority views attempt to explain, a sound system of financing these necessary increased benefits.

The committee bill is entirely silent on the matter of additional financing but proposes to take the necessary funds from the existing reserve, although it has been asserted that the existing reserve itself is very close to the danger point under the present system of benefits.

I recognize that in some quarters there is considerable opposition to any increase in the tax-rate base. But I would like to point out that this increase is not only one so far as taxes are concerned but that it also would provide increased benefits of itself since those benefits would be based upon that same increase so far as computation is concerned.

There is one incidental but very important provision in the original H. R. 3669. It has already been stated that a great many railroad workers continue work beyond the age 65 and that the average age of retirement is approximately 68. Under existing law, such an individual does not get any credit in the computation of his annuity for any service he renders after the end of the year in which he becomes 65. He continues to pay the same taxes on his earnings as persons under 65 pay but receives no credit for that service. This seems to me to be completely unjustifiable and the original H. R. 3669 does provide that any such individual will receive the same credit for service after 65 that he now receives up to 65. The committee bill does nothing about this.

In conclusion, I would like to call your attention to a letter which has been delivered to all our offices today. It is possible that it has escaped the attention of many. Consequently, and because it is a concise and strong statement with reference to the two proposals before us, under the permission I received in the House, I wish to insert it at this point:

AMERICAN FEDERATION OF LABOR,
Washington, D. C., October 3, 1951.

To All Members of Congress:

I am advised that amendments to the Railroad Retirement Act will be before the House of Representatives on Thursday and Friday of this week.

As you know, a majority of the Committee on Interstate and Foreign Commerce reported the Hall substitute for the original Crosser bill, H. R. 669. This substitute seriously reduces the benefits provided in the original Crosser bill. The Crosser bill was carefully prepared by the best experts in this particular field, in cooperation with the 18 standard railway labor organizations affiliated with the A. F. of L. and with Members of Congress who are recognized as having comprehensive knowledge of railroad retirement matters.

The American Federation of Labor has officially endorsed the original Crosser bill, H. R. 3669, which provides the minimum benefits necessary to meet the absolute needs of railroad workers, their wives, widows and survivors, and at the same time maintain the financial soundness of the railroad retirement fund. Conversely, the Hall substitute reported by a majority of the committee fails in many important respects to provide necessary benefits. Neither does the substitute proposal provide the savings and additional revenue required to maintain the retirement fund in a sound financial condition.

Therefore, in behalf of the 8,000,000 members of the A. F. of L. and particularly the 1,200,000 railroad workers who are members of the A. F. of L. and an additional 2,000,000 A. F. of L. members who have had railroad service and who have contributed to railroad retirement, I sincerely urge that each Member of Congress support Congressman CROSSER in his efforts to restore the original provisions of H. R. 3669 when this matter comes before the House.

With best wishes, I am,
Sincerely yours,

WM. GREEN,
President.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I think by this time every Member of the House is impressed with the fact that our committee wants to do something constructive for the retired railroad people and their survivors. Indeed they need it.

But when you get to looking this situation over, and regardless of all of the ins and outs you may hear on the floor, you get down to some very queer deals that are contained in this Crosser bill before us. That is what troubles our committee. We find these queer things and we do not know what to do about them because we cannot find anybody that agrees upon what can and should be done. Nobody seems to agree, in or out of the Government, as to what ought to be done permanently. That is why we want to make a further study of it and learn the true facts. Numerous important witnesses appeared before the Senate committee that were not permitted to testify before our committee.

Let me point out to you one thing. Perhaps this may seem right or wrong to you as you may see things, and you can decide that for yourselves. You have the Railroad Retirement Act that provides that the men must pay in 6 percent of their income to the fund and the railroads pay in 6 percent of payroll to the fund. It is proposed in the bill introduced by the gentleman from Ohio [Mr. CROSSER]—and God love him, he is a great fellow—that at the time of retirement if a person has not served 10 years in railroad employment his retirement business shall automatically be transferred from under the Railroad Retirement Act to the Social Security Act. Provision is made for the transfer of funds by the Railroad Retirement Board to the Social Security Agency on the basis of 1½ percent, of course, because that is the social-security tax rate, so 1½ percent of that worker's income for whatever time he work on a railroad—less than 10 years—goes from the railroad-retirement fund to the social-security fund. Meantime, that worker has paid a tax of 6 percent on his salary or wages. I would like to ask you what happens to the other 4½ percent which he has contributed to the railroad-retirement fund. Under Government civil-service retirement procedure, within a given length of time, I think it is 20 years, he gets a chance to get that money back, if he asks for it. But you do not get it back out of this deal, not by the Crosser bill, because that extra 4½ percent he has paid in is retained in the railroad-retirement fund for the benefit of those who stay longer than 10 years in the railroad service or their survivors. In other words, under Mr. Crosser's bill if you are a railroad man who worked 9 years and 11 months for the railroad before retiring, you will have made an outright gift of 4½ percent of your salary, not for the benefit of yourself or your own beneficiaries, but for the benefit of those who will benefit ultimately under the Railroad Retirement Act, because they worked for a railroad more than 10 years. That seems to me to be wholly unfair. It is estimated that 5,000,000 workers are so affected.

Then comes this business of the $50 work clause. We have always thought that railroad employees who contribute such a high proportion of their income to their own retirement fund should be free agents when they retire, as they are now. After all, they contribute just as much of their salaries as a Member of Congress contributes to his own retirement. They contribute 6 percent, which is four times the social security tax rate. There is nothing that restricts a Member of Congress as to what he may do after he retires. He can do anything, and make any money he may. But under the Crosser bill when a railroader reaches age 65, and retires after having served more than 10 years in railroad employment, if he earns more than $50 a month on the side, then he automatically goes off the pension rolls. Why is that? That is for the purpose of forcing those old railroaders to stay on the job as long as they can stand up in order to provide another forty or fifty million dollars, or whatever the figure is, for these new Crosser benefits. If the old railhead keeps on working on the railroad after he is 65 then, of course, he is not drawing his pension. When he does not draw his pension that money is not paid out of the fund, of course, so it becomes a saving to help pay for the new Crosser benefits. That seems to be wholly unfair to the oldster.

One of the real objectives of the Railroad Retirement Act, in my humble opinion, is to get these old people retired after they reach age 65 and not to keep them at work on the railroad, and that is just what this bill will do.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. WOLVERTON. I would like to emphasize the argument that the gentleman is making at the present time, which in my mind is a very effective one. It is alleged by the sponsors of the Crosser bill that this work clause would result in a saving of $50,000,000 to the fund. If you figure that out, it means this—considering that the average annuitant or pensioner receives $1,000 a year—that is about the average—it would mean that 50,000 railroad workers would have to continue at work beyond the retirement age in order to make this saving of $50,000,000.

Mr. HINSHAW. Of course, and from my own observation, it is in the interest of public safety and welfare, particularly, to have the operating men retired when they reach age 65. We do not want old engine men falling asleep in the cab, and we do not want trainmen slipping because their aged limbs cannot lift them up over the rungs of the ladders. We want such people to retire. That is what the act is for. We do not want to keep them at railroad work. This bill will keep them at work.

Mr. Chairman, one more thing—there are several more things, but there is one I want to mention at this time to show you how cockeyed this whole deal is. In 1948, we passed an act which brought the veterans who had railroad employment under the Railroad Retirement Act, giving them credit for railroad service while they were in the military service. Many veterans came back and took railroad employment, believing of course that the contributions, made in conjunction with the time that they were in the service, would add up and benefit them. Most of these veterans did not stay in the railroad service. Many of them have left for better jobs after a year or 2 years of service with the railroads. But, under the act, which we passed here a while back, $300,000,000 has been appropriated by Congress to the Railroad Retirement Act, and another $60,000,000 is due to be appropriated as a contribution to the fund on behalf of these veterans for the time they spent in military service. Most of these people are not any longer in the service of the railroads, and unless they actually work for 10 years for the railroads, they will not come under the Railroad Retirement Act under the Crosser bill amendments. Hence, there are $300,000,000 or $360,000,000, most of which will become a straight contribution of the Congress, without any credit whatsoever to the side of the social security fund on their behalf, so the act of Congress intended to benefit them will be a farce.

Those are some of the things we have had to consider. That is why the majority of the committee—I think 18 members because there were 10 against it, the majority of the committee, and the division is across the aisle, there is no division in the committee down the middle—thoroughly believe that we need another 5 or 6 months to get the proper reports from the various agencies of the Government, and to get these union organizations together, and get everybody together on a program which will really work, and which will be right and honest while maintaining the solvency of the fund.

Mr. Chairman, I hear people say that under the Crosser bill there is no increase in the tax rate, and that is true—but that does not mean that there is no increase in tax under the Crosser bill. In fact the Crosser bill does increase taxes on the railroad worker by increasing the tax base. Heretofore, the railroad worker has been taxed 6 percent on his salary up to $300 per month. Under the Crosser bill he would pay 6 percent on his salary up to $400 per month. If that is not an increase in taxes I would like to know what you call it. It is an increase of $6 tax per month if he earns $400 or more. The railroad workers that I know about do not want any increase in their taxes, but they will get an increase if the Crosser bill is adopted.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. WOLVERTON. I think it might be well to bring to the attention of the committee that at no time did the committee have before it anybody representing either actuarily or otherwise the Budget Bureau or the Social Security Administration, or the actuary of the Railroad Retirement Board.

Mr. HINSHAW. The list of witnesses brought before the committee was indeed quite strange; they mostly appeared, as far as I can tell, in favor of the Crosser bill; the opponents apparently were not invited to testify, and among those were the Government agencies like the Social Security Administration and the Bureau of the Budget. It is also strange that the operating brotherhoods were not permitted to even take a look at the Crosser bill before it was introduced. Perhaps that was because those who wrote the bill knew very well that the operating brotherhoods would have to be against it—and they are.

Mr. CROSSER. Mr. Chairman, I yield 2½ minutes to the gentleman from Iowa [Mr. DOLLIVER].

Mr. WOLVERTON. Mr. Chairman, I yield 2½ minutes to the gentleman from Iowa [Mr. DOLLIVER].

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes.

Mr. DOLLIVER. Mr. Chairman, I think by now everyone who has listened to this debate has become convinced that it is a rather complex problem; that, certainly, is my opinion about it. But there are certain elements that can be simplified and certain fundamental facts about this which I hope we can all bear in mind as this debate continues. Some of these fundamental things have already been alluded to in the debate. One, for instance, is that everybody wants to do something for the retired railroad man. I think that is the unanimous feeling of the committee and probably of the House.

One other thing to which I wish to call your attention is that the money which we are proposing to disburse through this bill is not public money; it is money that belongs to the railroad men, the railroad employees; and the railroad retirement bill not only affects the men who are operating the trains and who take care of the yards and who work in the offices, but it also includes everybody clear up to the president of the road; every employee of a railroad is included in this act; so it is their money that is being disposed of here in this proposed legislation.

The third thing that is very, very unfortunate about this whole situation is that there is a division among the railroad brotherhoods themselves as to what ought to be done. On the one hand the operating brotherhoods, that is, the men who actually operate the trains, as I understand, take a position against the Crosser bill; the nonoperating brotherhoods are strongly behind the Crosser bill. Had it been possible for the brotherhoods to come here with a unanimously supported bill we would not be engaged in this debate today, I dare say, because anything that would have been unanimously recommended by the men who work for the railroads would be accepted, I think, by the House, since this is their money. It is up to us to make a decision as to what ought to be done. That being the case what I propose to do in the very short time that has been allotted to me is to state my credo about it.

I listened to the hearings on this bill literally for weeks on end, and I think I attended most, if not all, of the executive sessions of the committee. We have had some very difficult problems to meet and to solve.

The Crosser bill came to us supported by, shall I say, some of the most expert testimony I have ever listened to in connection with this kind of legislation. Its proponents were well-prepared; they knew the answers to the questions which were propounded to them for days on end by the members of the committee. Mr. Chairman, as I have reviewed in my own mind and gone over the results of those witnesses' testimony I have come to the clear conclusion that the Crosser bill, if enacted, will be good legislation. There are certain elements in it, to be sure, which have been pointed out by its opponents that may be objectionable, that do not fit into the conceptions of all of us; and perhaps that is true of any kind of legislation—I do not know. But I say that as a whole the Crosser bill, if enacted into law, will accomplish the purpose which we all seek; namely, to benefit these retired railroad workers and put the whole system on a little more equitable basis than now exists. May I say just one word in that connection that if the Crosser bill in the process of enactment is emasculated, then it should not be enacted into law; we should go to the Hall-Wolverton version of this legislation.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CROSSER. Mr. Chairman, I yield 2½ minutes to the gentleman from Pennsylvania [Mr. HUGH D. SCOTT, JR.].

Mr. WOLVERTON. Mr. Chairman, I also yield 2½ minutes to the gentleman.

Mr. HUGH D. SCOTT, JR. Mr. Chairman, the railroad retirement beneficiaries in a typical city numbering 2,550 who receive $223,000 aggregate monthly benefits under the present bill would receive $257,000 under the committee bill and $255,000 estimated benefits under the Crosser bill. However, there are 995 spouses in this category who will receive nothing under existing benefits or under the committee bill and would receive $45,000 under the Crosser bill. The benefits paid under the Crosser bill to 700 widows and parents and the 275 children are likewise greater under the Crosser bill than under the present or committee bill, and the total increase in benefits under the committee bill in this city amount to $42,900 and under the Crosser bill $98,400.

I want to address myself, however, principally to the $50 work clause.

Mr. Chairman, although retirement is permissible at age 65, the average retirement age at present is around 68 years. This has resulted in savings to the railroad retirement account in two respects: (i) No annuities have been paid for the 3 years during which annuities would be payable under the law, and (ii) taxes have been received during the same 3 years from the same persons who could have received annuities instead. These savings are in danger of being lost if the $50 work clause were not adopted.

Mr. BECKWORTH. Mr. Chairman, will the gentleman yield?

Mr. HUGH D. SCOTT, JR. I yield to the gentleman from Texas.

Mr. BECKWORTH. The gentleman mentions the fact that the average retirement age is 68. That certainly is beyond 65 and is done voluntarily. So there is evidence that the men want to and do work longer.

One other thing I think is important at this particular point. We hear a lot about opposition to the $50 per month worker clause. That is in the Social Security Act, which act, so I understand, covers some 30,000,000 people. That which obtains today with reference to 30,000,000 would not be so different, we are compelled to admit, with reference to about another million and a half, if it be adopted.

Mr. HUGH D. SCOTT, JR. I agree with the gentleman. I think he is quite right.

Mr. WOLVERTON. Mr. Chairman, will the gentleman yield?

Mr. HUGH D. SCOTT, JR. I yield to the gentleman from New Jersey.

Mr. WOLVERTON. In connection with what the gentleman from Texas has said, it must be borne in mind that under social security they only paid one-fourth of what the workers under the Railroad Retirement Act paid.

Mr. BECKWORTH. Many of them get much less and we are trying to get them up to social security. That is exactly what we are trying to do.

Mr. HUGH D. SCOTT, JR. There is much good in the contributions of both gentlemen. Now if I may, I should like to proceed.

Mr. LEONARD W. HALL. Mr. Chairman, will the gentleman yield?

Mr. HUGH D. SCOTT, JR. I yield to the gentleman from New York.

Mr. LEONARD W. HALL. I am wondering whether the gentleman from Texas wants them to go up to social security or down to social security?

Mr. BECKWORTH. Up to social security because many of them are not up there and the gentleman well knows that.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. HUGH D. SCOTT, JR. I yield to the gentleman from Arkansas.

Mr. HARRIS. I appreciate the generosity of the gentleman and I want to contribute to this colloquy. No one in any of the railroad brotherhoods wants any part of the railroad retirement system to be transferred to and taken over by social security; is that right or not?

Mr. HUGH D. SCOTT, JR. I think the gentleman is stating something on which there is unanimous agreement.

Mr. Chairman, there is at present no prohibition against an annuitant's working in social security employment—other than a last person employer. Considering the incentives now offered by the 1950 Social Security Act—under which a person in advanced years could be eligible for a maximum old-age insurance benefit of $80, or $120 if he has an eligible wife, if he worked only 1½ years earning $300 a month—many railroad em-

ployees are likely to find it profitable to retire, not only at age 65—and thus wipe out the savings above described—but those with 30 years of service would retire in the early sixties. This would place additional burdens on the railroad retirement account. Obviously, this should be avoided. The savings described above should be used to increase benefits without increasing taxes rather than to keep benefits at the present inadequate rates and forego the savings. The $50 work clause is, of course, a limitation; but this is part of the price for substantial benefits. It really comes down to this choice. Either there will be substantial benefits for everybody with the $50 work clause for everybody, or there will be insubstantial benefits for everybody without that clause in order to provide a windfall for the group that can secure coverage under the Social Security Act. Aside from the fact that substantial benefits are obviously preferable to insubstantial benefits, the beneficiaries cannot afford the losses, described above, which we would incur in the absence of the $50 work clause.

The $50 work clause will not apply to services not covered under the Social Security Act, such as employment by the Federal Government or services otherwise excluded from the Social Security Act. This is so because, first, the Social Security Act itself does not prohibit the payment of benefits to anyone while engaged in such excluded services, and we did not want to discriminate against railroad employees in this respect. Second, the coverage under the Social Security Act is now so wide, and the excluded services so specialized that the number of persons who, after retirement, could secure employment in such services is very small indeed. Finally, the policing of work in the excluded services would be extremely difficult since the earnings from such service are not reported to the Social Security Administration.

Available information indicates that less than 10 percent of the employees now retired on old age annuities are employed in any service which pays them as much as $50 per month. It would be manifestly unfair to deprive 90 percent of the retired employees of an increase in their annuities of approximately 10 percent to take care of the 10 percent or less who work and earn more than $50 per month in outside employment following their retirement.

The $50 work clause will not apply to persons who retired before the enactment date of the bill and who on such date were engaged in service that is now permissible employment, that is, service in which an annuitant can now engage without forfeiting the annuity. The reason for this is that many annuitants now on the rolls may have decided to retire when they did relying on the provisions of the present law permitting them to engage in employment other than for an employer under the act or for the last person by whom they were employed before their annuities began. Accordingly, an applicant for a retirement annuity had reason to assume that he would have a source of income in addition to the annuity, and he may have made plans for his old age on this basis.

Mr. CROSSER. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. HELLER].

Mr. HELLER. Mr. Chairman, I want to commend the gentleman from Texas [Mr. BECKWORTH] and the gentleman from New York [Mr. KLEIN] for their fair and excellent presentation of the salient points of the bill under consideration.

Mr. Chairman, I, too, desire to be recorded in favor of the Crosser bill. I shall vote to restore the original purposes of that bill and oppose the so-called Hall substitute. I am aware that there is a division among the labor groups. Similarly, the House Interstate and Foreign Commerce Committee, of which I have the honor to be a member, is divided in its views. But the fact remains, as a number of Members have already indicated, that the pensioners are desperately and urgently in need of relief. Evidently, some of us are not aware that people are actually going hungry while Members here ask for further study. Who, may I ask, will feed them in the meantime?

