MARYLAND

John F. Stevens, Annapolis.
Edward L. Best, White Hall.

MASSACHUSETTS

Edward J. McCaffrey, Concord.
John F. Murphy, Northampton.
Harold J. Cuff, South Deerfield.
Willard W. Ellis, Yarmouth Port.

MISSOURI

Jerry Crane, Ashland.
James O. Finney, Bucklin.

NEBRASKA

Bruce B. Bohlken, Coleridge.

NEW JERSEY

Harold Vincent Ely, Avon by the Sea.
Eleanor M. Latzo, Dayton.
Joseph P. LaPorta, Williamstown.

NEW YORK

John D. Megivern, Jr., Apalachin.
James W. Maloney, Aurora.
William J. McInerney, Buskirk.
Gerard LeRoy Church, Eaton.
Philip Gerard Donahue, Gardiner.
Myrtle E. Sherman, Genoa.
Audrey Miller, Harris.
Paul A. Lane, Larchmont.
Herman Wood, Long Beach.
Clarence J. Dumas, Malone.
John M. Southard, Massapequa Park.
Ruth M. Darrah, Morrisonville.
Elwyn D. Judd, New Woodstock.
Robert C. Tatem, Old Westbury.
Grace L. Patch, Prattsburg.
James J. Sullivan, Quogue.
Jeannette L. Moran, Rexford.
Peter J. Clark, Richland.
Rene A. Devillers, Schenevus.
Howard C. Green, Sinclairville.
Paul H. Irving, Skaneateles.
John J. Becker, Union Springs.
Gerald W. Churchill, Walden.
Hedwig A. Caldwell, Walker Valley.

OHIO

Albert R. Matuszak, Lorain.

OKLAHOMA

Paul S. Badami, Ponca City.
Opal M. Rone, Smithville.

PENNSYLVANIA

Lawrence M. Mulligan, Bristol.
William J. B. Reitz, Cairnbrook.
Howard W. Harrison, Chambersburg.
Homer F. Foreman, Everett.
John A. Duffy, Elwyn.
Alice M. Springer, Glenmoore.
Edmund P. Lawlor, Homestead.
John J. McDonnell, Locust Gap.
Clarence Chester Calvert, Pleasantville.
Charles B. McNamee, Pomeroy.
James Alfred Marquet, Pottstown.
John Alvin Mills, Prospectville.
Paul H. Lewis, Quakertown.
George Clair Cochran, Quarryville.
Homer L. Budinger, Salladasburg.
Kenneth H. Drumheller, Sanatoga.

PUERTO RICO

Olga Rivera de Rodriguez, Gurabo.

SOUTH DAKOTA

Vernon A. Sjerven, Bristol.

TENNESSEE

Oscar V. Smith, Gallatin.
Nedgel R. Leathers, Toone.

UTAH

George E. Brown, American Fork.

WISCONSIN

Walter G. Ready, Bagley.
Roy W. Williams, Brooklyn.
Francis W. Hart, Glidden.
Robert L. Williams, Gordon.
Marie T. Carns, Hazel Green.
Charles W. Kleist, Jr., Horicon.
Alessio C. Loreti, Hurley.
Allen E. Duncanson, Mondovi.
William H. Taft, Necedah.
Byron F. Pope, Phillips.
Vernette M. Means, Rothschild.
John C. Killeen, Slinger.
Frederick E. Shidell, Vesper.

WYOMING

Hugh M. Currah, Shoshoni.

HOUSE OF REPRESENTATIVES

WEDNESDAY, JULY 2, 1952

The House met at 11 o'clock a. m.

The Reverend Cyril Neil McKinnon, S. J., of Marquette University, Milwaukee, Wis., offered the following prayer:

O Most Holy Trinity, Father, Son, and Holy Spirit, from whom all right authority is derived, and to whom, as to their last end, all actions of individuals and states are directed, grant that the deliberations of this body may be guided by the wisdom of Thy counsels and just judgments. Grant that the fearful responsibilities of this Congress may be discharged in the spirit of divine love.

If the world hate us, we know that it is because we have loved the brethren. For "in this we know the love of God, that He laid down His life for us." Teach us to love not in word nor tongue, but in deed and truth.