The railroad workers in my district are desirous of obtaining the best bill possible with the most benefits. The Crosser bill is just that kind of a bill. If you reject the Crosser bill, you will be rejecting substantial increases and benefits for retired people and survivors. Let's face the facts squarely. You will be recorded in favor of the Association of American Railroads and the representatives of only 20 percent of the railroad employees, if you support the Hall substitute.

Among the advertising hucksters who cater to the soap-opera trade there is an old stand-by slogan—beware of substitutes. Never was that slogan more apropos than it is in this case. The House should beware of the Hall substitute. This bill will leave thousands of retired railroad men getting less than social security would provide for them. The Hall substitute also leaves a majority of the widows and children of railroad men in worse shape than under social security.

Why are the supporters of this substitute measure so anxious that the benefits under the Railroad Retirement Act should not be superior to social security? Is it mere coincidence that everyone who favors a merger of the social-security system and the railroad-retirement system is also favoring the Hall bill? The railroad system was started with benefits superior to social security. Why, then, is it so wrong to aspire to restore that position to the railroad man? Why should the people who contribute more of their wages toward their retirement not be entitled to greater benefits?

Some Members claim they cannot support the Crosser bill because of the $50 work clause. This point was raised by my distinguished friends and colleagues, the gentleman from New York [Mr. HALL] and the gentleman from New Jersey [Mr. WOLVERTON]. Concern is felt that this measure in some way takes away a vested right on the part of retired people. I do not agree with this view. To begin with, less than 10 percent of all persons now retired under the Railroad Retirement Act are presently employed. Therefore, even if this were an injustice, which I certainly deny, it would affect only 10 percent of the retired employees as against the other 90 percent, whom it would favor.

Let us examine this section a little closer. Social security, as was just so ably explained by the gentleman from Texas [Mr. BECKWORTH], contains this provision, known as the $50 work clause, which was put into the act by this body. Tens of millions of people now come under social security. If the $50 work clause is wrong for railroad retirement, then it is just as wrong for social security. But this section is not wrong. Annuities under this retirement system are not meant to supplement wages. This is not a funded insurance plan. This plan contemplates that everyone should contribute a share of his earnings in order to assure decent retirement upon reaching the retirement age. If this were an insurance plan, the people on the rolls now and for the last 14 years would be getting very little each month because they have paid practically nothing into the fund.

Men who are now retiring will draw about 10 times as much from the system as they paid into it. Those who have retired in past years have paid in even less. Why is it, then, that we pay these people such benefits? Is it to enable them to continue working? Do the younger men enable these people to draw pensions so they can go on working? Of course not.

The question in connection with the work clause boils down to this: Shall we have high benefits for everyone by adopting the work clause or low benefits for all in order to permit less than 10 percent of the people to continue to work? I think the answer is obvious.

In connection with the work clause there is another important fact. The law now prevents people from working in the railroad industry after they retire; consequently, those who are working do so outside the industry after their retirement. With the exception of some management people, others in the railroad industry are permitted to work as long as they are able to do so. Therefore, an employee is not forced to retire if he feels he cannot get along on his annuity. If this be the case, is not this man better off to stay in railroad work where he is more valuable, rather than go off into another work? Our country is in a difficult situation, and we need skilled manpower in the railroad field. If this work clause is not adopted we are encouraging able-bodied people past 65 who want to work to leave the industry where they are most valuable and seek other pursuits.

In summarizing, I want to make it clear that if a railroad man feels he wants to work after 65, we should make it possible for him to continue to work in the railroad industry. If he desires to retire, he should be able to do so and enjoy the benefits which this work clause will make possible.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, like all of you, I have been the recipient of

personal calls and printed material setting forth the arguments for and against pending amendments to the Railroad Retirement Act.

I can truthfully say that those who contacted me did so in a cooperative manner, thus convincing me of their sincerity of purpose. Without doubt, the information furnished me has been very helpful in my study of this subject.

As many of you know, I am a railroad man on furlough while a Member of Congress. I come from a railroad family and represent a congressional district that has, without doubt, on a percentage basis, the greatest number of active and retired railroad employees in the United States. I mention this to assure you that my interest in the Railroad Retirement Act is not seasonal because the subject is one that has been with me since the law was enacted in 1935.

I have introduced over a score of bills during my congressional career designed to liberalize the provisions of the Railroad Retirement Act. These bills were introduced because of the need for increased benefits to those retired and to surviving widows and children. They also provided for structural changes in the act regarding the age of retirement, the years of service required, and would have amended other provisions of the law.

To get action on these bills, I was constantly in touch with the House Committee on Interstate and Foreign Commerce to such an extent that I know at times my tenacity must have exhausted the patience of the chairman and the professional staff. This resoluteness on my part was not confined to the House of Representatives, because I was equally active in Senate circles.

Ever since the Eightieth Congress increased benefits under the Railroad Retirement Act by 20 percent to annuitants and pensioners, the only replies I received to my repeated requests for action on my bills were that no consideration could be given any railroad retirement amendments until actuarial studies could be completed, revealing the financial condition of the railroad retirement fund and the impact such amendments would have on it.

Speaking frankly, the repeated statements that nothing could be done until the actuarial reports were available, were accepted by me as an exhibition of sound judgment, because the future of the Railroad Retirement Act depends upon maintaining the solvency of the railroad retirement fund. In short, those who have retired and those who will retire must be able to look forward to receiving their monthly retirement checks with absolute certainty and without any interruption.

Therefore, any vote I cast on railroad retirement amendments will depend upon their relationship in maintaining the solvency of the retirement fund. In other words, can the fund stand the additional cost of proposed amendments, or will such amendments so impair the fund that their approval will threaten the future of the Railroad Retirement Act by making it financially impossible to fulfill its obligations to its beneficiaries?

Another basic factor that I intend to keep in mind during our consideration of this legislation is that it is generally agreed that retired employees and survivors of deceased employees must have immediate relief. I know it will not surprise many of you to learn that I have retired railroad employees and survivors of deceased employees in my congressional district who are actually hungry and living under conditions that you and I would find repugnant to the American way of life. These people are the victims of a frozen income over which they have no control and Congress, as custodian of the railroad retirement fund, is obligated to provide relief to these people through sound amendments to the Railroad Retirement Act.

According to the Railroad Retirement Board, the average age of the disabled and retired annuitant is 70.3 years and the pensioner 83.2 years; while the average of the widow is 73.1 years. The average monthly benefit received by the annuitant is $82.75 monthly; the pensioner $79.79 monthly; and the widow $29.62 monthly.

Keeping in mind the present scale of benefits, it may be well to look at the cost of living figures as furnished by the Bureau of Labor Statistics of the United States Department of Labor. As of July 15, 1951, or about 3 months ago, the cost of living had increased 82.7 percent over the cost of living in 1937, the year the Railroad Retirement Act became effective.

For an illustration, food had increased 114.8 percent; wearing apparel, 98.3 percent; rent, 34.9 percent; fuel, electricity, and so forth, 45.3 percent; house furnishings, 103.6 percent; and miscellaneous, 63.5 percent. As I stated, prices of everyday commodities have increased during that period.

While these increases in the cost of living were mounting during the period from 1937 to 1951 the recipients of railroad retirement benefits received but one increase—the 20 percent granted by the Eightieth Congress. The widows, however, received no increase.

It may be well for me to remind you at this point that the 1937 or 1939 dollar is not the same dollar in value that these retired railroaders or their survivors receive today. It can truthfully be said that they are the victims of not only the high cost of living, but of the inflated dollar. For that reason, they need assistance and they need it immediately.

It is to the credit of the advocates and opponents of the proposed legislation that they are in agreement on the fact that those already retired and the survivors of deceased employees must have immediate relief.

Another factor that I cannot ignore is one which concerns the railroad man of today who will be the retired man of tomorrow. He definitely is in favor of structural changes in the Railroad Retirement Act, that involve the reduction of the retirement age from 65 to age 60 and he desires the option of retiring on a full annuity after 30 years of service, regardless of age. In addition, he also wants an increase in present benefits without any increase in payroll taxes. Above all, he wants nothing to do in any way, shape, or form with the Railroad Retirement Act becoming related to the Social Security Act.

It is unfortunate that we have so much difference of opinion with respect to the proposed amendments. For example, members of the Railroad Retirement Board are divided, actuarial experts cannot agree in their opinions, the House Interstate and Foreign Commerce Committee is divided and railway labor groups have opposite views. Among the thousands of railroad employees, you find the same state of confusion exists regarding the provisions of these proposed amendments. Frankly, from my conversations with railroad employees, there is no doubt that there is favorable sentiment for liberalizing the Railroad Retirement Act, but, as many employees have warned, all amendments should be sound and should not impair the financial stability of the railroad retirement fund.

In my great desire to protect the interest of active and retired railroad employees and the survivors of deceased employees, I have spent hours in diligently studying not only the many bills introduced in Congress but also the printed hearings in the Senate and House of Representatives, together with the viewpoints of various railway labor organizations.

In addition, I have studied the majority and minority reports issued by the House Committee on Interstate and Foreign Commerce.

At this point I should like to discuss House bill 3669 as originally introduced and which is commonly referred to as the minority or Crosser bill.

The original House bill 3669 provides that retirement annuities shall be increased on an average of 13.8 percent, pensions to be increased by 15 percent, survivor benefits to be increased from 60 to 100 percent, and in addition to provide for a spouse's annuity. The report on the bill states that—

> These substantial increases provided in the original bill, H. R. 3669, are made possible only because said bill makes certain of the adequate financing by assuring certain savings to the railroad retirement fund and by providing additional income for the fund. The Railroad Retirement Board estimated that the combined yield of such savings and additional revenue would amount to about $230,000,000 annually.

It might be well at this time to discuss the source of these savings and additional revenue from which the proposed increases and new benefits are to be financed. Let us first discuss the $50-work-restriction clause.

The Crosser bill provides that annuitants and pensioners are prohibited from earning in excess of $50 a month unless they forfeit their monthly benefit for such month. This same provision is in the present Social Security Act and has been the basis of bitter and widespread criticism.

Under the present Railroad Retirement Act, the only work restriction im-

posed upon retired employees provides that while receiving an annuity, they must not be employed by a common carrier railroad recognized under the Railroad Retirement Act or by their last regular employer prior to going on pension.

Benefits under social security are not restricted in any way if annuitants are employed on the railroads or in any other employment except that covered under the Social Security Act. The retired Government employee is not restricted as to earnings because of employment in any other field except employment in the Federal Government. It is only reasonable and fair that railroad employees who will pay a higher tax rate than either of the above-mentioned groups, beginning January 1, 1952, be given the same privilege to supplement their fixed retirement incomes in other fields.

One of the provisions of the present Railroad Retirement Act provides that an employee who has attained age 60 and has 30 years of service may retire on a reduced annuity. Each year a number of employees who have been disqualified for work by the railroads and who do not meet the Railroad Retirement Board's disability test, as well as many others who meet the requirements for a reduced annuity before age 65, retire on such a reduced railroad retirement annuity and they obtain work outside the railroad industry to supplement their retirement benefits. This $50-work-restriction clause will create a great hardship upon the disqualified employee who did not qualfiy for a disability annuity, and, of course it would discourage others from retiring on a reduced annuity. It would practically nullify the reduced annuity provision in the present act.

The only argument that has been made in favor of the $50-work restriction contained in the Crosser bill and which has been borrowed from the Social Security Act, is that such a provision will provide additional funds with which to finance the increases and new provisions sponsored by the Crosser bill.

Although the present Railroad Retirement Act provides for retirement at age 65, the average retirement age is about 68 years, which means that there has been a saving in the railroad retirement fund in two respects: First, no annuities have been paid for the 3 years from 65 to 68; second, taxes have been received during the same 3 years from these employees who could have been receiving annuities.

Of course the $50-work restriction is intended to create further savings by discouraging retirement even at age 68. The Railroad Retirement Board has estimated that the $50-a-month work restriction will save the railroad retirement fund $50,000,000 in a year. When you consider that the average annuity paid each year is about $1,000, then such a $50,000,000-a-year saving would mean approximately 50,000 employees who are ready for retirement will not retire because of the $50 limitation on earnings.

The Railroad Retirement Act as enacted by Congress was intended to make it possible for men to retire, rather than to retire by restrictive legislation. That is, it proposed to provide benefits and encourage retirement of railroad employees at age 65, instead of imposing restrictions upon the aged employee to discourage his retirement at age 65.

Another feature overlooked in the $50-work-restriction clause is the administrative problem, which will mean the policing of some 200,000 retirement claims each month by a corps of new employees.

The Railroad Retirement Board's experience with respect to the policing once every 6 months of the present work-restriction clause as applied to the disabled employee, should certainly provide sufficient evidence as to the amount of extra work that can be expected if a monthly check is necessary.

Also included in the $230,000,000 savings and additional revenue mentioned in the minority report is the $100,000,000 savings estimated to be provided for in the financial adjustment between the railroad retirement and social security systems.

The Railroad Retirement Board's actuaries have estimated that approximately $40,000,000 of this saving would be realized through the transfer to social security of railroad employees with less than 10 years of service, and the remaining $60,000,000 savings would be the result of future contemplated legislation, which is to be recommended jointly by the Railroad Retirement Board and the Federal Security Administrator by June 1, 1956.

Under this proposal, railroad service after 1936 is to be considered employment under the Social Security Act—see section 23 of original bill, H. R. 3669. It might be well to point out at this time that the Railroad Retirement Board actuaries have estimated that the cost of the Crosser bill would be 14.12 percent of a $5,200,000,000 annual payroll. However, this cost estimate is based upon the financial adjustments between the railroad retirement and social security systems which include the so-called $60,000,000 contemplated savings for which no legislation has been introduced or recommended.

The Railroad Retirement Board's actuaries have also estimated the cost of the Crosser bill without the $60,000,000 contemplated savings would be 15.32 percent of a $5,200,000,000 annual payroll.

With respect to the adequate financing claimed of the Crosser bill, Mr. Musher, chief actuary for the Railroad Retirement Board, in his testimony before the Senate committee, introduced a table—see page 238 of Senate hearings—which showed that, under the Crosser bill, the railroad retirement fund would be entirely exhaused by the year 2000. Mr. Musher in his appearance before the Senate committee also testified that to continue the railroad retirement system after the reserve was exhausted would require a pay roll tax rate of approximately 20 percent. Also, according to exhibit on page 429 of the House hearings, which was prepared by the Railroad Retirement Board's actuarial staff, there would be an outstanding liability of $16,200,000,000 when the railroad retirement fund became exhausted in the year 2000 under H. R. 3669, as originally introduced and commonly known as the Crosser bill.

Mr. Robert D. Holran, a member of the Railroad Retirement Board's actuarial advisory committee, also appeared before the Senate committee and testified that in his opinion Mr. Musher's cost estimates were on the low side. Mr. Donald M. Overholser, an associate of Mr. George D. Buck, labor's member, on the Board's actuarial advisory committee, in his testimony before the Senate committee, said that the plan embodied in S. 1347, which is identical to the Crosser bill, "would go on the rocks. That is definite." He further stated that if he were a member of the railroad unions he would "be scared about this plan."

Mr. Murray W. Latimer in his prepared statement on S. 1347—which is identical to the Crosser bill—stated that under that bill that—

> Either the railroad retirement system will collapse or there will be a Government subsfdy. He further characterized the bill, from the standpoint of financial soundness as the extreme of recklessness.

Mr. Meyer, Chief Actuary for the social security system, was in complete disagreement with Mr. Musher as to the amount of possible savings that could be realized by adjustments with the social security trust fund under the Crosser bill. According to Mr. Meyer's statements the savings would be only about $50,000,000 instead of $100,000,000.

Under the Crosser bill there is a new eligibility requirement which provides that a railroad employee must have completed at least 120 months of compensated service in order to receive any benefits himself under the Railroad Retirement Act. The so-called residual lump sum benefit is a death benefit that may be payable to survivors.

The bill provides that upon retirement or death of an employee who has completed less than 10 years of service, benefits to him or his spouse, or his survivors, will be payable under the Social Security Act. However on the other hand there is also a minimum service requirement provided in the Social Security Act before benefits can be paid under that act. According to the amended Social Security Act of 1950, generally speaking, any individual who attains age 65 after 1970 must have completed 40 quarters of coverage—calendar quarters—in order to receive any benefits for himself, his spouse, or survivors under the Social Security Act.

Briefly this would mean that a railroad employee after performing less than 10 years of compensated service on which compensation he paid a tax three to four times higher than paid under social security, would not be entitled to any benefits at all under the Railroad Retirement Act, and if he attained age 65 after 1970, then he also would not qualify under the Social Security Act for any old age and survivor insurance benefits.

Under the present Railroad Retirement Act an employee who has a current connection with the railroad industry,

and who has less than 10 years of service and has attained age 60, is entitled to a monthly disability annuity provided he has been disqualified for work in his regular occupation. An employee who is totally disabled and who has less than 10 years of service is entitled to a disability annuity provided he has attained age 60.

Under the 10-year provision of the Crosser bill, such disabled employees would not be entitled to any benefits under the Railroad Retirement Act. However, if such employee had completed sufficient service to meet the requirements of the Social Security Act, he would qualify under that act at age 65. According to the Board's statistics there were 453 disability claims awarded in 1949 to disabled employees at age 60 who had less than 10 years of service.

According to the Railroad Retirement Board's annual report for the year 1949 there were 4,811,700 former railroad employees with less than 10 years of service, of which some 4,000,000 had less than 1 year of railroad service. The Crosser bill proposes to forfeit the annuity rights of such former employees and transfer them to the social security rolls. To begin with, none of these 4,000,000 former employees with less than 1 year of service would qualify for benefits under the Social Security Act unless they had performed additional employment covered under social security. It is reasonable to assume that practically 90 percent of these 4,000,000 employees with less than 1 year of railroad service did engage in and are still engaged in social security employment. This being the case, and because of the new effective date of January 1, 1951 of the Social Security Act, the crediting of service and compensation earned before that date will not increase the old age insurance benefits payable to such former railroad employees.

The statement has been made by the supporters of the Crosser bill that the transfer of employees with less than 10 years of service to social security will provide higher benefits than under the present Railroad Retirement Act. There is no doubt that if a study is made of these 4,811,770 cases of former employees with less than 10 years of service, it would reveal that in at least 90 percent of the cases the employee would receive higher benefits under the present dual system of paying both railroad retirement and social security benefits.

The Bureau of the Budget in response to a request from the House committee has the following to say with respect to the section of the Crosser bill providing for the transfer of the less than 10-year men to social security:

1. The workers with less than 10 years' service in the railroad industry—and these make up a very large percentage of the total—would get virtually all of their benefits from the old-age and survivors' insurance system and nothing from the railroad retirement system; yet under the bill they would pay for the same OASI benefits four times as much taxes as nonrailroad workers pay currently. In a sense, the short-term employees would be forced to subsidize the longer-term employees, a situation that might result in considerable discontent.

The Crosser bill provides that the retirement annuity or pension of an individual shall be reduced beginning with the month in which such individual is receiving or is entitled to receive an old-age insurance benefit under the Social Security Act.

To give an example: Take the case of a former railroad employee who retired in 1941 on 30 years of service at age 65 on an annuity amounting to $90 a month. Assume further that during the war he had social-security-covered employment from 1942 through 1946, and applied for and received a social-security benefit of $20 a month, which was later increased to $40 under the social-security amendments of 1950.

By the operation of the Crosser bill the railroad retirement annuity of $90 would be increased to $102 a month. However, under the above provision, where the retired employee in this case was receiving $40 a month under social security, his railroad retirement annuity would be reduced from $102 a month to $62 a month, which would mean that instead of this retired worker receiving higher total benefits, he would suffer a reduction of $28 a month in his total railroad-retirement and social-security benefits, from $130 to $102 a month.

The impression has been given that the Crosser bill is to provide increases in all retirement annuities and pensions payable under the Railroad Retirement Act. That is one of its purposes. It has another purpose, and that is to reduce many thousand annuities which are now being paid to individuals who have acquired rights for benefits under both the Social Security and Railroad Retirement Acts.

Mr. Lester Schoene, counsel for the Railway Labor Executives' Association before the House committee in support of the original H. R. 3669, which is now the Crosser bill, when asked by Congressman BENNETT if, under the present act, an individual could draw benefits under both the railroad retirement and social security, he stated, "That is true under the present law; yes." Then, in answer to Congressman BENNETT'S question, "Is that happening in a good many cases?" Mr. Schoene answered, "I do not know in how many cases it happens, but I would say in a substantial number; yes"—see page 542 of House hearings.

Mr. Murray W. Latimer, in his testimony before the House Committee—page 278—in reference to the number of cases in which retirement annuities now being paid would be reduced under this provision of the Crosser bill stated:

I do not know and neither does anybody else know how many annuities would be reduced, but I would guess it is in the neighborhood of 20,000 or 25,000.

Of course, this is another of the proposed savings provisions to provide additional income to finance the increased and new benefits of the Crosser bill. It sounds more like robbing Peter to pay Paul.

The additional income listed as part of the $230,000,000 made possible under the Crosser bill to finance the increases and new benefits of the bill is provided by increasing the taxable compensation from $300 to $400 a month. The House report on the Crosser bill states that "by increasing the limit from $300 to $400, additional revenues of $80,000,000 per year would be provided."

However, of the $80,000,000 additional taxes obtained by raising the maximum taxable and creditable compensation from $300 to $400, only a fraction would be available to finance the new increases and benefits proposed in the Crosser bill. The greater part of this additional revenue would be used to meet the increase in benefits that would result from the use of creditable compensation up to $400 a month in calculating employee and survivor benefits.

The proponents of the Crosser bill and other proposals, as well as the House Committee, were unanimous on one point and that was in view of the rising cost of living, which substantially reduces the standard of living of retired workers and the survivors, who are on a fixed income, the first problem to be met was the urgent necessity for increasing the amount of the monthly benefits payable to retired workers and survivors who are now on the current retirement rolls.

In order to meet this need, it will be necessary to enact legislation that will not require any administrative difficulties. There are some 400,000 retirement and survivor claims in current status; therefore, there should not be any legislation enacted at this time that will require a reexamination of such claims before any increased benefits can be paid. Such a delay is an absolute certainty under the Crosser bill.

As an illustration, under the 1946 amendments to the Railroad Retirement Act 200,000 claims had to be reexamined in order to determine if and how much increased benefits would be payable on each claim. It required over 1 year to complete the reexamination of those 200,000 cases, and of course, that meant considerable delay in paying increased benefits as provided under the 1946 amendments.

The Crosser bill proposes many changes which will require considerable correspondence and handling before a claim can be certified for additional benefits.

For example, the spouse's annuity. This is a new benefit which is payable to the spouse and will require the filing of an application and evidence to establish the date of marriage and age of the spouse.

The Railroad Retirement Board does not even have a record of employees who have a spouse, let alone the necessary evidence to establish the date of birth and marital status of such spouse. In addition, the Board will have to hire and train additional employees to process these cases. The present employees of the Railroad Retirement Board that are trained to handle cases under the Crosser bill will be busy handling the current new claims.

On the other hand, we have before us for consideration the Hall bill which provides for a 15 percent increase to all annuitants and pensioners, and a 33⅓-percent increase to widows and surviv-

ing children. This bill has been referred to as stop-gap legislation because it does not contain any of the controversial features of the Crosser bill, but does provide an immediate increase to retired employees and to widows and surviving children.

My study of the so-called Hall bill reveals there is a difference of opinion as to its cost. Some say it will completely wreck the railroad retirement fund in some 20 years; while others are of the opinion that it is the only sound approach to amending the Railroad Retirement Act without increasing the payroll tax or adding to the cost of administering the existing law.

Advocates of the Hall bill support their position by stating that the increases are reasonable and will not impair the railroad retirement fund. They also point to the fact that the 1948 amendments granting a 20 percent increase did not cost as much as originally estimated, due to increased wages, with the result that the railroad retirement fund is in a healthy condition today.

I recognize the honest differences of opinion that exist between advocates of the Crosser and Hall bills.

After detailed study and serious reflection, I am convinced that there is only one position I can take to guarantee the solvency of the railroad retirement fund and to grant immediate relief to retired employees and to widows and surviving children and that is to support the bill reported by the House Committee on Interstate and Foreign Commerce and referred to as the Hall bill.

In my support of the Hall bill, I realize it is stopgap legislation, yet it provides immediate relief to those in need of assistance, and that is the crying need of the hour.

On the other hand, I am in favor of many of the provisions of the Crosser bill, if it can be shown after further study on the part of the House Committee on Interstate and Foreign Commerce that these new benefits will not endanger the financial condition of the railroad retirement fund and that the relationship between the Railroad Retirement Act and the Social Security Administration, proposed in the Crosser bill, is not one that will eventually result in having the railroad retirement system absorbed by social security.

In supporting the Hall bill I am doing so with the understanding that the House Committee on Interstate and Foreign Commerce will be charged, as the result of a House resolution, with the responsibility of conducting a complete review of all the provisions of the Railroad Retirement Act for the purpose of liberalizing them if it is deemed possible to do so.

To guarantee action by Congress on the recommendations of the House Committee on Interstate and Foreign Commerce the committee is instructed to report to the House of Representatives in the form of a bill not later than February 1952. In my opinion such procedure is a sane and practical manner of liberalizing the Railroad Retirement Act.

In conclusion, by approval of the Hall bill we will furnish immediate relief to retired employees and to the surviving widows and children. Next February we can complete the task of liberalizing provisions of the Railroad Retirement Act in general.

Mr. CROSSER. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. McGUIRE].

Mr. McGUIRE. Mr. Chairman, in case there is any false impression here today about any strife in our committee, I want to have you know that a grander group of fellows could not sit around a table than the Republicans and Democrats on the Committee on Interstate and Foreign Commerce.

The gentleman from Pennsylvania [Mr. VAN ZANDT] said he comes from a district which has the most railroad men. I want you to know that I come from the center of culture, which is noted for Yale. I went to Dartmouth so I am not trying to give them a plug. We have Herman Hickman who is not only a great football coach, but is practically omniscient on television. Thirdly, we have the New Haven Railroad, which has the finest passenger equipment on wheels, and they were awarded a plaque for this from the American Railroad Association. I ride on the railroads every single week. I was home Monday, came back Tuesday morning, and I went back home yesterday morning, and then came back this morning. I always insist on riding the New Haven cars because they are so good. Somebody has mentioned here that it is a terrible thing about having this $50 work clause. Are we aware of the fact that over 30,000,000 workers who are under social security have that same thing, and are subjected to that $50 work clause?

I rise in support of the Crosser bill as originally introduced. This is the bill that a majority of the railroad workers want passed. A minority of the organizations of railroad employees and the Association of American Railroads are supporting the so-called Hall substitute. The issues here are clear. There is no doubt as to where all the interested parties stand in this matter. We are faced with a bill on one hand sponsored by BOB CROSSER that will put railroad retirement benefits back to the position they occupied for many years and at the same time pay for those benefits. On the other hand the substitute of the railroad companies leaves thousands of retired employees and a majority of the survivors worse off than they would be under social security.

Much has been made of the fact that the railroad organizations have not been able to achieve a united front on this matter. Because I am on the committee and because I have an interest in this problem, I want to make my views clear. First, let me say that an overwhelming majority of the employees—about 80 percent—are supporting the Crosser bill. At the same time I want to say as emphatically as I can that the Hall substitute is being supported by the Association of American Railroads. No Member of the House need assume that this is a dispute between the two labor groups. A majority of labor is for Crosser. Management is backing the Hall bill.

Ever since the Railroad Retirement Act was first passed, the railroad companies have been reluctant to agree to liberalizing it. Each time the matter has come before the House, the battle cry that the railroad lobby has raised has been "Let us have an investigation. Then we can determine what we want to do." Once again the people who are against the increases in the Railroad Retirement Act are saying, with an appropriate amount of accompanying crocodile tears, "We want to increase the benefits for these people, but, let us take about 6 months to study the matter." The railroad men who are interested in this have been studying it for 2 years. The Crosser bill is the result. This talk about another study is just a sham; a delaying tactic that the House has heard since 1935 when the original act was passed.

I do not like the fact that the unions are not united on this any better than the rest of the House. I have friends in both camps the same as every other Congressman. At the same time, I want to assure the House that I will not let this division deter me from making the best possible decision under the circumstances. I am the fellow that must answer to the retired employees in my district and I want to be able to say that I supported the best bill. I want to be able to prove that the maximum possible benefits will be made available to retired people, their wives, and their survivors.

All kinds of misunderstandings seem to be running through the House. Some have said that the operating unions represent a majority of the employees. As a matter of fact, the operating unions according to their own testimony before our committee represent 22 percent of the railroad employees. Others have said that if the Crosser bill is passed, the benefits will not be placed in effect for several months. This is a misrepresentation of fact. The Chairman of the Railroad Retirement Board has stated that within 30 days his organization will be making payments under any bill that the Congress passes. Others are saying that everyone is in agreement that we should pay 15-percent increases for retired people and 33⅓ percent for survivors now and let the rest of the program wait until the study is made. I am opposed to this procedure, Chairman CROSSER is opposed to this approach, and the Railway Labor Executives Association, which speaks for 80 percent of the affected employees, is opposed to it.

There is little good to be gained from talking at length from the floor about this matter. Right-thinking Members of the House are faced with a problem. The man who wrote the original Railroad Retirement Act has introduced several amendments to the Railroad Retirement Act. This same man has been responsible for every amendment to the Railroad Retirement Act since it was passed. The House now has the choice of following the advice of this expert, BOB CROSSER, or not. There is no question as to what the employees want:

They want the Crosser bill and I will vote for it.

As I told you before, I get home to my district every single week, and some times two or three times a week. The American people are sick and tired of stalling. I do not want any more stalling when it comes to making improvements in railroad retirement.

Mr. WOLVERTON. Mr. Chairman, I yield myself one-half minute to correct a statement which I understand was made by the preceding speaker, the gentleman from Connecticut [Mr. McGUIRE] that the Railroad Retirement Act and the amendments thereto since 1935 were due entirely to the gentleman from Ohio [Mr. CROSSER]. While I do not wish to take any credit away from the gentleman from Ohio, I think with pardonable pride I am justified in referring to the fact that during a portion of the time there was a Republican Congress. I had the honor of being chairman of the Committee on Interstate and Foreign Commerce during that session. I introduced legislation to increase benefits. The committee reported favorably a bill that increased benefits. It was passed by the House and Senate. It was approved by the President.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. WOLVERTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. I just want to suggest to the gentleman from Connecticut that he has not ridden on the Atchison, Topeka & Santa Fe on the Super Chief.

Mr. Chairman, the approval of this legislation would, in my opinion, be an act of simple justice. Only recently Congress approved legislation liberalizing and increasing coverage under the Social Security Act. Congress also provided for increases in benefits for those retired from Government service. Liberalization for other groups has also been approved. The reason for such action, of course, was largely because of the mounting increased cost of living.

There have been little changes or amendments to the Railroad Retirement Act since 1937, except a slight increase that was granted 5 years ago. I think I should add right here that Congress has seen fit to approve increased pensions or benefits for other groups where the entire increases came from Federal funds. I mention this only to indicate a policy that has been pretty well followed by Congress in dealing with the question of retirement benefits.

The railroad retirement system is the only one I know of where contributions are of sufficient amount by the employer and employee to make it actuarily sound and without contributions from the Federal Government.

Comparing the program and benefits of the Railroad Retirement Act with the Social Security Act, it is observed that social security in some respects is more liberal than railroad retirement, especially as it applies to the average worker who has a wife and two or three or four children. There are other things to be considered, however, that are more favorable to the Railroad Retirement Act, among which are the very important disability benefits.

I want to commend the great organization of railroad employees, numbering approximately a million and a half people, who occupy such an important place in the business and industry of this country, for the conservative and careful manner in which they have guarded the funds of this organization to make sure it is solvent, so there may be no question of its ability to meet payments to those who are dependent upon its benefits for a living after retiring from active service.

I had hoped the commitee would recommend more liberal increases to the recipients under this legislation. Of course I do not want to impair the fund. I do think, however, the fund would not be impaired if the benefits to the retired employees were increased 25 percent, instead of 15 percent, and the payments to dependents increased 50 percent instead of 33⅓ percent.

In support of that statement I would like to make a few brief observations. The fund during recent years has been accumulating in considerable amounts, and rightly so. As of of June 1 this year the fund amounted to $1,419,261,626 according to the committee report. It is $356,000,000 more than the year before. During the present year, according to the report, the increase will be even greater, due to increases in wages and increases in taxes collected for this fund. I might add that the proceeds of the fund are invested in Government securities and the returns in that respect are to that extent increased. Personally, I feel there could be some savings in administration expenses. Applications could be processed through the railway organizations and thereby save some of so-called red tape. Burden against the fund should be lighter because of a lesser number of retired employees who had retired when the Retirement Act was enacted. Let me further quote from the report of this committee:

> Furthermore, it should be remembered that with the adoption of the present benefits under the Railroad Retirement Act in 1946, the actuaries at the time overestimated the cost of the additional benefits then proposed and underestimated the funds to be available from tax collections. In fact, the estimates were conservative enough at that time to permit within 2 years, 1948, an increase of 20 percent for pensioners and annuitants without affecting the solvency of the fund. Also, since the increase in benefits, the fund has continuously progressed beyond the estimates of the actuaries, both in 1946 and in 1948. The major reason is that payrolls have been constantly increasing. Therefore, the committee is convinced from the testimony as a whole that the benefits to be increased under the committee substitute can be provided without immediately affecting the solvency of the fund.

Mr. Chairman, the present need of so many people who are recipients under the terms of this act is such that relief ought to be granted. When the railroad retirement bill was passed, it was certainly expected there would be sufficient funds that recipients would be reasonably well taken care of. Now because of increased cost of living and other expenses, their benefits are reduced by more than 50 percent. The situation is imperative. It was certainly not anticipated these older people would be required to use up their accumulated savings, if they had any, as they are doing now, or to adjust themselves to a far-below-normal class of living.

Here is a group of thousands of highly respected American citizens, nearly all of whom have given their lives to a highly important and responsible business, that of handling the transportation of this country. They constitute a big segment of the leadership of real American citizens. They are the people who have had so much to do with the building and developing of American life.

It is not right that this group of American citizens should be neglected because of the failure of Congress to take action in their behalf. After all, the funds upon which they are dependent do not come from the Federal Treasury, but from their own wages and allocations from their employers, such allocations being contributed as a part of the compensation of the workers. I hope the House will see fit to approve this legislation.

I observe that the Bureau of the Budget in commenting on this proposed legislation calls attention to certain defects, and recommends a study of the railroad-retirement system. This is a recommendation long past due. I hope this Committee on Interstate and Foreign Commerce, together with representatives of the various railway employees, and representatives of the railroads of this country, will at the earliest possible time proceed to examine and study this important problem and then make recommendation to Congress with respect to further needed legislation.

Mr. WOLVERTON. Mr. Chairman, if it is in order to do so, having in mind the limited time at the disposal of the chairman and myself, I ask unanimous consent that all Members be given the privilege of extending their remarks on the bill in the RECORD at this point.

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

There was no objection.

Mr. GOLDEN. Mr. Chairman, this will be a good day in the lives of the men and women who work for the railroad companies in this country, who have over years past made their monthly contributions from their wages to the railroad retirement fund. These employees of this tremendously important American industry have waited a long time for the Congress of the United States to amend and improve the provisions of the Railroad Retirement Act.

We Members of Congress who have for such a long time struggled and worked toward economy and who have steadfastly tried to protect the overburdened taxpayers, can support this legislation wholeheartedly without any pangs of conscience.

From 1937, when the Railroad Retirement Act was created, the railroad companies and the railroad employees have paid their own money into this fund until the accumulated surplus in the fund, over and above all pensions, annuities, and expenses paid out of the fund, has reached the gigantic sum of in excess of $2,300,000,000. This sum repre-

sents the savings for security that came out of the wages of the railroad employees and the earnings of the railroad companies; none of it came out of the pockets of the taxpayers. Therefore, we all can support fair and reasonable improvements and amendments to this Railroad Retirement Act and know that we are justly returning to these men and women who have served the railroad company and who are serving it, their own money.

Under the provisions of the Railroad Retirement Act, the Congress of the United States has the power and the right to enact legislation, to regulate and govern the pensions and annuities that are paid out of this fund.

I suppose that every Member of Congress has a large number of citizens in their home districts that have been and are employees of some railroad company. As their representatives, we have the obligation and duty to first see that this fund that they have provided for their own security, shall be and remain solvent. This is the best service we can render to them. On the other hand, and in view of the tremendous rise in the cost of living over the past few years, and in view of the further fact that the pensions and annuities being paid under the present Railroad Retirement Act falls so far short of giving to these men and women the sort of protection and security that is necessary for them to live in decency and to maintain their standard of living, it is up to the Members of Congress and the great committee that has jurisdiction over the Railroad Retirement Act, the Committee on Interstate and Foreign Commerce, to enact amendments to the Railroad Retirement Act that will give to all of the participants of this fund just as large benefits as can be justified by the present size of the fund and the enormous intake of wages and earnings that is flowing into the fund each month, having in mind that our constituents want us to be sure that we maintain the soundness and solvency of their fund and that we, as Members of Congress, give a good account of our trusteeship in managing this fund for them.