May Thy religion be the firm inner wall of our national defense. We fight not against flesh and blood, but against principalities and powers. In our Declaration of Independence we invoked Thee. We call upon Thee now to preserve us in liberty and peace. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Landers, its enrolling clerk, announced that the Senate had passed without amendment a joint resolution and concurrent resolution of the House of the following titles:

H. J. Res. 466. Joint resolution relating to the continuance on the payrolls of certain employees in cases of death or resignation of Members of the House of Representatives, Delegates, and Resident Commissioners; and

H. Con. Res. 236. Concurrent resolution authorizing the printing of additional copies of the Immigration and Nationality Act, Public Law 414, Eighty-second Congress, second session.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 3589) entitled "An act to amend title 17 of the United States Code entitled 'Copyrights' with respect to recording and performing rights in literary works," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. EASTLAND, Mr. O'CONOR, Mr. SMITH of North Carolina, Mr. WILEY, and Mr. FERGUSON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 7800) entitled "An act to amend title II of the Social Security Act to increase old-age and survivors insurance benefits, to preserve insurance rights of permanently and totally disabled individuals, and to increase the amount of earnings permitted without loss of benefits, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. CONNALLY, Mr. JOHNSON of Colorado, Mr. BUTLER of Nebraska, and Mr. MARTIN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to a joint resolution and a concurrent resolution of the House of the following titles:

H. J. Res. 430. Joint resolution approving the constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952; and

H. Con. Res. 191. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens.

CONSENT CALENDAR

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

SUMMIT LAKE INDIAN RESERVATION

The Clerk called the bill (H. R. 4285) to reserve certain land on the public domain in Nevada for addition to the Summit Lake Indian Reservation.

Mr. FORD. 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 Michigan?

There was no objection.

FORT RENO MILITARY RESERVATION, OKLA.

The Clerk called the bill (H. R. 1631) to set aside certain lands in Oklahoma, formerly a part of the Cheyenne-Arapaho Reservation, and known as the Fort Reno Military Reservation, for the Cheyenne-Arapaho Tribes of Indians of Oklahoma, and for other purposes.

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

Be it enacted, etc., That title to the following-described lands situated in Canadian County, Okla., being a part of the Fort Reno Reservation, is hereby vested in the United States in trust for the Cheyenne-Arapaho Tribes of Oklahoma:

All of sections 1, 2, 3, and 4, township 12 north, those portions of sections 25 and 26 lying south of the North Canadian River, that portion of the west half of the west half of the northwest quarter of section 26 lying west of the North Canadian River channel change, and all of sections 27, 28, 33, 34, 35, and 36, township 13 north, range 8 west, Indian meridian.

SEC. 2. All of sections 9 and 10 and the west half of section 11 (except that portion which the Secretary of War was directed by the act of May 24, 1937 (50 Stat. 200), to

transfer to the control and jurisdiction of the Attorney General), township 12 north, range 8 west, Indian meridian, are hereby transferred to the control and jurisdiction of the Attorney General, for use in connection with the Federal reformatory at El Reno, Okla.: *Provided, however,* That the provisions of this section shall not be construed to deprive or prejudice the Cheyenne-Arapaho Tribes of Indians of Oklahoma from asserting such claim or claims for just compensation they may have, if any, for the taking of the lands described in this section.

SEC. 3. The Secretary of the Interior, with the consent of the governing body of the Cheyenne-Arapaho Tribes of Indians of Oklahoma, may lease or sell all or any part of the south half of section 1 and the south half of section 2, township 12 north, range 8 west, Indian meridian, to the United States for use by the Bureau of Prisons of the Department of Justice in connection with the Federal reformatory at El Reno, Okla. In the event no sale or lease is made to the United States, the lands described in this section, except the northeast quarter of the southeast quarter of section 1, shall be restricted in use to the grazing of livestock.

SEC. 4 (a) Any nonrevocable easement, license, permit, or commitment heretofore granted or made for a specific period of time by the Secretary of War or by the Secretary of Agriculture with respect to certain portions of the lands described in the first section of this act shall continue in effect for the period for which granted or made. The Secretary of the Interior is authorized to renew, in his discretion, any such easement, license, permit, or commitment upon such terms and conditions as he deems advisable.

(b) The Secretary of the Interior is further authorized to continue in effect, and to renew, in his discretion, any easement, license, permit, or commitment with respect to the lands described in section 1, which is revocable or of indefinite duration, if, in his opinion, such continuance or renewal is in the public interest.

SEC. 5. With respect to the buildings and other improvements on the lands described in section 1, the Secretary of the Interior may, in his discretion, (1) make such buildings and improvements available to the Cheyenne-Arapaho Tribes for housing purposes, (2) lease or otherwise make available such buildings and improvements, for governmental purposes, to any department or agency of the Federal Government or to any State or political subdivision thereof, or (3) make such other disposition and use of such buildings and improvements as he deems advisable.

SEC. 6. The Secretary of the Interior may, with the consent of the governing body of the Cheyenne-Arapaho Tribes, make leases or assignments of, or for homestead purposes, issue patents-in-fee to, portions of the lands described in section 1, to individual Cheyenne or Arapaho Indians who performed honorable service in the Armed Forces of the United States in World War I or II. Any such patent-in-fee may cover a portion of such lands of such size, not in excess of 2½ acres in the case of any such individual Indian, as the Secretary may determine.

With the following committee amendments:

Page 2, line 12, after the word "Oklahoma", strike out the balance of the line and all of lines 13 to 17 down to the word "section" and insert in lieu thereof "and all claims in regard thereto, by said Indian tribes, are hereby extinguished."

Page 3, after line 20, insert the following section:

"(c) The Secretary of the Interior is further authorized and hereby is directed to continue in effect, and to renew, so long as the same are used and useful to the Bureau of Prisons for purposes of maintaining sewage disposal plant, water lines, roads to and from the sewage disposal plant, and sewage affluent lakes from the sewage disposal plant, easements, rights-of-way, or permits to that part of section 1, township 12 north, range 8 west, and to that part of the southeast quarter of section 36, township 13 north, range 8 west which at present are used by the Bureau of Prisons for said purposes.

"(d) The Secretary of Interior and the Secretary of Agriculture are hereby authorized to determine, upon such terms and conditions as they may agree to be in the public interest, the number of acres of land described in section 1 hereof, if any, needed and necessary for the conduct of the cooperative research program at present operated thereon by the Department of Agriculture, the Oklahoma Agricultural Experiment Station and Oklahoma Agricultural and Mechanical College: *Provided, however,* That said lands shall not be reserved for said cooperative research program for more than 10 years after approval of this act: *And provided further,* That in the event the Secretary of Agriculture and the Secretary of Interior are unable to agree as provided herein they are hereby directed to submit the matter to the President whose decision shall be final."

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.

CONFER JURISDICTION ON CERTAIN UNITED STATES COURT

The Clerk called the bill (H. R. 1508) conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California.

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 Northern District of California, sitting without a jury, to hear, determine, and render judgment upon the claims of the State of California against the United States for reimbursement of the amounts expended and to be expended in repairing the damage to levees and other flood-control works of the Sacramento River as a result of the closing of the outlet gates on Shasta Dam by the Bureau of Reclamation, Department of the Interior, during May 1948.

SEC. 2. Notwithstanding any statute of limitations or lapse of time, suit upon such claims may be instituted at any time within 1 year after the date of enactment of this act.

SEC. 3. In any suit brought pursuant to this act (whether sounding in tort or in contract) proceedings shall be had, and the liability, if any, of the United States shall be determined, in accordance with the provisions of law applicable in the case of tort claims or contract claims, respectively, against the United States.

With the following committee amendments:

Page 1, line 9, strike out "as a result of" and insert "alleged to have resulted from."

Page 2, line 12, strike out "tort claims or."

Page 2, line 12, after "contract claims", insert "or under the Federal Tort Claims Act."

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.

PRIVILEGES TO REPRESENTATIVES OF AMERICAN STATES

The Clerk called the bill (S. 2042) to extend certain privileges to representatives of member states on the Council of the Organization of American States.

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

Be it enacted, etc., That, under such terms and conditions as he shall determine, the President is hereby authorized to extend, or to enter into an agreement extending, to the representatives of member states (other than the United States) on the Council of the Organization of American States, and to members of their staffs, the same privileges and immunities, subject to corresponding conditions and obligations, as are enjoyed by diplomatic envoys accredited to 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.