I represent a large number of citizens in my home district who have made railroading their life's work. It is my considered opinion that considered as a whole and as a group, the railroad employees over the Nation constitute as substantial a group of citizens as could be found anywhere in the United States. Most of these men and women have chosen the railroad industry for their life's work; many hundreds of thousands of them have been in this employment for long periods of years; a large percent own their own homes; they are vitally interested in the stability and progress of their country; they are loyal American citizens; and they deserve at our hands the most careful consideration that this committee and each Member of Congress can give to them in dealing with this trust fund that they have created out of their labors and that we administer for them.

Realizing as I did when I first came to Congress, that I had the honor of representing a congressional district that had a very large percentage of railroad employees in it, I felt it was my duty to acquaint myself with the Railroad Retirement Act from its very beginning to the present time. I have made an exhaustive study of the history of the Railroad Retirement Act, of the provisions and amendments that have heretofore been enacted by the Congress and I have studied the financial structure of this fund and its administration from the beginning up to the present time. During my first term of Congress, I prepared and introduced a new Railroad Retirement Act; during my second term, I prepared and introduced a second bill, providing the four amendments to the Railroad Retirement Act. I have heretofore spoken in Congress, trying to represent my people, urging the Members to enact a new and improved Railroad Retirement Act at the present session of Congress. I had the honor and privilege of appearing before this great Committee on Interstate and Foreign Commerce while it was considering this much needed and improved legislation and I gave to them such help and assistance as I could from my study of this situation.

I said a moment ago that I felt that this would be a glad day for our railroad people here in the United States. We have waited far too long to grant to them improvements and amendments that would afford larger payments of annuities and pensions to the railroad employees, those who have retired and those who will retire, and to their dependents. It is my earnest hope that we may complete and enact into law at the present session of this Congress a much improved railroad retirement bill that will afford to all of our railroad constituents the very best possible increases in payments to them from this fund.

There are two things which I regret very deeply. Those two things are these: The members of this committee are not agreed among themselves as to the kind of bill that we should enact. One group of Members favors the committee bill; another group favors the Crosser substitute. It is to be regretted that this great committee could not have agreed upon one bill, but I think I know that each member of this committee is sincere in the position he is taking, and it is right and proper under our form of Government that we should bring these bills before the Congress for public debate so that each man on the committee can give to us the facts as he sees them and the reasons for his position.

The other things which I deeply regret is that the large groups of railroad employees represented by the many different brotherhoods who are so vitally interested in this legislation could not agree among themselves.

This committee was in session for a long time and it gave opportunity to representatives of the various brotherhoods to bring their experts before the committee and advocate their views. However, we are here today confronted with the fact that one large group of railroad employees favor the committee bill and another large group of railroad employees favor the Crosser substitute.

It is my belief that every Member of Congress has constituents in his home district that are members of these various railroad brotherhoods. It is perfectly apparent with the committee divided and the brotherhoods divided, that we will not be able as Members of Congress to enact a new bill that will be entirely pleasing and satisfactory to everybody. Under these circumstances, it is up to every Member of Congress to let his conscience be his guide and to do the very best he can for his people under these trying and difficult circumstances. There is one good thing about it, the committee bill brings larger pensions and annuities to these men and women, and the Crosser substitute likewise brings added benefits and payments of annuities and pensions to these men and women who are entitled to same.

While the bill which we will presently enact is not perfect, we can enjoy with all of the railroad men and women of this country the fact that either one of these bills is far better than the present law that falls so far short in meeting the high cost of living with which these people whom we represent have to contend. Even if we cannot bring out a bill that everybody agrees upon, it is vital and necessary that we do pass some amendments that will give to these worthy and needy people all of the benefits that the fund can afford, and that we do it now at the present session of Congress, without any further delay.

Mr. SIEMINSKI. Mr. Chairman, constituents in my congressional district, who are receiving railroad retirement pensions, annuities, widow's and survivor's benefits, have written to me for aid in having a law passed to increase the benefits they are now receiving which are much too meager to enable them to live in a decent manner.

I am advised that railroad labor organizations representing only 22 percent of the railway workers are opposing this legislation, notwithstanding the dire need for these increases and the fact that there are other provisions in the bill which will effect savings and make up the money needed to pay for these much-needed benefits and insure the financial soundness and solvency of the Railroad Retirement Fund.

I seriously ask, "Is it fair for these railroad organizations, representing a small minority of the railway workers, to deprive, by their actions, these worthy retired railroad workers, their beloved wives, and the widows and children of deceased railroad workers, of the increased benefits provided in the Crosser bill which are so sorely needed at this time?"

Mr. WOLVERTON. Mr. Chairman, I yield 3 minutes to the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Chairman, I rise in support of the committee bill.

I think it would be a great misfortune to adopt the Crosser substitute; because, after all, the committee bill is the committee bill and any other measure which may be offered in opposition to the committee bill would be in the nature of a substitute.

The committee bill is what you might call a "quickie"; it gives quick relief across the board. It is a short bill and

it is an intelligible bill. If you will look at it you will find that it consists of but three pages; you can read it and it is readily intelligible. The original H. R. 3369 takes up 24 pages; its provisions are extremely complicated and anything but intelligible on a superficial reading. It is very difficult to understand after you have studied it a long time. The most serious complication in the Crosser bill is the attempt to transfer the railway employee with less than 10 years of service to the social security system.

My own point of view is that social-security legislation should be made applicable to everybody in the United States and that the privileges of the Railroad Retirement Act and the burdens of the Railroad Retirement Act should be superimposed upon the social-security legislation. That is not what the Crosser bill does. Let me read to you what the Federal Security Administrator has to say about the Crosser bill:

> The provisions of H. R. 3669 which govern the coordination of payments by the two programs are inconsistent and difficult to understand and to explain. The general principles on which they are based apparently are that old-age and survivors insurance should pay the short-term railroad worker and his survivors, and the railroad program should pay the long-term worker and his survivors, and that wage credits under the two programs should be combined. However, these principles are not consistently carried out in the coordination provisions and as a consequence many inequitable and anomalous situations would arise.
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> It is very difficult to justify the inconsistency of these provisions on any basis other than a historical one, and it would be almost impossible to secure a clear understanding among the noncareer railroad workers and their families as to what program they should look to for benefits, or what protection they are actually afforded.

I would also call attention very particularly to the testimony, and I wish I had time to read it, because it is most impressive, of Mr. Murray W. Latimer, who was for 11 years a member of the Railroad Retirement Board. If you will read a summary of his objections to the Crosser bill on pages 274 and 275 of the hearings I think you cannot fail to be very deeply impressed.

Mr. Chairman, I would also call particular attention to the language used by the Bureau of the Budget at page 325 of the hearings.

Mr. WOLVERTON. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. DENNY].

Mr. DENNY. Mr. Chairman, there are several compelling reasons why I am very strongly in favor of the committee bill to amend the Railroad Retirement Act.

First. The first consideration is the immediate increase in annuities payable to the retired railroad employees. This is the great necessity because of the increased cost of living and because the previous payments to the men have been less in many cases than under Social Security.

Second. This bill provides a material increase in the payment to widows. This is an essential, because of the fact that, to my personal knowledge, widows of railroad employees in my District are being paid less than widows who obtain their pension from Social Security. This bill completely corrects this disparity.

Third. The tax deducted from the employee's payroll is not increased under this bill to the extent that it would have been increased under H. R. 3669. In the latter, in some cases, the tax deduction would have amounted to one-third more.

Fourth. There is no possibility, according to the best actuarial authorities, of the benefits and pensions under this bill endangering in any way the principal fund under the railroad retirement system, and the same authorities agree that it would have been in jeopardy under the original bill.

It is true that there are several controversial features that are not covered by this bill, but it is the purpose of the Interstate and Foreign Commerce Committee of the House and the express purpose of the Senate Committee to immediately initiate studies in order that in the year 1952 what might be termed an ideal pension bill may be drawn in simple terms readily understandable with the intention of covering all of these controversial matters. The committee firmly believes that a sound and equitable pension plan can be drawn based on actuarial principles which will include the three basic conditions of a good bill, First, the benefit of the pensioner; Second, the benefit of his survivors; and third, the security of the principal fund. This will require considerable study for the reason that there was such a great difference of opinion between the railroad brotherhoods, the railroad executives, the operators and the members of the committee. This is a consummation devoutly to be wished. I can assure you that it will have the earnest effort of every member of our committee.

Mr. WOLVERTON. Mr. Chairman, I yield 2½ minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. CROSSER. Mr. Chairman, I also yield the gentleman 2½ minutes.

Mr. HARRIS. Mr. Chairman, I appreciate the position we are in with reference to time for discussing this very important bill. When I appeared before the Committee on Rules I asked the committee to give us a minimum of 3 hours anyhow. In its wisdom it reported the rule providing 2 hours for general debate.

Mr. Chairman, I could not undertake to say what I would like to say to explain to Members of the House in 5 minutes this involved problem. I appreciate very much the position of the chairman of our committee, but 2½ minutes is very little time. I regret exceedingly that I find myself, as other members of the committee, on the other side of this discussion from that of the very fine, able, and distinguished chairman of the committee. He is an outstanding Member of this House. I have the highest regard for him. He has had great interest in railroad employees as well as all other people of the United States. He is to be highly commended for his active and conscientious efforts over the period of years in this Congress.

In reference to the merits of the bill, I merely want to say, Mr. Chairman, that when we get into the 5-minute rule, it will be my intention to ask for 5 minutes and perhaps an additional 5 minutes under the circumstances, at which time I expect to try to outline to you briefly some of my own thoughts regarding this railroad retirement bill.

Mr. Chairman, I am supporting the provisions of the committee substitute. It was reported by our committee after lengthy hearings and long and careful consideration. The reason for my position is this: The Social Security Administration is opposed to both bills which were originally introduced by the chairman of our committee, one bill sponsored by the nonoperating employees and the other sponsored by the operating employees of the railroads. They gave their reasons for opposing both bills, but said: There is a way that immediate relief can be given by a simple increase in percentages and give it now. I intend to undertake to explain some of the things that the Social Security Administration recommended to our committee, which caused me, among other things, to form my own opinion in this matter. The Bureau of the Budget is opposed to the bill as introduced by our fine and distinguished chairman, and they set out, I believe, some 10 or 11 reasons why they were opposed to it. The Railroad Retirement Board is divided on it, one to two; two members of the board taking one viewpoint and the other member taking another viewpoint. The railroad employees are at variance, sharply divided. Mr. Chairman, I want to say the attitude of the members of this committee to me clearly illustrates what I think is the attitude of most members; that we regret to find ourselves in the middle, and we are going to have to pass on something where there is such wide diversion of views among those most vitally affected. So consequently, because of all of these involvements and the five major policies, I intend to draw to your attention the fundamental issues when we get under the 5-minute rule.

I say to you we need to give the immediate relief now that can be given without affecting the soundness of the fund, without becoming involved with all the frills of the social security integration with railroad retirement, and then adopt the resolution the Committee on Rules reported calling for an immediate study that will bring together all these elements that are in dissension. Let us do what we can now and treat these employees, who are paying 6 percent now and 6¼ percent beginning January 1, a total of 12½ percent going to the fund, fair, and see what should be done for them after further study on these highly controversal points that they may get what they are entitled to have.

Mr. WOLVERTON. Mr. Chairman, I yield 5 minutes to the distinguished majority whip, the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Chairman, I appreciate very much the generosity of the distinguished ranking minority member of the committee in yielding me these 5 minutes. Obviously I cannot go into all of the details of this rather complicated legislation in that time, but as the

gentleman from Arkansas [Mr. HARRIS] suggested, I intend to get time under the 5-minute rule to explain fully why I believe that the wisest policy of the House of Representatives at this time is to adopt the substitute bill reported by the majority of the Committee on Interstate and Foreign Commerce. There are some very impelling and compelling reasons why I believe that this should be done at this time. Most of them already have been mentioned but there are a few angles that I think deserve further consideration.

I now want to make reference to one statement made by my very distinguished and good friend from New York [Mr. HELLER] in the remarks he made to the House. He intimated that those who are supporting the so-called Hall bill are those who want to bring about a merger of social security and the railroad retirement system.

I have made a pledge time after time to the railroad people in my district, and I have three railroads that center in Nashville, Tenn., that I would unalterably oppose the merger of the social-security system with the railroad retirement system. I told some of the nonoperating men of that district last week that if we adopt this 10-year provision in the Crosser bill, taking men with less than 10 years service and placing them under social security this year, next year we will be taking the 15-year men and the next year the 20-year men. Make no mistake about it. If you are opposed to merger of social security with the railroad retirement system, you are beginning that thing right now if you adopt that provision. I have always been opposed to it and I am opposed to it still.

Let me emphasize also that, as other members of the committee have stated, there is no great dissension among members of the committee on what we want to do. Everybody wants to do a job at this time, and do a good job for the beneficiaries of the railroad retirement system.

I do want to mention also this one thing, because it has been brought up time after time. I am unalterably opposed on moral grounds, if no other grounds, to this so-called $50 work clause. I was opposed to it in social security and I am now having prepared an amendment that I shall introduce in the House of Representatives to repeal that part of the Social Security Act. I believe it is morally wrong, it is ethically wrong, and I do not believe it is sound Americanism to say to an American citizen who works 30 years for a railroad, or however many years he might work, and pays 6 percent into a retirement fund, "When you retire you cannot make more than $50 in a month."

I know of a case in my district of a man who has worked for the N. C. & St. L. Railroad 37 years. He has a little workshop in his basement and does upholstery work. I asked this question of a witness: "If this man in any month takes in 10 chairs at $6 apiece and finishes those 10 chairs earning $60 in that month, would he lose the $92 annuity for that month?" The answer was, "Yes, if this provision is adopted." Is there anything sound, is there anything moral in that sort of situation?

Mr. Chairman, the majority of the commmittee has shown in this bill what we believe can be done now to afford quick relief. We propose to bring up as soon as this bill is passed a resolution providing for study to clarify a lot of these provisions that have created so much confusion among so many different segment of our economy and agencies of the Government that are interested in this situation. It is my opinion that the best thing we can do is pass the substitute, the committee bill, and then engage in that study and report back to the Congress later.

The bill reported by the committee does not represent hasty action on the part of the committee. On the contrary, it is the result of action taken only after extended hearings and numerous executive sessions at which painstaking consideration was given to a great variety of proposals for a liberalization of benefits under the Railroad Retirement Act. The hearings covered some thirty-odd bills, but the testimony was directed largely to two bills, one, H. R. 3669, sponsored by the nonoperating group of employees, and the other, H. R. 3755, sponsored by the operating group. These bills were strikingly different in their proposals, but I do not have the time to go into details with respect to that. What I wish to emphasize right now is the extent to which there was agreement on the part of all interests represented at the hearings.

Two matters on which there was virtually complete unanimity on the part of all who appeared at the hearings were, first, the importance of preserving the solvency of the retirement system, and, second the undesirability of any increase in the present tax rate on employers and employees for the support of the system. The rate is now 6 percent on each and next year will reach its final level of 6¼ percent on each. In striking contrast, the rate for the support of the social security system of old-age and survivors insurance is only 1½ percent each on employers and employees and is scheduled to go up gradually until it reaches a final level of 3¼ percent on each in 1970. In other words, the tax on employers and employees covered by the railroad retirement system is now exactly four times that paid by employers and employees covered by the social security system. As the two sets of taxes are now scheduled, this difference will gradually decrease until 1970 and thereafter the railroad tax will be only slightly less than twice the social security tax.

The problem with which the committee was confronted in considering this proposed legislation, therefore, was that of determining what, if any, increases could be made in the benefits under the Railroad Retirement Act without seriously endangering the solvency of the system and without increasing the rate of tax now imposed on employers and employees for the support of the system. The bill reported by the committee represents the best judgment of the majority as to the maximum extent to which present benefits may be increased within these two limitations.

Under the bill as reported by the committee, all retirement annuities and pensions are to be increased 15 percent, all survivor annuities are to be increased 33⅓ percent and all lump-sum death payments are to be increased 25 percent. These increases are both substantial and generous. According to estimates made by the actuaries of the Railroad Retirement Board, the increases proposed in the bill would add more than $100,000,000 a year to the present cost of the railroad-retirement system, raising the cost from 12.60 percent of the estimated level payroll of $4,900,000,000 to 14.71 percent of such payroll. When it is remembered that the present total payroll tax for the support of the system is 12 percent, to be increased next year to the final figure of 12.5 percent, it is obvious that such an increase in benefits would carry a serious threat to the solvency of the system in the absence of some way of offsetting it through savings or otherwise. In recognition of that fact, the committee has accompanied its report on the bill with a recommendation for a prompt study of the possibility of relating the railroad retirement system to the social-security system in some such way as to bring about savings to the railroad retirement system sufficient to offset, or at least largely to offset, the cost of the increases in benefits for which the reported bill provides.

The liberality of the increases provided for in the bill as reported by the committee is evident when the resulting benefits are compared with the corresponding ones paid under the Social Security Act, bearing in mind that one of the principal reasons for the demand by railroad employees for an increase in benefits under the Railroad Retirement Act was the action taken by Congress last year greatly liberalizing the benefits payable under the Social Security Act.

The basic benefit under both the railroad retirement system and the social security system is the monthly benefit payable to an employee upon his retirement, which, although paid monthly, is commonly referred to as a retirement annuity. This is unquestionably the benefit with which all employees are primarily concerned. With respect to this paramount benefit, the Railroad Retirement Act, as amended by the committee bill, would be far more than twice as liberal as the Social Security Act.

As a result of the 1950 amendments, the maximum old-age-retirement annuity now payable under the Social Security Act is $68.50 per month. Within the next few years, however, when the new-start provisions of that act become operative, the maximum will be $80 per month. Without further amendment of the statute, it will never exceed that amount. Moreover, that maximum of $80 is far more theoretical than real. Only a comparatively few workers will ever receive that much because of the method prescribed in the Social Security Act for determining the amount of the annuity. The act fixes it at 50 percent of the first $100 of the average monthly

wage not in excess of $300, plus 15 percent of the balance. The average monthly wage, however, is determined by dividing a man's total earnings while in covered employment, not in excess of $3,600 in any calendar year, not by the number of months during which he was actually at work, but by the total number of months elapsing between December 31, 1950, or the date he reached the age of 22, whichever is later, and the date he reached age 65. The result is that in order for anyone who reached age 22 after 1950 to have an average monthly wage of $300, when he comes up for retirement, he must have worked steadily in employment covered by the act from age 22 to age 65 and earned as much as $3,600 in each of those 43 years. As I have said, only a relatively few can be expected to meet that requirement.

Under the Railroad Retirement Act, the amount of the annuity depends upon the number of years of railroad service and the actual average monthly earnings during such period of service, not in excess of $300 in any calendar month. An employee is entitled to credit for all railroad service up to age 65, including service prior to 1937, the year the present system was established, up to the point where it does not result in a total of more than 30 years of service. Because of that limitation, the maximum annuity under the present act is now $144, and will remain at that figure until after 1967. Thereafter an employee may obtain an annuity based upon as much as 45 or more years of service. Under the present act, the maximum for that length of service would be $216. Under the bill as reported by the committee, the maximum annuity under the Railroad Retirement Act would be raised immediately to $165.60, as compared with the present maximum under Social Security of $68.50, and the ultimate maximum under the bill would be about $250, as compared with the ultimate maximum under Social Security of $80 per month.