AMENDING THE ADMINISTRATIVE PROCEDURE ACT

The Clerk called the bill (S. 1770) to amend the Administrative Procedure Act, and eliminate certain exemptions therefrom.

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

The SPEAKER pro tempore [Mr. WALTER]. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CANCEL IRRIGATION MAINTENANCE AND OPERATION CHARGES

The Clerk called the bill (S. 2646) to cancel irrigation maintenance and operation charges on the Shoshone Indian Mission School lands on the Wind River Indian Reservation.

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

Be it enacted, etc., That all unpaid irrigation maintenance and operation charges against the lands on the Wind River Indian Reservation, owned by the Trustees of Church Property of the Protestant Episcopal Church in Wyoming, a Wyoming corporation, and described as the north half of the southwest quarter, the southwest quarter of the southwest quarter, the northwest quarter of the southeast quarter, section 8, township 1 south, range 1 west, Wind River meridian, Wyoming, are hereby canceled and the accrual of such charges shall be suspended for such period, not to exceed five years, as said lands continue to be held by the present owners.

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

TRANSFER TITLE TO CERTAIN PROPERTY TO HAWAII

The Clerk called the bill (H. R. 5226) to approve act 178 enacted by the Legislature of the Territory of Hawaii in the regular session of 1951, relating to University of Hawaii and the powers of the board of regents thereof, and to vest in said board of regents the fee simple title to all university property.

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

Be it enacted, That act 178, enacted by the Legislature of the Territory of Hawaii in the regular session of 1951 and entitled "An act to amend section 1943 of the revised laws of Hawaii 1945, as amended, relating to the University of Hawaii and the powers of the board of regents thereof", is hereby approved.

SEC. 2. From and after the effective date of this act the fee simple title to all the real and personal property heretofore or hereafter set aside for or conveyed to the University of Hawaii shall be vested in the Board of Regents of the University of Hawaii.

SEC. 3. This act shall take effect upon its approval.

With the following committee amendment:

Strike out all after the enacting clause and insert "That title to all the real and personal property heretofore set aside for the use of the University of Hawaii shall be transferred to the Territory of Hawaii."

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 transfer to the Territory of Hawaii title to property heretofore set aside for the use of the University of Hawaii."

A motion to reconsider was laid on the table.

AMEND ACT TO REGULATE INTERSTATE SHIPMENT OF FISH

The Clerk called the bill (H. R. 5803) to prevent the shipment in interstate commerce of illegal undersized fish.

Mr. BYRNES. Mr. Speaker, I ask unanimous consent that this bill be placed at the foot of the calendar.

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

There was no objection.

GERING AND FORT LARAMIE IRRIGATION DISTRICT ET AL.

The Clerk called the bill (H. R. 6723) to approve contracts negotiated with the Gering and Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district, and to authorize their execution; to authorize the execution of contracts with individual water right contractors on the North Platte Federal reclamation project and with the Northport irrigation district, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be placed at the foot of the calendar.

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

There was no objection.

TO GOVERN THE HOSPITALIZATION OF MENTALLY ILL OF ALASKA

The Clerk called the bill (H. R. 8086) to govern the hospitalization of the mentally ill of Alaska, and for other purposes.

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

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

There was no objection.

TRUST TERRITORY OF THE PACIFIC ISLANDS

The Clerk called the joint resolution (H. J. Res. 421) to continue authority for the Trust Territory of the Pacific Islands.

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

Mr. DEANE. Reserving the right to object, Mr. Speaker, may I inquire what is the difference between the Senate and House versions of this joint resolution? A similar Senate joint resolution calls for an appropriation of $10,000,000 annually.

Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina [Mr. DEANE]?

There was no objection.

OFFENSES COMMITTED ON INDIAN RESERVATIONS IN CALIFORNIA

The Clerk called the bill (H. R. 3624) to confer jurisdiction on the State of California with respect to offenses committed on Indian reservations within such State.