So much for the maximum retirement annuities under the two systems. What is of greater immediate interest, I think, is the results of the actual operations of the two systems. According to statistics regularly compiled by the Federal Security Agency and the Railroad Retirement Board, the average of all old-age retirement annuities now being paid under the Social Security Act is about $43 per month, while the average under Railroad Retirement is about $83 per month. Under the bill as reported by the committee, the latter figure would immediately be raised to over $95, thus making the average payment under railroad retirement well over twice the average under social security.

Another important fact to be taken into consideration in comparing the retirement annuities under the two systems is that the Social Security Act provides only for old-age retirement annuities. It does not recognize disability as a basis for a retirement annuity. A man covered by that act who becomes totally disabled at any age under 65 must wait until he reaches that age before he can obtain a retirement annuity and then his annuity will be based on an average monthly wage arrived at by including in the divisor all the months elapsing between the date he became disabled and the date he reached 65. The railroad retirement system, however, provides for annuities in full amount in case of total disability after 10 years of railroad service, regardless of a man's age, or at age 60, regardless of his years of service. Even in case of disability which merely incapacitates the employee from engaging in his regular occupation, it provides for full payment after 20 years of service or at age 60. Disability annuities now being paid under the railroad retirement system average $81.50 per month, and, under the bill reported by the committee, would be raised to about $94.

With respect to benefits to survivors of deceased employees, the situation under the two systems is quite different. Prior to the 1950 amendments to the Social Security Act, the survivor annuities payable under the Railroad Retirement Act were more liberal than those payable under social security. As a result of the 1950 amendments, however, such benefits under social security now average about 25 percent higher than those under railroad retirement. The increase of 33⅓ percent in such benefits under the Railroad Retirement Act, which is proposed in the bill as reported by the committee, would again place such benefits under the Railroad Retirement Act above those payable under social security. For example, statistics contained in the Social Security Bulletin for August 1951, show that the average of all survivor annuities under the Social Security Act which were in current payment status during the month of May 1951, was $30.55. Corresponding statistics given in the Monthly Review of the Railroad Retirement Board for July 1951, show that all survivor annuities awarded under the Railroad Retirement Act which were in current payment status during the month of May 1951, averaged $25.26. Under the committee bill, the latter figure would be increased to $33.68, which would be slightly over 10 percent higher than the average payment under the Social Security Act. These figures are sufficient to refute any claim that the increase of 33⅓ percent in survivor annuities for which the committee bill provides would leave such annuities still below those now payable under social security. It is true that in some instances such benefits under the committee bill would be somewhat lower than those payable under social security, but, in general and on the average, they would be considerably higher.

In addition to what is disclosed by the comparison of the survivor annuities actually being paid under the two systems, there was other evidence before the committee which showed quite clearly that an increase of 33⅓ percent in all survivor annuities under the Railroad Retirement Act would result in raising them considerably above those payable under the Social Security Act. The committee received a report from the Railroad Retirement Board on a bill which proposed to place all survivor benefits under the Railroad Retirement Act on exactly the same basis as those now payable under the Social Security Act. The report of the board was that, according to its actuaries, this would result in increasing the cost of such benefits under the Railroad Retirement Act to the extent of 0.63 percent of the payroll, raising the total cost from 2.38 percent of the payroll to 3.01 percent. That would represent an increase of about 26½ percent. Obviously, if it would require an increase of only 26½ percent in survivor benefits under the Railroad Retirement Act to place them an on exact parity with those payable under social security, an increase of 33⅓ percent would raise them substantially above the social security level.

As I have said, the increases in benefits proposed in the bill as reported by the committee are substantial and generous. To go beyond what is there proposed would be to proceed in reckless disregard of the solvency of the railroad retirement system, as to the importance of which all interests profess to be in agreement.

Mr. WOLVERTON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from New Jersey has 3 minutes remaining.

Mr. WOLVERTON. May I be informed as to the number of minutes remaining to the chairman of the committee?

The CHAIRMAN. Nine minutes.

Mr. WOLVERTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WOLVERTON. In view of the fact that the majority of the committee favor the Hall bill, does that give the majority of the committee the right to close the debate or does it remain with the chairman of the committee, notwithstanding the fact that he does not represent the majority of the committee?

The CHAIRMAN. The Chair believes that the gentleman from Ohio should now use time. He has 9 minutes remaining.

Mr. CROSSER. Does the Chair state that I may not close the debate?

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. CROSSER], the chairman of the committee for 9 minutes.

Mr. CROSSER. Mr. Chairman, the tone of much of the opposition's discussion today is very familiar to my ear. It is now more than 20 years since I began to promote railroad retirement legislation. I can recall how at first I was ridiculed by some Members of the House at that time, and was told that I had no more chance of passing a railroad retirement bill than there would be likelihood of my flying to the moon. I said then that there was at least nothing to prevent me from trying. It was not very long—in fact in 1934, I introduced the bill, the first bill that passed the House after a considerable struggle. We again passed a bill in 1935, with pretty much the same chatter that we have heard here today in opposition. Again in 1937, we passed another bill. In 1946. we had a measure, which I think was the target for more bitterness and hostility on the part of the opposition than was experienced by the supporters of the measure

in connection with the discussion of any previous retirement measure.

They, first of all, do everything possible to destroy the measure. They have developed a familiar style of histrionics with which they "view with alarm," wailingly announce "awful surprise," dramatically indicate "terrible shock" and in short leave no doubt that we sponsors of the measure have aroused "consternation," "astonishment," and "dismay" in the guileless opposition to our diabolical efforts to destroy our railroad retirement system. My friends, I have tried hard to present a measure at this time, which would be in keeping with the high order of legislation heretofore enacted in regard to the railroad-retirement system.

You will, I am sure, remember some of the tactics and performances of the opposition, to which, the 1946 amendments were subjected. For months and months dilatory tactics of one kind and another were employed to harass the supporters of the 1946 bill in the hope of defeating the measure in the committee. On the floor of the House it was asserted that our bill would destroy the railroad retirement system. That 1946 bill passed the House, however, with practically no change in the provisions of the bill as it was originally introduced. As a result widows, orphans and others receive benefits who under the previous law received none. From many old railroaders have come to me expressions of gratitude because our 1946 amendments have assured their loyal life partners, their wives, that they will have incomes if their husbands depart this life before them. Every conceivable objection was made to the 1946 bill. One of the great howls that was set up was that we had to have a 3 percent increase in the tax to keep the reserve fund in balance.

They said we must increase the taxes by 3 percent, otherwise they howl that the system would collapse and would no longer be financially sound. Our experts, for the labor groups said that 1½ percent would be sufficient; that 1½ percent would be all that was necessary. Way back at the beginning of the system, the economists and actuaries whom our committee heard, said that in projecting a system like this for 10 years into the future, if you could come within 1½ percent of having the reserve fund on an absolute level you would be doing a perfect job. We found the reserve fund with 1½ percent plus after the 1946 act had been in effect a short time, yet we were urged to provide for an increase of 3 percent in the tax in order to balance the reserve fund. Not only did the 1½ percent increase suffice, but in 1948 by a measure, which I introduced providing for a 20-percent increase in benefits, there was enough money in the reserve fund, to pay the increased benefits.

Those are some of the things that I can not just forget over night. I remember also the tearful pleas for investigation that were made at the very beginning It was almost pathetic to hear the bigwigs pleading: "Oh, we must have an investigation. We must have a thorough study of this proposal before we can take the great risk of passing a railroad retirement bill." That was our experience prior to the enactment of the first railroad retirement bill. It was the cry prior to the enactment of the second bill, and the third, and finally prior to the 1946 amendments. They all pleaded for more investigation, and more study. Why, people who have any experience at all in legislation know that in controversial matters when the opposition has a bad case, they always begin to plead tearfully: "Give us more investigation. We would like to study some more."

As to the dissent of several brotherhood officials I wish to say: They are all friends of mine or at any rate I am their friend, I assure them of that. Some of my good friends come to me and say, "Tell the so-and-sos to go and agree, tell them that you are not going to be the goat." I was not sent to Congress to represent officials of the bankers associations, the spokesmen of the agricultural groups, or the officials of other groups of people, but the rank and file of the people who make them officials. So while I have great respect for and devotion to officials of labor organizations, yet nevertheless my primary duty is to keep secure justice for those who labor to support their families, even though their officials differ among themselves. Much as I would like to be able to have them all say "Hurrah for CROSSER!" I am more concerned in seeing that sound helpful legislation is put through for the benefit of the rank and file of the workers of the United States.

My answer to anyone who thinks that I must be unfriendly to him because I cannot agree with him on some subject, is to be found in four lines which Edwin Edmund Markham shortly before he departed this life, gave me in his own handwriting. These are the lines:

> He drew a circle that shut me out,
> Heretic, rebel, a thing to flout;
> But Love and I had the wit to win;
> We drew a circle that took him in.

That is the way I like to feel toward any one who is displeased with me. I hope to serve well the rank and file, the noble people whom union officials and Congressmen try to represent. That is what I have tried to do.

When you hear this measure discussed in more detail under the 5-minute rule you will agree with me I feel sure, unless partisanship should play a much bigger part than I expect. Nothing is perfect. I should like to see a civilization where we needed no retirement system, needed no pensions; we could have an economic system which would assure real justice in the distribution of the joint product of the natural resources, labor and capital.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The gentleman from New Jersey [Mr. WOLVERTON] is recognized for 3 minutes to close the debate.

Mr. WOLVERTON. Although my time is very limited I should be pleased to yield a minute to the gentleman from Ohio if he has any additional thought he would like to express.

Mr. CROSSER. It would take me more than a minute to get started and that would waste the gentleman's time. I am indebted to my colleague.

Mr. WOLVERTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. BEAMER].

Mr. BEAMER. Mr. Chairman, I rise in support of the committee bill.

Mr. Chairman, my interest in the railroad-retirement-pension fund stems from a long relationship in connection with railway employees. I know many of these railroad men and count some of them as my closest personal friends over a long period of years.

As a member of the House of Representatives of the Indiana General Assembly in 1949, the record will indicate that I voted 100 percent in favor of legislation that was supported by the railroad brotherhoods. As a member of the Interstate and Foreign Commerce Committee, I have felt the same keen interest in these railroad employees that I have felt throughout my previous years.

My first interest has been to increase benefits that are due to the retired railroad employees to the greatest possible extent without jeopardizing the fund of which they are very rightfully jealous.

I listened carefully to the evidence that was presented in the hearings and also attempted to read additional evidence that was presented in the Senate hearings on the same subject which was not available in our House committee.

It was disappointing to me that all of the railroad brotherhoods were not in agreement on all of the details of the pension plans. It also was alarming when there was a conflict of opinion on the part of the actuaries and also on the part of members of the Railroad Retirement Board.

For my part, I have always felt that it was wise to work on the conservative side rather than place their retirement fund in jeopardy. Even though our Federal Government for the past number of years has followed an unsound fiscal policy, I felt that the railroad-retirement pension fund should be protected from such a procedure.

Not only one but several actuaries pointed out that the original provisions of H. R. 3669, as presented to our committee, would jeopardize this fund, and an actuary employed by the Board, in the Senate hearings, even indicated the possibility that the fund could be depleted by the year 2000 if all of the original provisions of H. R. 3669 were adopted. For this reason only, I felt that it was the better part of caution to protect the fund which has been and should be continued on a sound actuarial basis.

There were extensive and ofttimes delayed hearings, and during some of these delays I sent questionnaires to a large group of railroad employees in the Fifth Indiana District that I have the honor to represent. These three questions were asked:

First. Do you want to protect the pension fund from a possible eventual depletion?

Second. Do you want the railroad-retirement fund united with the social-security fund?

Third. Do you want to be restricted to earning not more than $50 per month from outside sources after retirement?

All of the answers received, that were written by the railroad men themselves, in reply to these questions, indicated that these employees would not want at least these three provisions which were contained in the original H. R. 3669.

This indicates that at the grass-roots level the men are thinking for themselves rather than blindly accepting the dictates and recommendations of some of the heads of their respective organizations. In fact, some of the letters even indicated that this was the condition, and they wanted to express themselves personally, which I felt they did very effectively in this particular case.

I want to just mention briefly one provision which was contained in the bill as originally introduced, and that is the so-called post-retirement work clause. Under this provision any railroad employee who retired in the future would be deprived of his annuity for each and every month during which he earned as much as $50. Here again I want to say that none of the communications I have received urged this provision, and I am inclined to believe that the great majority of railroad employees today, as well as those who are presently retired, are not in favor of such a restrictive provision, nor did they know that the bill as introduced contained such a provision. To forfeit annuity rights already paid for at a high tax rate over a great many years does not seem just nor consistent with the purpose of the bill.

And speaking of the high tax rate—presently 6 percent on the railroads and 6 percent on the employees—while I have been receiving a large amount of mail asking for increased pensions and annuities, and urging passage of H. R. 3669, I have not received a single letter from a railroad employee asking that his taxes for the support of the railroad retirement system be increased—and, if any Member of the House has received any such letter, I would like to hear about it. I think the general feeling among all railroad employees is that the present tax rate and the base on which it is applied is high enough.

As a result of the differences of opinion which prevailed between the brotherhoods, and because the majority of our committee felt that all of the retired railroad men were entitled to immediate increases, the committee reported out this bill by a vote of approximately 2 to 1—and it is a good bill.

The committee bill does not increase the tax rate nor the base. Furthermore, it is simple in its operation because it immediately increases benefits and annuities 15 percent, it immediately increases survivors' annuities 33⅓ percent, it immediately increases the lump-sum death benefits 25 percent, and it does not increase the tax. The Railroad Retirement Board can apply the principle of the committee bill and the very next check after the passage of this bill can include these increased benefits. Thus, there will be no further unnecessary delay.

For my part, I feel that if any additional benefits are available without any additional cost to the members, then they are entitled to these additional benefits.

However, again it seems the better part of wisdom to have authoritative study made in order that not only the committee and the Congress, but also all of the members of the railroad brotherhoods might be definitely certain that these benefits would be available without impairing their fund.

I hope that when this committee has completed its work, which should not require too much time, that it will be possible to further increase benefit payments to all. If the committee finds that this is possible, I certainly shall support it.

This railroad-retirement pension bill is one that is nonpartisan and should continue on that basis. It affects approximately 8,000,000 people who have rights in this fund, even though perhaps one-half of these people had perhaps less than 1 year's service with the railroads.

The cost is approximately $660,000,000 yearly and it represents money that has been contributed by the employees and the management instead of a contribution by the taxpayers. For all of this effort, I feel that the railroad employees and railroad management are to be congratulated. I further sincerely hope that they will continue to wisely spend their money for themselves, and continue to remember the other railroad employees who in future years will be retired and who will be expecting a pension in their later years.

Mr. WOLVERTON. Mr. Chairman, I yield such time as he may desire to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Chairman, I rise in support of the committee bill, as I believe this bill has the support of the railroad men of this country.

I have the honor of representing a large number of railroad workers who live in my district. Five railroads have division points in my district, located in five cities. I try to keep in touch with the sentiment of these railroad employees. When I was home recently I talked to a number of these workers and I believe I know pretty well what their attitude is on this legislation which we are now considering.

Mr. Chairman, I am very much interested in providing increased benefits for our retired railroad employees and their survivors. I am indeed happy to be a member of the Committee on Interstate and Foreign Commerce that has jurisdiction of this legislation. This legislation is close to my heart. I worked for a railroad in my home town for some time, and I am proud to number some of these railroad men among my very best friends. I am anxious to faithfully represent them in this House, and I have taken special pains to find out just what they are thinking about on these railroad retirement bills.

It is my firm conviction that the railroad employees, not alone of my district in Colorado, but throughout the country, would express themselves as follows if allowed to speak on this floor on this bill:

First. They want an increase in benefits.

Second. They want this increase now.

Third. They are opposed to any increase in taxes.

Fourth. They are opposed to any restriction on earnings.

Fifth. They do not want to be joined with social security.

Mr. Chairman, if each Member of this House wants to find out just what the railroad men in his district are thinking, he should go down to the railroad yards and talk to the workers. Let him visit the yard office, the roundhouse, the rip track, the storehouse, as well as the passenger and freight depots. Let him talk to the train dispatchers, the yard clerks, the switchmen, the train inspectors, the machinists, boilermakers, and all groups, including section hands. If you had that opportunity I feel confident you would find that the overwhelming sentiment would be for the five points I have just mentioned.

We should be thinking about the welfare of the railroad men when we discuss this legislation. They are the ones who have paid in their money over the years, having contributed half of the fund now on hand, the railroad companies having contributed the other half. I fully realize there has been a most unfortunate and bitter controversy between certain railroad groups over this legislation. I regret exceedingly that this is the case. However, let us not become involved in this dispute, but go down to the men themselves and find out what they want.

I have been receiving letters, just as you have, urging me to support H. R. 3669, the original Crosser bill. It is obvious that these letters have been inspired by railroad labor leaders in Washington. I am absolutely convinced that most of the men working for the railroads have no idea what is contained in H. R. 3669, as introduced, and that they are opposed to certain provisions of the same.

In answering these letters requesting my support of the so-called Crosser bill, I have pointed out briefly just what is contained in the bill, and why many railroad organizations are opposed to the same. I always mention the restriction of $50 on the amount any retired railroad worker can earn and still be eligible for a pension under the Railroad Retirement Act. I also mention the fact that under the Crosser bill railroad workers earning more than $300 per month must pay increased taxes.

Without exception, when informed of the work-restriction clause, the railroad employee has indicated his opposition to this provision and has urged me to oppose the same. I wish to quote from the following letter which just reached my desk today and is from a retired railroad worker living in my district:

> I am not fully informed on the entire provisions of the Crosser bill as against the Hall substitute, but since my monthly annuity payments are only $86.06 I am definitely against the work clause. It is not possible to live on $136.06 per month under present conditions. Furthermore, I feel the principle involved is all wrong. There are certain fields not necessarily in competition with the labor market where we oldsters may still do our part, and I for one, do not relish the prospect of a mere existence and sitting down while waiting for the end to come.

I have always had the greatest admiration for Congressman BOB CROSSER, but I cannot agree with him on the work clause.

Mr. Chairman, I am confident this retired railroad worker has expressed the attitude of the railroad workers of America. They are unalterably opposed to being told they can earn only $50 a month after retiring. They want to be active as long as their health permits. They have paid for their pension, and Congress has no right to tell them how to live, or what they shall do, after they retire. It is unconscionable, that we should even consider such a proposal. I am frankly surprised that such a restriction would have the support of any labor leader, as I am sure it is wholly unacceptable to the rank and file of railroad men in this country.

Mr. Chairman, I want to see our retired railroad employees receive the highest possible payments under the Railroad Retirement Act. The committee bill provides for an immediate increase of 15 percent, and 33⅓ percent to survivors. Personally, I am willing to go even further and vote for larger increases. There is now a balance in the fund of almost $3,000,000,000. I think the fund will stand larger benefits, although I do not want to do anything which would impair the solvency of the fund.

I believe that railroad workers today are paying enough for the benefits they are receiving. Under the present law they will pay more starting next January, when their contribution will be 6¼ percent, to be matched with a similar contribution by the railroad company, or a total payment each month of 12½ percent. This is a pretty substantial payment to make each month. I don't think the men want to pay any more.

I strongly feel that a study should be made as proposed in a pending resolution, which I hope will be passed by this House tomorrow. Under the committee bill we will give immediate increases to pensioners and survivors. The proposed study can be completed by February, and we can then determine if further increases can be put into effect without jeopardizing the fund. This seems to be the logical and sensible approach to this very complicated and highly technical problem. I am disappointed that we have not passed a bill providing for these increased benefits months ago. Our committee has been working diligently since May on this legislation. I proposed at the beginning of the hearings that we should provide immediate increases, and then make a more thorough examination into the whole matter. I regret this was not done. Let us not delay any longer what should have been done 6 months ago.

Mr. WOLVERTON. Mr. Chairman, I yield the balance of the time remaining to me to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, I am glad this bill to increase pensions and annuities for railroad employees and to increase survivors' benefits has finally come before the House for consideration. Frankly I think it should, and could have been brought before the House months ago if the administration's leadership who has the responsibility of programing and directing legislation had expressed and exerted the proper interest in this legislation.

I have realized for the past 2 years that due to the increased cost of living that the retirement benefits should be increased. I introduced a bill in the Eighty-first Congress seeking to increase railroad pensions, annuity, and survivor benefits. The administration showed no interest in the legislation.

At the opening of this Congress, I reintroduced the bill and testified before the committee during the hearings in support of the general principle carried in the bill before us. I mailed copies and an analysis of the bill to a majority of the railroad men in my district and explained the purpose of the legislation was to increase pensions, annuities, and survivor benefits as much as the trust fund would stand and still remain sound.

I urged in my testimony before the committee the necessity of passing legislation at the earliest possible moment because of the hardship being brought about by reason of the constant increase in the cost of living.

The railway workers should know consideration of this legislation has also been delayed because of disagreement on the legislation which developed between the operating groups of railroad employees, and the nonoperating groups.

After 3 weeks of hearings and testimony, a majority of the committee, realizing the extreme need of the railway employees for an increase to meet the high cost of living, reported out the bill which is now before us to increase pensions and annuities by 15 percent and to increase survivor benefits by 33⅓ percent.

Mr. Chairman, the operating crafts and many Members of the Congress are supporting this bill because it will give immediate increases to the railway employees as soon as the bill clears the House, is approved by the Senate, and is signed by the President.

Many members and labor officials fear that unless the compromise bill is passed, that no legislation is likely to result because this session of Congress is speedily coming to a close. That would be a tragic mistake if it should happen.

They feel that the controversial issues raised in the Crosser bill should be further considered by the committee, the Railroad Retirement Board, the Federal Security Administration, and the Bureau of the Budget who are generally opposed to the Crosser bill in its present form, and this committee bring in legislation in the succeeding session that will find the right answers to these controversial issues and then be enacted into the present bill by amendments.

Here are some of the objections to the Crosser bill:

First, it would stop the pension on any retirement benefit of a retired railway employee for any month, or months, he earns over $50 a month after he leaves the service. I am opposed to this provision of the Crosser bill for two reasons. First, the pensioner and the management under the Railway Retirement Act has paid for this pension. It belongs to the railway pensioner and we do not have a right to change the law and take it away from him. To me it is unfair and unthinkable.

Secondly, this provision in the Crosser bill tends to encourage him to continue to work beyond his retirement age which in fact prevents younger men from being promoted, and helps to freeze the older men in their jobs to the disadvantage of the younger men. In fact it makes less jobs, when one of the purposes of the retirement act was to make more jobs for younger men in the service.

Another provision of the Crosser bill would put all men now employed on railroads with less than 10 years' service under social security, yet so long as they held their railroad jobs would have to pay 6 percent of their salary into the railroad retirement fund, while all social-security workers in other lines of employment would have to pay in only 1½ percent of their salary or wages. This seems unfair to me and I think should have more study before such a drastic step is taken.

Mr. Chairman, the Crosser bill would broaden the social security base by raising the taxable earnings from $300 a month to $400 a month which would take $6 a month more out of the wages of all employees who earn $400 a month. This would penalize this group and would work a special injustice on the unmarried man who would be making a forced contribution for a surviving wife when he has none.

A number of other objections have been raised to the very confusing and complex provisions of the Crosser bill which time will not permit me to point out.

MUST KEEP RETIREMENT FUND SOUND

Many railroad men for long years have paid a heavy contribution to their railroad retirement fund relying on it to help tide them over their years of retirement. They do not want this fund weakened and endangered. They want it to remain sound. That is the reason the operating brotherhood officials and the members of the committee at this time, and in this legislation, have held the increase of annuities and pensions down to 15 percent increase and the survivor increase down to about 33⅓-percent increase. They believe we should pass this compromise bill now which will give them this much relief, and hold over these new and controversial matters for further and careful study.

GOVERNMENT EXPERTS OPPOSE CROSSER BILL

F. C. Squire of the Railroad Retirement Board testified as follows:

In my opinion, the bill as amended—

The compromise bill before us—

is much preferred over the original bill—

Meaning the Crosser bill—

which contemplates savings from a partial coordination with social security and contains other defects. The study of accounting called for to be reported in 1956 in my opinion would be too long deferred. Moreover, it provides for increases in benefits far in excess of the most optimistic estimates of savings to be realized through any or all the methods provided for or contemplated in the bill and would have the effect of making the Railroad Retirement System unsound.

Mr. Squire, one of the ablest members of the Railroad Retirement Board, gave a clear explanation, pointing out the many defects of the Crosser bill and in closing his testimony, said:

In conclusion, I should repeat that in my judgment the enactment of the Crosser bill in its original form would gravely endanger the solvency of the railroad retirement system. This was also the opinion of the insurance actuaries who testified at the hearings. Further, he said, "I think the bill as amended (the present bill) goes as far in the way of liberalization as reasonable prudence and safety will permit."

Mr. Chairman, these are statements from F. C. Squire, one of the ablest members of the Railroad Retirement Board, and the opinion in substance of its actuaries. I am not willing to go against their judgment and take a chance on destroying the trust fund to the great loss of the railway employees who have sacrificed from their wages to build it up.

FEDERAL SECURITY AGENCY

Mr. Chairman, the Federal Security Agency which should know more about this type of legislation than probably any other agency of Government testified before the committee in detail and at great length in opposition to the Crosser bill. I will quote only a few lines of the testimony given by its representative, John L. Thurston, Acting Administrator. In discussing the social-security proposal in the Crosser bill, he said:

The provisions of the Crosser bill which govern the coordination payments by the two programs are inconsistent and difficult to understand and to explain. It is difficult to justify the inconsistency of these provisions on any basis other than a historical one, and almost impossible to secure a clear understanding among the noncareer railroad workers and their families as to what program they should look to for benefits, or what protection they are actually afforded.

Mr. Chairman, again in his testimony, Mr. Thurston said:

We do not believe that the basis provided in the bill for the financial arrangements with the old-age and survivors insurance program is a sound one.

Further he testified:

It would appear that the coordination provisions of the bill would be cumbersome and expensive from an administration standpoint as a result of the increases in record keeping, transfers of records, and interagency clearances which would be involved.

Mr. Chairman, it appears that the railroad employee when mixed up in this red tape bureaucracy under the Crosser bill could never be sure of his status, and would never know what he had coming, when, or from what agency of Government. It is an unfair position to put the railroad men in when it is so unnecessary.

In closing his testimony on behalf of the Federal Security Agency, Mr. Thurston said:

The Federal Security Agency cannot recommend the enactment of the Crosser bill.

BUREAU OF THE BUDGET

Mr. Chairman, the Bureau of the Budget, when asked for a report on the Crosser bill, pointed out many defects in the bill, and in its analysis at one point said:

An increase of $1,500,000,000 unfunded liability of the railroad retirement fund would result under the bill largely for credits to be given to older workers for their service prior to the establishment of the system, which presents a serious financial problem.

And again the Bureau of the Budget reports that—

The estimates of the Railroad Retirement Board show that in the absence of additional financing under the Crosser bill the trust fund would be completely exhausted in 50 years.

Mr. Chairman, now I want to quote briefly from the greatest authority in the United States who was the father of the Railroad Retirement Act, former Chairman of the Railroad Retirement Board, and who has helped to work out pension-retirement funds for the biggest organizations in America during the past 25 years of his constant study of this subject, Mr. Murray W. Latimer, who testified in opposition to the provisions of the original Crosser bill at the hearings recently held by the Interstate and Foreign Commerce Committee. The printed hearings contain page upon page of his testimony. However, I will quote in substance, for brevity, just a few of his remarks.

Mr. Latimer at one point in opening his testimony before the committee said in substance, "I think there are ways to deal with this problem. Those ways are not in the bill"—the original Crosser bill—"to which I want particularly to address myself financially and otherwise."

Further discussing the original Crosser bill he said:

There were 3 basic principles included in the Railroad Retirement System. The first was, there was to be no forfeiture to the right of an old age annuity on which a tax had been paid. The Railroad Retirement Act said they would pay him an annuity when he became 65 and left his employment. I had assumed that that was a pledge of the Government of the United States which was to be kept.

Referring to the original Crosser bill, he said:

This bill proposes to repudiate that pledge.

He also said:

Now I have a number of objections to the original Crosser bill.

First. It would result in a tax levy on the vast majority of railroad workers from now on in perpetuity and in return for which it is not proposed to give equivalent value.

Second. It would produce a forfeiture of annuity rights for millions of former railroad workers with no adequate offsetting value and frequently no offsetting value at all.

Third. It would have the effect of reducing some annuities immediately and many others within the next 2 or 3 years. This is far from a bill to increase annuities.

Fourth. It would introduce inequities on a staggering scale and that also in perpetuity.

Mr. Latimer said:

This bill is not going to help labor relations and it is going to make labor relations worse and I think I have a right after 25 years in this field to say so.

Summing up, he said:

I do not think that I have ever seen another legislative proposal by a serious group of people who advocated plain, outright, point-blank repudiation of Government obligations. That is exactly what this bill does.

Mr. Chairman, when one reads the testimony given before the committee and observes that the ablest men in Government and elsewhere who testified are practically unanimous in their opposition to the original Crosser bill and that practically all of them favor the bill before us, I think we must come to the conclusion that the best service we can render at the present time to the millions of fine railroad employees is to pass the committee bill, try to rush it through the Congress and to the President as quickly as possible before this session of Congress recesses.

This bill will increase annuities, pensions, and survivor benefits now, as much as competent experts think the trust fund will stand. They need this relief now. We should pass this legislation today and put the increases into immediate effect.

The CHAIRMAN. All time has expired.

Mr. CROSSER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DAVIS of Tennessee, 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. 3669) to amend the Railroad Retirement Act and the Railroad Retirement Tax Act, and for other purposes, had come to no resolution thereon.

ARMED SERVICES BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report on the armed services bill.

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

There was no objection.

A LONG-RANGE FARM PROGRAM

Mr. LOVRE. 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 South Dakota?

There was no objection.

Mr. LOVRE. Mr. Speaker, today I have introduced legislation which I consider vital to a strong, healthy, expanding national economy. Without fear of contradiction, I categorically state that we cannot have a strong, healthy, expanding national economy without a healthy and prosperous agriculture. We well remember what happened to agriculture in the thirties and the near fatal results on our national economy. This must not be permitted to happen again.

The price support program instituted by Congress has helped to assure the farmer a fairer price for his products. But, it is inadequate. The farmer must have full 100 percent parity price for his produce.

Mr. Speaker, the present support program operates through loans and direct Government purchases. Under the loan program, farmers receive a loan on their crop. Then they can do one of two things.

First. Sell the crop at going market prices, which may be higher than the support price, and pay off the loan with the proceeds.

Second. Let the loan lapse—if market prices are down—and turn the crop over to the Government.

Under the direct purchase program, the Government supports prices by buying crops when necessary.

It is true that this program has resulted in losses. I am informed that support losses for the fiscal year ending June 30 were approximately $345,000,000. The Government lost $249,000,000 in fiscal 1950: $254,000,000 in 1949; $125,000,000 in 1948; $71,000,000 in 1947; and a yearly average of $125,000,000 from 1941 to 1946. Because of these losses, the farmer and the support program have been severely criticized and maligned.

This criticism is not justified. The support program was never intended to be self-liquidating. Its purpose was to provide the farmer a fairer price for his products in relation to the cost of the items he must buy. As a result of this program the purchasing power of the farmer has been expanded and the entire economy has benefited. It must be pointed out, however, that this program is not and has not been considered as a long range program. It is stopgap legislation at its best.

Mr. Speaker, I was born and reared in a farm community and have lived in a rural community all my life. I know farmers and I know that not a single one of them wants something for nothing. They are self-reliant and all they ask is a fair chance. They do not want subsidies at the taxpayer's expense. All they ask is a fair price at the marketplace for their produce. They want a farm program that will be operated and controlled by the farmers themselves and not from Washington.

Mr. Speaker, this bill was first introduced on May 15, 1950, during the Eighty-first Congress. Into this bill has gone the sound, solid advice of thousands of South Dakota and upper Midwest farmers. Before the bill was introduced in 1950, I invited 85,000 farmers to some 32 grass-roots meetings in my district. From these meetings, which were nothing more than frank, down-to-earth forums on the needs and desires of agriculture, came many of the provisions of this farm bill. Since this series of meetings, I have had the opportunity to travel throughout my district. Again I talked over this plan, its provisions and its potentialities with grass-roots farmers.

Mr. Speaker, I am proud to say that the people of my district are behind this plan.

We know that the dramatic, threatening world situation which has grown increasingly worse during the past year has demanded more and more from the American farmer. Mobilization and the international situation have created a new, increased and sudden demand for agricultural commodities. This new demand comes at a time when our American farmers are producing on just about every available acre of farm land. The products of the most scientific and productive agriculture in the world can lead us to victory in war and victory in peace.

We dare not continue to let the American farmer down. We must see that our American farmers get a fair return on investment, time, money, and effort with a minimum of controls and without expense to the Treasury.

There are some who say we don't need a farm program. They try to place the blame for the high cost of living and inflation on the American farmer.

I say such a viewpoint is merely the part of a giant conspiracy to smear our farmers, and I, for one, hold no brief for such arguments. There is one answer to such an argument against which none of the smear campaigners have ever found a defense, and it is that our farmers are the only businessmen who do not place a price tag on their products. The farmer hauls his produce to market and is forced to accept the price the processor or consumer offers.

The manufacturer, on the other hand, takes into consideration the cost of his materials, the cost of his labor, and other factory expenses including a fair margin of profit. Then he sets the price on his articles and offers them for sale.

The manufacturer is in reality offering his articles at parity. He wants, deserves, and gets a price for his products which takes into consideration his expenses and a fair profit. Congress certainly can't deny this same break to the farmers of the United States.

Mr. Speaker, a few examples prove that the farmer is not getting a fair break.

The same two-bottom tractor plow, which cost the farmer $139 in 1946, sold for $230 in 1950 and last March was selling for $256, an increase of 84 percent over the 1946 price.

A side-delivery rake, which sold for $96 in 1946, cost $190 in 1950 and the price had risen to $225 in March of this year, an increase of 135 percent.

A grain drill priced at $194 in 1946 had risen to $404 in 1950 and in March of this year was selling at $455 or an increase of 135 percent.

Two-row corn planters, which sold at $108 in 1946, cost the farmer $202 in 1950 and in March of this year were selling at $234, an increase of 117 percent.

These are typical examples of how the prices of the things the farmer needs and buys have gone up and up. Now, let us look at the price of the things the farmer sells.

Highest postwar price for wheat was $2.81 a bushel in January 1948. On August 15, 1951, wheat was $2.05 while parity was $2.41.

Postwar peak for corn was January 1948 at $2.46 a bushel. August 15 price was $1.65 and parity $1.75.

Potatoes reached a postwar peak in April 1948 at $2.07 a bushel. On August 15 they were $1.17 a bushel and parity was $1.80.

Postwar peak of 58.7 cents a dozen for eggs, was reached on December 1947. August 15 price was 48.3 per dozen while parity was 52.8 cents per dozen.

April 1951 saw the postwar peak of $30.20 a hundred for beef cattle. On August 15 beef cattle were $29.10 while parity stood at $19.80. This is one of the few exceptions where farm produce is over full parity.

Mr. Speaker, I feel this bill points the way to a long-range farm program that must be adopted by Congress. Such a program will protect the farmers against low prices and a return to the economy of the thirties. Such a program is essential if we are to have a healthy, prosperous, and growing national economy.

Mr. Speaker, I hope that the Agriculture Committee, of which I am a member, will conduct hearings on this plan or some similar plan which has the following objectives:

First. A farmer-controlled plan: The program would operate from the bottom up rather than from the top down as at present. Farmers themselves would manage the program through elected county committees and State and national boards. The program would become operative only after a two-thirds affirmative vote in a national referendum.

Second. Self-financing: Marketing quotas allocated on over-all normal United States domestic requirements would regulate sales instead of acreage controls regulating production. In the event of surplus, the producer thereof could sell it only after purchase of additional marketing certificates from his county committee. Proceeds from sales of additional marketing quota certificates would finance disposal of surplus and the administration of the program. The self-financing feature assures an agriculture that stands on its own feet with its head high without dependence upon Government doles or subsidies.

Third. Full parity to farmers: The plan recognizes that less than full parity of the farmer means loss in gross farm income and a resulting seven-times drop in national income. Producers would be assured of full parity on their share of normal domestic consumption. The national board would maintain price through purchases and loans financed by sale of surplus marketing quota certificates.

Fourth. Protection for the consumer: The consumer's grocery bill would not skyrocket because the bill authorizes the National Board to sell on the domestic market when prices reach 105 percent of parity.

Fifth. Two-price system: The plan would be based on the same principle used in every busines today—sell bulk at parity price; dispose of surplus at sale price. The farmer would receive one price—full parity—for his share of domestic consumption at the market place. If he produced surplus and decided to dispose of it he would net a lower price on that part of production. The price differential would be used to finance disposal of surplus.

Sixth. Orderly disposal of surpluses: With money collected from the sale of

surplus marketing quota certificates, the National Board would dispose of surpluses by, first, a food stamp or school-lunch plan; second, exports consistent with United States commitments—United States might trade food to foreign nations for strategic materials such as rubber, uranium, magnesium, and so forth; third, developments of new chemurgic uses for farm products such as plastics, medicine, fuels—this field has hardly been explored.