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

Be it enacted, etc., That the State of California shall have jurisdiction over offenses committed by or against Indians on Indian reservations with the State of California to the same extent as the courts of the State have jurisdiction over offenses committed elsewhere within the State as defined by the laws of the State: *Provided,* That nothing contained in this Act shall be construed to deprive any Indian tribe, band, or community, or members thereof, hunting and fishing rights as guaranteed them by agreement, treaty, or custom, nor require them to obtain State fish and game licenses for the exercise of such rights.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

"'1161. State jurisdiction over offenses committed by or against Indians in the Indian country.'

"SEC. 2. Title 18, United States Code, is hereby amended by inserting in chapter 53 thereof immediately after section 1160 a new section, to be designated as section 1161, as follows:

"'§ 1161. State jurisdiction over offenses committed by or against Indians in the Indian country.

"'(a) Each of the States listed in the following table shall have jurisdiction over offenses committed by or against Indians in the areas of Indian country listed opposite the name of the State to the same extent that such State has jurisdiction over offenses committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country as they have elsewhere within the State:

State of	Indian country affected
California	All Indian country within the State

"'(b) Nothing in this section shall deprive the courts of the United States of jurisdiction over offenses defined by the laws of the United States committed by or against Indians within the areas of Indian country listed in this section.

"'(c) Nothing in this section shall deprive any Indian or any Indian tribe, band, community, or group of any right, privilege, or immunity afforded under Federal law, treaty, or agreement with respect to the ownership or taxation of trust or restricted Indian property, or with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.'

"SEC. 3. Chapter 53 of title 18, United States Code, is hereby further amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

"'1162. Application of Indian liquor laws.'

"SEC. 4. Title 18, United State Code, is hereby further amended by inserting in chapter 53 thereof immediately after section 1161 a new section, to be designated as section 1162, as follows:

"'§ 1162. Application of Indian liquor laws.

"'The provisions of sections 1154, 1155, 1156, 3113, 3488, and 3618 of this title, and the provisions of section 2141 of the Revised Statutes (25 U. S. C., sec. 251) shall not apply within those areas of Indian country that are subject to the provisions of section 1161 of this title, nor within those areas of the States named in said section 1161 that are not Indian country.'

"SEC. 5. The courts of the State of California shall have jurisdiction, under the laws of the State, in civil actions and proceedings between Indians or between one or more Indians and any other person or persons to the same extent that the courts of such State have jurisdiction in other civil actions and proceedings: *Provided,* That as long as the title to any real or personal property, including water rights, belonging to any Indian or Indian tribe, band, group, or community is held in trust by the United States or is subject to restrictions against alienation under any law, treaty, or agreement of the United States, nothing in this section shall authorize the alienation, encumbrance, or taxation of such property or the adjudication or regulation of its use, or shall confer jurisdiction upon the State courts in any civil action, probate, or other proceeding affecting the ownership, title, possession, or any other interest in such property.

"SEC. 6. Section 1 of the act of October 5, 1949 (63 Stat. 705, ch. 604), is hereby repealed,

but such repeal shall not affect any proceedings heretofore instituted under that section."

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

The title was amended so as to read: "A bill to amend title 18, United States Code, entitled 'Crimes and Criminal Procedure,' with respect to State jurisdiction over offenses committed by or against Indians in the Indian country, and to confer on the State of California civil jurisdiction over Indians in the State."

A motion to reconsider was laid on the table.

LAS VEGAS WASH AND ITS TRIBUTARIES, LAS VEGAS, NEV.

The Clerk called the bill (S. 1020) to authorize a preliminary examination and survey for flood control and allied purposes of Las Vegas Wash and its tributaries, Las Vegas, Nev., and vicinity.

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

Be it enacted, etc., That the Secretary of the Army is authorized and directed to cause a preliminary examination and survey for flood control and allied purposes of Las Vegas Wash and its tributaries, Las Vegas and vicinity, Nevada, to be made under direction of the Chief of Engineers, and the Secretary of Agriculture is authorized and directed to cause a preliminary examination and survey to be made for runoff and water-flow retardation and soil-erosion prevention on such drainage area, the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes.

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.

TRANSPORTATION OF DEPENDENTS OF CERTAIN OFFICERS OF THE NAVAL SERVICE

The Clerk called the bill (H. R. 5065) to authorize payment for transportation of dependents, baggage, and household goods and effects of certain officers of the naval service under certain conditions, and for other purposes.