Seventh. Protection for family-sized farmer: The plan recognizes that 6,000,000 out of the 10,000,000 business units in America are independently owned and operated farms. Thus, any long-range program must be based around the family-sized farmer. In the prosperity of the small operator, the backbone of America's productive and consumptive capacity, rests this Nation's strength or weakness. One section of the bill spells out protection for the family-type farmer.

Eighth. Coordinated soil-conservation program: Recognizing that soil conservation is vital to progressive, prosperous agriculture, the plan contemplates a comprehensive, Government-encouraged program to protect the Nation's most valuable resource—the fertility of the topsoil.

The bill I have reintroduced is a long-range farm program and not stop-gap legislation. The farmers themselves must adopt the program before the provisions go into effect. This is not a mandatory program, but is discretional with the farmers. It is designed to give the farmer full parity at the market place without Government subsidies. It is operated by the farmers themselves. This program is an orderly marketing program designed to give the farmer a fair price for his products at the market place.

I hope that all Members of Congress will have the opportunity to study this legislation. It embodies the principle which will eventually have to be included in any long-range farm program. It takes the farmers' problems out of the Department of Agriculture and politics. It places the problems of the farmers in the hands of the farmers themselves. It is designed to give the farmer full parity without Government assistance. It is a plan that the farmers can put into operation themselves if and when necessary. It represents a sincere desire to help the basic industry of our country right at the farm level.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Missouri [Mr. ARMSTRONG] is recognized for 15 minutes.

Mr. ARMSTRONG. Mr. Speaker, I do not desire to use this time today, and ask unanimous consent that on tomorrow, following the legislative program and any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

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

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. WHEELER] is recognized for 30 minutes.

WHERE DO WE GO FROM HERE?

Mr. WHEELER. Mr. Speaker, about 18 years ago the Congress of the United States, under the pressure of great problems engendered by the depression, started giving to the executive department of the Government more and more power and it has continued to surrender more and more power as the years have passed until we have now reached the place where the Executive exercises much more power than was ever envisioned by the framers of this form of government. The very genius of our American system found its fruition in the concept which held that there was to be an equal distribution of governing power between the legislative, the judiciary, and the executive branches of the Government; each exercising a check on the other in such a way as to guarantee the citizenry against the usurpation of too much power by either of the other two.

Caught in the throes of a horrible depression which came to this country as part of the economic backlash of World War I, the Congress desperately sought means by which to set our economy on the right road to recovery. Lashed with a feeling of urgency engendered by long bread lines and the cries of hungry men, women, and children, expediency became the order of the day. Harassed on every hand by job-seekers who were seeking from Government that which a sick economy was not in position to offer, the Congress of 18 years ago, in the grievous urgency of the pressing moment, became prone to seek the apparently easy way out of the dilemma facing it. This easy way was offered by the Executive who, in effect, said: "Give to me and my executive department the authority and the money with which to implement the authority and I will solve all the problems for you. I, along with my many bureaus, departments, commissions, and so forth, will do the job in such a way as to relieve you of the responsibility." In its desperation the Congress did that which was suggested by the Executive and since that day it has continued to surrender more and more of its constitutional prerogatives to the executive department that has grown more and more insatiable in its lust for power as the ensuing years have passed.

It has been well said by some wise man that "following the pathway of least resistance causes both rivers and men to become crooked." Taking the easy way by the Congress of the United States has not necessarily meant that those who have composed the Congress have become crooked in the usual meaning of the word but it does mean that the legislative branch of the Government has lost its sense of direction. It has reached the place where too often it is content to meekly follow the lead of the Executive instead of boldly charting a course of its own. Fear that some pet project of individual Members will not receive Presidential blessing or fear that petty patronage will be withheld, has worked to hold Congress in acquiescent deference to the Executive.

It would be foolish to charge that all the various programs and plans that have been proposed by the Executive in the last 18 years have been bad but the fact remains that responsibility that should rest on the Congress has been gradually shifted to the Executive. This shift has not always been the result of coercion by the Executive but has been all too often welcomed by the Congress. As the shift has been made the Executive has come to be increasingly jealous of the powers given him and more and more loath to surrender them when the expediencies of the moment have gone.

In almost every case the surrender of constitutional authority by the Congress to the Executive has been attended by some sort of an emergency. In too many cases these emergencies, both real and fancied, have been used as an excuse for the surrender of authority instead of as a real reason for so doing. Finding that the Congress, though reluctant to do so under normal circumstances, was willing to grant extraordinary powers to the Executive when an emergency could be used as an excuse for doing so, the Executive has become very adept at the art of creating one emergency after another; some being real and some purely within the realm of fantasy.

The latest emergency in which we find ourselves is the Korean war. In spite of the fact that our recognized military leaders had testified as to the untenability of any proposed position we might propose to assume in Korea militarily and had definitely stated that Korea was beyond the periphery of our proposed defense line in the Pacific, a little over 15 months ago the President of the United States did order American troops into Korea.

There are those who hold that the President did not have the constitutional authority to order troops into Korea. On the contrary, until war is actually and technically declared; actual declaration of war being still the prerogative of the Congress, the President does have the authority under the provisions of the instrument which made us a member of the United Nations Organization to take the action he took in ordering troops into Korea. The instrument to which I refer was duly ratified by the other body of this Congress and the responsibility for actions taken in its implementation must of necessity be shared by the ratifying body.

Although I happen to be one of those who felt in June of last year, and so publicly stated, that the ordering of troops into Korea was a mistake, and am even more confirmed in my belief today, the fact remains that our troops are there and are being sent in ever-increasing numbers to die for no apparent good purpose in that there seems to be no real goal toward which they are being ordered to fight.

In an effort to absolve themselves of the guilt implied by having moved our troops into a position which our military leaders had testified to be untenable, the

proponents of the Korean war have said that by stopping the aggressor in his tracks we could gain at least a psychological victory. This assumption on their part has been conclusively denied by that which has transpired. After the sacrifice of approximately 100,000 casualties in a theater outside and beyond our proposed defense line in the Pacific, we now find our proud and capable fighting men placed in the ignoble position of attending so-called truce talks in the role of the vanquished.

Although I have already said that much of the authority that has been transferred by the Congress to the Executive has been without any coercion on the part of the Executive, there have been many instances where the Executive has used emergencies of one kind or another to place Congress in such position as to be almost forced to take certain actions. A case in point of this is found certainly in the present Korean crisis where the Congress has been forced to enact legislation authorizing various kinds of controls and providing for increased taxes.

In speaking of taxes, it can safely be said that the people of this country are now being taxed almost to the point where the law of diminishing returns will be reached. And as if the very burden of taxes were not enough to ruin our economy, the Government continues to compete with private enterprise in such a way as to destroy whatever incentive might be left after the payment of exorbitant taxes.

Of course, the Korean crisis is only a part of the over-all dilemma in which we find ourselves today. The one good purpose the Korean adventure has served has been to emphasize the fact that we are living in a dangerous world. No normally prudent man can deny that we have a dangerous adversary in the form of communistic Russia, and none who are prudent would gainsay the wisdom of doing all that is humanly possible to prepare ourselves against this sworn enemy. However, evidence grows on every hand that we are dissipating our energies, our manpower, our material, and our money in a most stupid and unbusinesslike way.

We are playing Russia's game in that we are either letting her call the shots as to where issues are to be joined or we initiate the joining of action on our own part in some sector which our military leaders have testified is untenable. We are even so gullible and adherent to some sort of befuddled theoretical concept that has been cooked up by the United Nations theorists who keep their heads in the clouds of fantasy, as to even, once the issues has been joined with the adversary in an untenable theater, fight in accordance with rules laid down by the enemy. An example of this foolish procedure is found without parallel in the way we have conducted our adventure in Korea. If the fighting of the war in Korea in such way as to leave at least some small hope for victory could be said to hasten the possibility of all-out war, then our every entrance into the fray can be indicted on the same ground.

All that can be said as to the wisdom or lack of it evidenced by our action in Korea does not alter the fact that we are presently there in great numbers and are committed to the sending of untold additional men and material into this conflict. While we are pursuing this commitment under the misguided direction of a policy of expediency, we are concurrently attempting to build our defenses here at home to impregnable proportions. While we are engaged in this herculean task we are calling on the American people to make sacrifices on top of sacrifices; calling on them for more and more taxes; calling on them to buy more bonds; and calling on them to send their sons into various forms of the military service, both for immediate service on the many fronts of our far-flung commitments and for training for service in the future.

In face of the communistic threat, the American people do not object to paying higher taxes nor do they object to loaning the Government money by buying bonds as long as they know that this money is being spent wisely in providing them with security against the enemy. They do, and with just cause, bitterly object to paying higher taxes and buying more bonds only to see the money grossly wasted by those who are charged with the responsibility of spending it wisely.

Americans serve in the military establishment willingly as long as they are convinced it is necessary. They do not object to making all kinds of sacrifice even to the point of wearing the uniform on far-flung battlefronts of the world as long as the service has some real objective and as long as certain selfish pressure groups at home are not allowed to take advantage of the situation. They do not mind fighting for freedom abroad as long as it is not destroyed at home by those who think more of money and power than they do of the freedom for which these others are fighting. If freedom must be bought on foreign fields at the price of human blood then the very least we can do is preserve it here at home. This we are not doing, for, in deference to certain politically powerful pressure groups, we are allowing Americans to be forced to pay tribute to labor union racketeers before they are allowed to work even on defense projects. Not only are we allowing men to be forced to pay for the privilege of working on defense projects but we are allowing featherbedding of the worst sort to take place on these projects. At the very best we can do, our defense program is going to cost billions of dollars that must be eventually paid by the taxpayers of this country. The load will be heavy enough when we have exercised all the care we can and have reduced waste to an absolute minimum but the burden will become unbearable if we continue to allow conditions to exist such as that which I personally witnessed on last August 28 at the Savannah River H-bomb project located on the Savannah River near Augusta, Ga.

While at my home earlier this summer I heard repeated stories about how hundreds of men were being allowed to loaf on the Savannah River project. I also heard that labor racketeers were fleecing workers by requiring them to pay exorbitant fees for the privilege of working. Recalling that the same sort of thing was tolerated in this country during World War II, I was loath to believe that we had not profited by our mistakes to the point of allowing a repetition of these World War II practices. So loath was I to believe those stories that I decided to visit the project and see for myself what the conditions were.

On the morning of August 28 I, along with my secretary, John Ellis, went to the Savannah River project. Knowing that official investigators are sometimes shown that which those who are being investigated want them to see, I put on my overalls, khaki shirt and brogan shoes so that I would be mistaken for an average man seeking employment. Upon presenting myself for employment at the employment office I was told very quickly that I would be required to go back to Augusta, 25 miles away, and get cleared with the union before I could even be considered for employment. I was told that if I got my name on the union list I would have a chance for employment; that when workers were needed on the project the union was called to send out the required number and type of workers.

Upon making inquiry of those who had been through the required procedure, I was told that the union in Augusta would charge me $50 as an initiation fee to work as a carpenter and $108 to work as a metal worker. Then I heard lots of testimony to the effect that these sums did not actually pay the initiation fee to work as a carpenter and $108 to work as a metal worker. I heard lots of testimony to the effect that these sums did not actually pay the initiation fee sufficiently as to secure the issuance of a regular union card but that these sums simply paid for a worker's permit which has no real union status since it can be taken from a worker on almost any pretext so that it can then be issued to another worker after the initiation fee has been collected from the one to whom it was first issued. Many others testified that those who were collecting these so-called initiation fees were not required to make any accounting to anyone as to the disposition of the funds. It is common talk around the project that those who are collecting tribute in the name of organized labor are getting very wealthy as a result of their racketeering practices. Instead of making such a fuss about investigating sports which people are not required to patronize, it would serve a much more useful purpose if these racketeering practices were investigated as is proposed by House Resolution 418, which I introduced here in the House shortly after my investigation of the conditions at the Savannah River project.

After I found that I could not even be considered for employment until I had first paid tribute to some labor union racketeer, Mr. Ellis and I spent the rest of the day going from place to place over the project in an effort to see whether men were working or merely making time as had been charged. During our day of watching the activity, or lack of it, I feel perfectly safe in charging that manpower was being wasted on

that project on that particular day at a ratio of at least 3 to 1. In other words, it appeared evident that 3 men were employed to do the work of 1 man in the areas I observed. Of course, I did not see all the activity that was supposed to be going on at the project. I can only testify as to that which I saw and heard in the areas where I had time to go.

If I had been allowed into the areas where the technical work was being done, I would not have been qualified to say whether manpower was being wasted since I am not a technician of the type employed there. I do, however, feel qualified to say within reasonable bounds of creditability that the digging of a simple hole in the ground approximately 3 feet square should not require the employment of 14 men with 3 foremen and 2 traffic directors. I did see this example of waste along with too many other examples to mention here and I left the project convinced that the law was being violated by the imposition of the closed-shop and the employment of the hiring-hall technique. I also left with the clear impression that literally millions of dollars were being wasted on this project along with the waste of millions of man-hours labor. Feeling that conditions prevailing at the Savannah River project were and are not confined to this project alone, I am convinced that it is high time that the Congress begin to place first things first by officially looking into the manner in which tax money is being spent in our gigantic defense program. Instead of wasting the time of the Congress on a lot of incidental side issues, we should busy ourselves with the job of saving money and manpower in such way as to get the maximum result from our expenditure of manpower and money, to say nothing of safeguarding the freedom of American citizens to work without being required to pay tribute to some labor union racketeer.

Many of those who were employed at the Savannah River project frankly stated that they wanted to work in such way as to really earn that which they were being paid but said that the work was either not provided or they were under orders to make it last as long as possible. Conditions such as this should not be tolerated and the sooner they are corrected the better it will be for everyone concerned. Unless this Congress does bestir itself to do something about such conditions as I have brought to your attention it will be seriously remiss on its duty and cannot absolve itself of blame by simply saying that the building of such projects is the province of the executive department.

It appears that we are drifting from day to day following a policy of expediency in the hope that some miracle will save us from our folly. We seem to have no real objective in Korea nor does there seem to be any answer forthcoming as to what our foreign policy will be when and if the Korean mess is settled. It may appear satisfactory for officials here in Washington to adopt an air of complacency about the outcome of hostilities in Korea; an attitude which holds that everything will work out so long as the emergency is kept alive for one reason or another; an attitude of drifting from day to day in the fond hope that something will happen to solve our problems for us. But while this sort of thinking prevails in Washington, what of the men who are dying to no real objective purpose in Korea?

It may be a police action to some befuddled politicians in Washington and to a President concerned with international politics but to those boys on the rugged hills of Korea, facing another bleak and bloody winter, it is war in all its fury, its frustration, its uselessness, its waste, its dying, and its crushing loneliness.

A police action, they say. Can you not just hear some young American in Korea as he struggles up one more of the uncounted hills, after having been shot in the throat with a Red bullet that was bought by the Reds from one of our so-called allies, trying to talk as the blood wells into his throat—trying—with his dying blood-drenched whisper to ask how much more he must be expected to give in order for it to be classified as war. Mr. President, how long, oh my, how long must this senseless slaughter of human life continue while you hide your head in the sand by calling the Korean war a police action.

The SPEAKER. Under previous order of the House, the gentleman from South Carolina [Mr. BRYSON] is recognized for 30 minutes.

FREIGHT RATE DISCRIMINATIONS AND THE DEFENSE PROGRAM

Mr. BRYSON. Mr. Speaker, increased activities and expansions in our Nation's defense program have turned southward. Unprecedented changes are taking place below the Mason-Dixon line. As might be expected, the fullest cooperation is being given by our people. We are demonstrating to hostile forces around the world that democracies are not as soft and decadent as thought.

I desire to discuss the continuing problem of freight rate discrimination, as related to national defense.

Another important step has recently been taken in the long struggle to achieve greater uniformity of freight rates on rail traffic moving at class rates. In two reports adopted unanimously on July 26, 1951, the Interstate Commerce Commission ordered the railroads—Docket No. 28310—to file within 4 months a new and uniform classification of freight for Nation-wide application, and in the companion case—Docket No. 28300—it found as just and reasonable a scale of class rates graduated with distance up to 3,000 miles, for application in the territory roughly described as east of the Rocky Mountains when the new classification has been approved and put into effect. It is intended that these two measures, the uniform classification and the class-rate scale, shall be made effective simultaneously after the remaining problems and procedural steps have been worked out. The existing class rates in Mountain Pacific territory are under investigation by the Commission in a separate proceeding.

Thus, although some months may yet be required, it is evident that the long-sought objective of a uniform and equitable class rate structure is moving close to realization. Because of the wide scope and the effects upon highly competitive commercial and sectional interests, the proceedings in this complex matter have been strongly litigated and solutions in the interest of the Nation as a whole have been most difficult to reach.

An understanding of this problem and its difficulties requires some reference to how freight rate structures have developed over the years in the several parts of the country, and also an explanation of how freight classifications and class rates are related to each other. If they are to be helpful to the layman not familiar with the intricacies of freight rates, such explanations must be in as simple terms as the circumstances will permit.

In brief, it is the purpose of a freight classification to assign all of the various goods which may be shipped into a relatively few categories for similar rate treatment of those things which are placed in the same group. In that way it is not necessary to have a specific rate set independently for each of the thousands upon thousands of different commodities because those having like transportation and other characteristics can be grouped together as analogous articles. As one example, owing to their fragile nature and considerable value, fancy china and glassware might be classified together. The uniform classification toward which the Interstate Commerce Commission is aiming would provide a total of 30 such classes for traffic expected to move at class rates. Then for each of these classes a rate must be determined, appropriately scaled in relation to the others according to some standard and range of variation as to distance. Such rates, collectively, constitute what is called the class rate scale or structure. Consequently, the transportation charge to be paid on any given article will depend upon two things: The class to which it is assigned and the rate which is determined for that particular class.

That is where the trouble came with respect to nonuniformity and discriminations. Each major area of the country developed its own freight classification, known as the official—eastern—southern and western, and in addition the Illinois classification had a limited interstate application. These different classifications were not unified with each other and they have been applied in conjunction with scales of class rates which also are dissimilar in important respects. Not only have these separate class-rate systems resulted in unequal charges and discriminations with respect to movements of the same commodities within the several territories, but special difficulties and complications are encountered in choosing between them or forming blended rates on interregional traffic which moves from one territory to another. Adding to the complexities, there have been many departures from these territorial rate systems in the form of numerous exceptions to the classifica-

tions and of key-point rates designed to accommodate competitive traffic conditions. As stated by the Interstate Commerce Commission in its recent report in Docket No. 28300, "the effectiveness of the classifications has been greatly impaired by the use of numerous exceptions and special ratings superimposed on scales of exception-class-rate structures."

The great diversity of the classifications and class rate structures has made sound rate comparisons extremely difficult and technical, and in these circumstances sectional interests and strong controversies have been aroused. Particular examples of discriminatory situations have been cited back and forth as evidence that freight rates in general obstruct the economic development of one area and its industries as compared with another. These complexities and diversities also have hampered efforts to work out a uniform classification and class rate system, inasmuch as both shippers and carriers were concerned that the uniform ratings and rates which might be settled upon would affect them adversely as compared with those presently established in the rate structures of their particular regions. Along with that apprehension, there has persisted the strong conviction in some quarters that no single uniform structure of class rates could successfully be applied over the length and breadth of the whole United States in view of the significantly different economic and resource conditions and transportation characteristics which prevail as between the several regions of the country.

It was in this setting that the Interstate Commerce Commission in 1939 undertook its comprehensive class rate investigation to determine whether and how these conditions as to class rates might be improved. After extensive hearings and analysis of the issues presented in this proceeding, conducted during the war period, the Commission in its original decision in 1945—262 Interstate Commerce Commission, page 447—found that the existing widely different freight classifications and the applicable class rates caused unjust discrimination forbidden by the Interstate Commerce Act and that this condition should be corrected by applying to a new Nation-wide uniform classification a uniform class rate scale within the official, southern, western trunkline and southwestern rate territories. As mentioned before, rates in the Mountain-Pacific group and on transcontinental traffic were not covered in the docket No. 28,300 class rate case, but are now under investigation by the Commission in another proceeding. Recognizing that the formulation of the new classification and class rate scale would take time, the Commission in its 1945 decision made an interim adjustment to alleviate the existing discriminations between the territories, providing for a 10-percent increase of class rates in official—eastern—territory and a 10-percent decrease in southern, western trunk line, and southwestern territories.

This interim adjustment was attacked by injunction suits brought by the State of New York and other Northern States and by the western railroads. The United States Supreme Court on May 12, 1947, on appeal, sustained the decree of the United States District Court for the Southern District of New York, holding that the Commission's findings as to unjust discrimination were abundantly sustained. The interim adjustment then went into effect on August 22, 1947, and the respondent railroads were given a reasonable opportunity by the Commission to initiate the development of a uniform classification by their own collective action. For this purpose the railroads set up a committee of experts which held numerous hearings with shippers and public bodies. The Commission's recent order of July 26, 1951, directing the railroads to file a new and uniform classification of freight within 4 months, indicates that this task is nearing completion.

The Commission in its report of July 26, 1951, noted that the disparities in rate levels, found in the original 1945 decision to be unduly disadvantageous to the southern and western districts, have been much lessened by the interim adjustments made effective in 1947 and also by the general freight-rate increases since the end of World War II, which have been greater in the official territory than elsewhere. It was further concluded, however, that—

> There still exist many marked differences in the class-rate structure within and between the several rate territories, despite a closer approach to uniformity that has been brought about in the process of changes with time.

There is no reason now to change the original decision made in 1945, the Commission goes on to say, because the present rates still give undue and unreasonable preference and advantage to official and Illinois territories and continue to subject southern, southwestern, and western trunk-line territories to undue and unreasonable prejudice and disadvantage in violation of the Interstate Commerce Act.

Referring to the removal of "man-made trade barriers which have been imposed upon the country" in consequence of different levels and gradations of class rates, the Commission concluded that conditions "demand a more homogeneous rate structure than existed when we approached this problem originally, or than resulted from our interim adjustment." Since this cannot be achieved without a basic unity in classification ratings throughout the country, the Commission has pressed upon the carriers the necessity to complete rapidly their preparation of and to file a new and uniform classification before November 26 so that they will be "in the position of no longer being violators of the provisions of the act that condemn the undue and unjust prejudices and disadvantages that we have found inherent in the existing classifications." In setting up a new scale of class rates to apply along with the prospective uniform classification, the Commission followed generally the proposal submitted by the southern railroads, extended out to 3,000 miles. The new uniform classification and class rate scale are intended to be put into effect simultaneously upon not less than 30 days' notice to the Commission and the public after the new classification has been filed, but it will be subject to possible suspension and further investigation, in whole or in part, if such action is found to be necessary by the Commission in accordance with the provisions of the Interstate Commerce Act. Accordingly, it is not possible at this time to say exactly when a uniform classification and rate scale may become effective, but it does not seem likely to be long delayed.

It is essential to recognize, also, that this proceeding before the Commission in Docket Nos. 28300 and 28310 is concerned only with freight traffic which moves on class rates. Specific commodity rates, which exist in great variety and under which the great bulk of freight traffic is transported by the railroads, are not considered. Neither are the so-called column rates within its scope, nor the exceptions ratings and rates which, according to the Commission, are almost innumerable and the tariffs for which verge on incomprehensibility.

Consequently, the proposed systematization of the class rates proper will affect only a relatively small segment of the total freight rate structure and of the aggregate volume of rail freight traffic. While much of the traffic which moves on class rates consists of manufactured goods, it is likewise true that many manufactured articles in each of the territories are transported at other than class rates. According to a recent study by the Bureau of Transport Economics and Statistics of the Interstate Commerce Commission, based upon a systematic sample analysis of waybills, in the year 1949 only about 2 percent of the total tonnage of rail freight traffic, carload and less-than-carload, was class-rate traffic. The Commission also has found that in 1949, over the country as a whole, the revenues from freight traffic taking class rates accounted for less than 8.6 percent of the total rail freight revenues, and that most of this percentage is attributable to less-than-carload traffic.

Such data indicate the extent to which the class rate systems have deteriorated as a factor in the actual movement of freight traffic in volume. As the Commission has pointed out—report in Docket No. 28300, July 26, 1951, page 125—a generally uniform classification does not preclude exceptions rating and rates where they are shown to be proper and necessary to assure the movement of traffic and to meet competition conditions. Establishment of a uniform freight classification and class-rate scale may, nevertheless, serve as a base upon which a more generally systematic freight rate structure of wider scope and greater coherence can, in time and with further effort, be developed.

On January 30, 1939, in the form of H. R. 3369, I introduced my first piece of legislation in this House, continuing my efforts to solve the complex and difficult subject of freight rates. It is pleasing to know that some progress has been made for which we are very grateful. With full cooperation on the part of all concerned, it is hoped that in the not distant future it cannot be truthfully

said that any section of our great country is being discriminated against in the matter of freight rates.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. MANSFIELD in three instances and to include extraneous matter.

Mr. FLOOD and to include an editorial.

Mr. ADDONIZIO and to include a letter and a newspaper article.

Mr. FURCOLO in two instances.

Mr. WICKERSHAM in six instances and to include articles on soil conservation.

Mr. ROBERTS and to include an address he delivered on October 1, 1951, at a meeting of the Alabama Club.

Mr. MADDEN and to include an editorial appearing in the Gary Post-Tribune.

Mr. GORDON and to include an article appearing in the Washington Star.

Mr. GATHINGS in three instances and to include extraneous matter.

Mr. LANE in three instances and to include extraneous matter.

Mrs. ROGERS of Massachusetts in two instances and to include telegrams, letters, editorials, and a letter from the AMVETS.

Mr. BOGGS of Delaware and to include an editorial.

Mrs. BOLTON and to include five editorials.

Mr. BOW and to include extraneous matter.

Mr. HARVEY and to include extraneous matter.

Mr. JENISON and to include extraneous matter.

Mr. DAGUE and to include a newspaper editorial.

Mr. MORTON and to include extraneous matter.

Mr. BERRY and to include extraneous matter.

Mr. JAVITS in three instances and to include extraneous matter.

Mr. HORAN and to include an article.

Mr. BENDER in five instances and to include extraneous matter.

Mr. REES of Kansas and to include an address.

Mr. VAN ZANDT.

Mr. HERTER in two instances and to include certain articles.

Mr. POULSON in three instances and to include extraneous matter.

Mr. PHILLIPS (at the request of Mr. POULSON) and to include extraneous matter.

Mr. HOFFMAN of Michigan in three instances and to include extraneous matter.

Mr. KEATING in two instances and to include extraneous matter.

Mr. WOLVERTON to revise and extend the remarks he made in the Committee of the Whole and include tables and other extraneous matter.

Mr. HINSHAW to revise and extend the remarks he made in the Committee of the Whole and include tables and other extraneous matter.

Mr. MORANO and to include extraneous matter.

Mr. HESELTON to revise and extend the remarks he made in the Committee of the Whole and include extraneous matter.

Mr. MEADER (at the request of Mr. MARTIN of Massachusetts).

Mr. BROWNSON (at the request of Mr. HARVEY).

Mrs. ST. GEORGE and to include two newspaper articles.

Mrs. HARDEN and to include an address by Mrs. ST. GEORGE, of New York, and also an address by Mr. MARTIN of Massachusetts.

Mr. CURTIS of Missouri and to include extraneous matter.

Mr. WERDEL.

Mr. MCCORMACK (at the request of Mr. PRIEST) and to include a statement recently made by Mr. Paul Strachan.

Mr. MARTIN of Iowa and to include an editorial.

Mr. BOYKIN and to include a statement.

Mr. CARNAHAN and to include an editorial.

Mr. RABAUT and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2085. An act to further amend section 5136 of the Revised Statutes, as amended, with respect to underwriting and dealing in securities issued by the Central Bank for Cooperatives; to the Committee on Banking and Currency.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. STANLEY, 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. 4496. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1952, and for other purposes; and

H. J. Res. 340. Joint resolution making an appropriation for the Veterans' Administration for the fiscal year 1952.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to:

Mr. DOLLINGER (at the request of Mr. KLEIN), for Thursday, October 4, 1951, on account of illness.

Mr. CRAWFORD (at the request of Mr. POULSON), on account of official duties in connection with important committee work.

Mr. BROWN of Ohio (at the request of Mr. MARTIN of Massachusetts), indefinite leave, on account of official business on assignment.

Mr. KEARNEY (at the request of Mr. MARTIN of Massachusetts), indefinite leave, on account of illness.

ADJOURNMENT

Mr. PRIEST. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until tomorrow, Friday, October 5, 1951, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

848. A letter from the Attorney General transmitting a letter relative to the case of George Filippos Poulakis or Arna Otakis, file No. A-2946254 CR 29777, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

849. A letter from the Attorney General, transmitting a copy of an order of the Acting Commissioner of Immigration and Naturalization, dated November 16, 1950, authorizing the temporary admission into the United State of displaced persons, who, upon arrival in possession of appropriate immigration visas, are found to be excludable as persons within the classes enumerated in section 1 (2) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950; to the Committee on the Judiciary.

850. A letter from the Executive Secretary, National Security Council, Executive Office of the President, transmitting National Security Council Determination No. 21, pursuant to section 1302, Public Law 45 (Third Supplemental Appropriation Act, 1951); to the Committees on Appropriations, Armed Services, and Foreign Affairs.

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. MITCHELL: Committee on Rules. House Resolution 436. Resolution authorizing the Committee on Banking and Currency to conduct studies and investigations relating to matters within its jurisdiction; with amendment (Rept. No. 1094). Referred to the House Calendar.

Mr. COLMER: Committee on Rules. House Resolution 446. Resolution for consideration of H. R. 5505, a bill to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; without amendment (Rept. No. 1095). Referred to the House Calendar.

Mr. LARCADE: Committee on Public Works. H. R. 5218. A bill for improvement of the Mississippi River-Gulf outlet and the Mobile to New Orleans Intracoastal Waterway; with amendment (Rept. No. 1096). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee of conference. H. R. 5054. A bill making appropriations for the National Security Resources Board, and for military functions administered by the Department of Defense for the fiscal year ending June 30, 1952, and for other purposes (Rept. No. 1097). Ordered to be printed.

Mr. TEAGUE: Committee of conference. S. 1864. An act to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans who served during World War II, and persons who served in the military, naval, or air service of the United States on or after June 27, 1950, and for other purposes (Rept. No. 1098). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COMBS:

H. R. 5593. A bill authorizing the Sabine Lake Bridge and Causeway Authority, hereby created, and its successors, to construct, maintain, and operate bridges over Sabine Lake, at or near Port Arthur, Tex.; to construct, maintain, and operate all causeways, approaches, and appurtenances pertaining thereto; and to finance said objects by the issuance of bonds secured by the said properties and income and revenues; and for other purposes; to the Committee on Public Works.

By Mr. KILDAY:

H. R. 5594. A bill to provide benefits for survivors of members of the uniformed services, and for other purposes; to the Committee on Armed Services.

By Mr. LOVRE:

H. R. 5595. A bill to provide for a national agricultural policy to be carried out on a self-sustaining basis, and to promote conservation and development of the Nation's soil resources; to the Committee on Agriculture.

By Mr. MASON:

H. R. 5596. A bill to stop inflation and stabilize prices on a lower level by taxing the national income, the rate adjusted automatically each year in response to price trends to balance the budget, retire the debt, and restore and maintain the purchasing power of the dollar and the honor and credit of the United States; to the Committee on Ways and Means.

By Mr. WICKERSHAM:

H. R. 5597. A bill authorizing flood-control works in the Washita Valley by the Department of Agriculture; to the Committee on Public Works.

By Mrs. BOSONE:

H. R. 5598. A bill to authorize the Administrator of Veterans' Affairs to convey a parcel of land to the Mount Olivet Cemetery Association, Salt Lake City, Utah; to the Committee on Veterans' Affairs.

By Mr. ABBITT:

H. R. 5599. A bill to provide for the conveyance of the Centre Hill Mansion, Petersburg, Va., to the Petersburg Battlefield Museum Corp., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCRIVNER:

H. R. 5600. A bill for the relief of flood sufferers in designated flood disaster areas for losses of tangible personal property suffered in the July 1951 floods; to the Committee on Appropriations.

By Mr. ABBITT:

H. R. 5601. A bill relating to the disposition of certain former recreational demonstration project lands by the Commonwealth of Virginia to the School Board of Mecklenburg County, Va.; to the Committee on Interior and Insular Affairs.

By Mr. BUDGE:

H. R. 5602. A bill to approve repayment contracts negotiated with the Frenchtown irrigation district, the Malta irrigation district, the Glasgow irrigation district, and the irrigation districts comprising the Owyhee Federal reclamation project, to authorize their execution by the Secretary of the Interior, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KILDAY:

H. R. 5603. A bill to clarify the status of certain officers heretofore retired and granted retirement pay, and for other purposes; to the Committee on Armed Services.

By Mr. ROGERS of Colorado:

H. R. 5604. A bill to amend the Social Security Act so as to authorize the extension of Federal old-age and survivors insurance to employees of institutions of higher education who are covered by State or local government retirement systems; to the Committee on Ways and Means.

By Mr. WIDNALL:

H. R. 5605. A bill to authorize and direct the Administrator of General Services to transfer to the Department of the Navy the Government-owned magnesium foundry at Teterboro, N. J.; to the Committee on Expenditures in the Executive Departments.

By Mr. KENNEDY:

H. R. 5606. A bill to amend the Tariff Act of 1930 to exempt persons engaged in overseas or foreign air commerce from certain requirements, including the requirement as to the payment of overtime compensation to customs employees; to the Committee on Ways and Means.

By Mr. MULTER:

H. R. 5607. A bill to provide income-tax exemptions for members of the Armed Forces serving outside the United States; to the Committee on Ways and Means.

By Mr. TALLE:

H. R. 5608. A bill to amend section 709 of title 18 of the United States Code; to the Committee on the Judiciary.

By Mr. MURRAY of Tennessee:

H. R. 5609. A bill to amend section 1716 of title 18, United States Code, to permit the transmission of poisons in the mails to persons or concerns having scientific use therefor, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FALLON:

H. J. Res. 342. Joint resolution to direct the Secretary of the Army to replace the crosses and other religious symbols which formerly marked the graves at the National Memorial Cemetery in Hawaii; to the Committee on Interior and Insular Affairs.

By Mr. FORD:

H. Con. Res. 167. Concurrent resolution relative to courtesies and privileges extended to citizens of foreign countries; to the Committee on Foreign Affairs.

By Mr. DELANEY (by request):

H. Res. 447. Resolution to extend the authority of the Select Committee To Investigate the Use of Chemicals in Food Products into the field of cosmetics; to the Committee on Rules.

By Mr. WHEELER:

H. Res. 448. Resolution authorizing payment of salaries of 50 pages of the House during recess or adjournment of the Eighty-second Congress; to the Committee on House Administration.

H. Res. 449. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 418; to the Committee on House Administration.

By Mr. HOFFMAN of Michigan:

H. Res. 450. Resolution to amend rule XI (2) (f) of the Rules of the House of Representatives; to the Committee on Rules.

H. Res. 451. Resolution to amend rule XI (2) (f) of the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. GOODWIN: Memorial of the Massachusetts Legislature memorializing Congress to pass legislation providing for a shipbuilding program; to the Committee on Merchant Marine and Fisheries.

By Mr. HESELTON: Resolution of the General Court of the Commonwealth of Massachusetts, memorializing the Congress of the United States to pass legislation providing for a shipbuilding program; to the Committee on Merchant Marine and Fisheries.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States, to pass legislation providing for a shipbuilding program; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARMSTRONG:

H. R. 5610. A bill for the relief of Olaf Harburg and Maria Gerbothe; to the Committee on the Judiciary.

By Mr. BERRY:

H. R. 5611. A bill authorizing the issuance of patents in fee to Oliver P. Livermont; to the Committee on Interior and Insular Affairs.

By Mr. HINSHAW:

H. R. 5612. A bill for the relief of Mrs. Marie J. Barry; to the Committee on the Judiciary.

H. R. 5613. A bill to provide for the extension of certain United States letters patent; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. R. 5614. A bill for the relief of Tomaso Vitale; to the Committee on the Judiciary.

H. R. 5615. A bill for the relief of Giuseppe Bossio; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 5616. A bill for the relief of Hugh L. Mann; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 5617. A bill for the relief of Mrs. Carmena Pizzarello; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 5618. A bill for the relief of Young Wai Kit; to the Committee on the Judiciary.

By Mr. O'TOOLE (by request):

H. R. 5619. A bill for the relief of Joaquim Henriques; to the Committee on the Judiciary.

By Mr. POULSON:

H. R. 5620. A bill for the relief of Helena Lubke; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H. R. 5621. A bill for the relief of John Emory Oliver; to the Committee on the Judiciary.

By Mr. HARDIE SCOTT:

H. R. 5622. A bill for the relief of Antoinette Di Cicco Macerollo; to the Committee on the Judiciary.

By Mr. SMITH of Virginia (by request):

H. R. 5623. A bill for the relief of Enrichetta F. C. Meda-Novara; to the Committee on the Judiciary.

By Mr. TEAGUE:

H. R. 5624. A bill for the relief of Tokusaburo Imamura Glasscock; to the Committee on the Judiciary.

By Mr. VAIL:

H. R. 5625. A bill for the relief of Ng Low Gene and Ng Len Go; to the Committee on the Judiciary.

By Mr. WOLVERTON:

H. R. 5626. A bill for the relief of Samuel, Agnes, and Sonya Lieberman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII.

448. Mr. BOGGS of Delaware presented a resolution of Wilmington Aerie No. 74, Fraternal Order of Eagles, Wilmington, Del.; relative to requesting unceasing efforts to secure the release and freedom of William N. Oatis, which was referred to the Committee on Foreign Affairs.