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

Be it enacted, etc., That, under such regulations and within such set allowances as the Secretary of the Navy may prescribe, officers of the Regular Navy and Marine Corps, appointed during the period May 8, 1945, to March 31, 1951, inclusive, after previous service as Naval Reserve officers or Marine Corps Reserve officers, shall be entitled to receive allowances for transportation of dependents and transportation (including packing, crating, drayage, and unpacking) of baggage and household goods and effects, or reimbursement therefor, from home of record to first permanent-duty station.

SEC. 2. Applicable appropriations current at the time of payment shall be available for payments authorized under the provisions of section 1 of this act. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such additional sums as may be necessary to carry out the provisions of this act.

With the following committee amendments:

Page 1, line 4, strike out "Secretary of the Navy" and insert "Secretaries of the Navy and Treasury, with respect to the Coast Guard."

Page 1, line 6, strike out "and Marine Corps", and insert "Marine Corps, and Coast Guard."

Page 1, line 9, strike out "or Marine Corps Reserve" and insert "Marine Corps Reserve officers or Coast Guard Reserve."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to authorize payment for transportation of dependents, baggage, and household goods and effects of certain officers of the naval service and Coast Guard under certain conditions, and for other purposes."

A motion to reconsider was laid on the table.

TRANSFER OF CERTAIN PROPERTY IN VIRGIN ISLANDS

The Clerk called the bill (H. R. 5198) authorizing and directing the Secretary of the Army to transfer certain property located in St. Thomas, V. I., to the control and administrative supervision of the Department of the Interior.

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

Be it enacted, etc., That the Secretary of the Army is hereby authorized and directed to transfer, subject to valid existing rights, the following-described property to the control and administrative supervision of the Department of the Interior, without reimbursement:

(1) The Department of the Army installation known as Fort Segarra on Water Island which consists of approximately five hundred acres and is described as being situated south of the Island of Saint Thomas, Virgin Islands, latitude eighteen degrees nineteen minutes twenty seconds and longitude sixty-four degrees fifty-seven minutes ten seconds, said island being bounded on the northwest, north, and northeast by Gregorie Channel; on the east by Saint Thomas Harbor; on the south and west by the Caribbean Sea, including all of the improvements located thereon.

(2) All of the property known as Crown Mountain air warning site, located in St. Thomas, V. I., which consists of approximately 27 acres together with all of the improvements located thereon.

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 OFFICERS' PAY

The Clerk called the bill (H. R. 6601) to amend the act of July 16, 1892 (27 Stat. 174, ch. 195), so as to extend to the Secretary of the Navy, and to the Secretary of the Treasury with respect to the Coast Guard, the authority now vested in the Secretaries of the Army and the Air Force with respect to the withholding of officers' pay.

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

Be it enacted, etc., That the last paragraph, under the heading "Miscellaneous", of the act of July 16, 1892 (27 Stat. 174, ch. 195; 10 U. S. C. 877), appearing at page 177 of volume 27 of the Statutes at Large, is amended to read as follows:

"The pay of officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard may be withheld under section 1766, Revised Statutes, on account of an indebtedness to the United States admitted or shown by the judgment of a court, but not otherwise unless upon a special order issued according to the discretion of the Secretary of the Department concerned."

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.

HIGHWAY CONSTRUCTION IN RICHMOND CALIF.

The Clerk called the bill (H. R. 7126) to authorize and direct the Secretary of Commerce to convey certain land and grant certain easements to the State of California for highway-construction purposes in Richmond, Calif.

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

Mr. BYRNES. Reserving the right to object, Mr. Speaker, I wonder if some member of the committee can advise me as to why this property should be turned over gratis rather than sold? It is a small sum that is involved, but it seems to me it is bad practice to start giving away Federal lands or easements, when they do have some value. According to the report, the Government paid around $375 for the land in the first instance. It would seem to me that the Government might at least recover its original investment. I have no idea when the Government first bought the land. There may have been a terrific increment in its value over the $375 originally paid for the property.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object to the present consideration of the bill.

LOAN OF TWO SUBMARINES TO THE GOVERNMENT OF THE NETHERLANDS

The Clerk called the bill (H. R. 7993) to authorize the loan of two submarines to the Government of the Netherlands.

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

Mr. DEANE. Reserving the right to object, Mr. Speaker, I understand there is a similar Senate bill, S. 3337, at the Clerk's desk.

Mr. CUNNINGHAM. Reserving the right to object, Mr. Speaker, may I inquire of the chairman of the Committee on Armed Services in regard to this measure? I note that it cost approximately $2,450,000 to reactivate and put each of these submarines into serviceable condition. This is more than the $1,000,000 limit set by law, and violates the rules of the consent calendar ob-

jectors committee. May I ask the chairman where this money will come from?

Mr. VINSON. I will say to the distinguished gentleman the money comes from the mutual-defense appropriation.

Mr. CUNNINGHAM. Will it require any additional appropriation by the United States Government?

Mr. VINSON. I will assure the gentleman it does not.

Mr. CUNNINGHAM. Where will the Mutual Security Administration get the money?

Mr. VINSON. They will get the money from the appropriation the Congress has made to maintain that act.

Mr. CUNNINGHAM. My next question is, If we permit this bill to pass on the Consent Calendar, will it necessitate the Congress' appropriating additional money to the Mutual Security Administration?

Mr. VINSON. No, it will not.

Mr. CUNNINGHAM. With the explanation of the chairman of the committee, Mr. Speaker, I withdraw my reservation of the right to object.

Mr. GROSS. Mr. Speaker, reserving the right to object, this bill does violate the rule governing consideration of bills on the Consent Calendar. Therefore, I ask unanimous consent that this bill be passed over without prejudice.

Mr. VINSON. Mr. Speaker, will the gentleman withhold his request for the moment?

Mr. GROSS. Yes.

Mr. VINSON. I assure the gentleman that it does not violate the standard governing consideration of bills on the Consent Calendar. No money from an appropriation is involved in this bill. The money which is used to recondition these ships has already been appropriated.

Mr. GROSS. Yes, but you are spending more than a million dollars under this bill, and it does violate the rules so far as the Consent Calendar is concerned.

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

The SPEAKER pro tempore (Mr. WALTER). Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING ARMY AND AIR FORCE VITALIZATION AND RETIREMENT EQUALIZATION ACT

The Clerk called the bill (H. R. 1222) to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to provide for the crediting of certain service in the Army of the United States for certain members of the Reserve components of the Air Force of the United States.

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

Be it enacted, etc., That the first proviso of section 302 (a) of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 (62 Stat. 1087) is hereby amended by striking out the following: "except that any member of a Reserve component of the Air Force of the United States shall be entitled to include service as a member of a Reserve component of the Army of the United States performed on or prior to July 26, 1949."

SEC. 2. This act shall be effective from June 29, 1948.

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.

LOAN OF CERTAIN NAVAL VESSELS TO GOVERNMENT OF JAPAN

The Clerk called the bill (H. R. 8222) to authorize the loan of certain naval patrol-type vessels to the Government of Japan.

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

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. VINSON. Mr. Speaker, will the gentleman withhold his request for a moment.

Mr. HOFFMAN of Michigan. Yes.

Mr. VINSON. Mr. Speaker, the gentleman from Massachusetts [Mr. PHILBIN] will explain the bill, if he may.

Mr. PHILBIN. Mr. Speaker, this bill would authorize the President to lend to the Government of Japan, not to exceed 18 patrol frigates and 50 landing craft.

Mr. HOFFMAN of Michigan. At a cost of $21,000,000?

Mr. PHILBIN. As a result of the loan of these patrol craft to the Government of Japan, American naval personnel will be released from such duty, which we would have to perform otherwise under our treaty obligations.

Mr. VINSON. May I call to the attention of the gentleman from Michigan the fact that the original cost of these vessels to be loaned to Japan, strictly for patrol work, did cost in excess of $21,000,000, but we must have some kind of coast guard patrol there, and that is the purpose of this bill.

Mr. BYRNES. The gentleman says that the original cost was $21,000,000. According to your report, the total cost of overhauling and repairing these ships for the loan will amount to $21,300,000.

Mr. VINSON. Yes, that is correct. The overhauling will cost $21,000,000, which is money that has already been authorized. They already have the money for the overhauling of these vessels.

Mr. BYRNES. You mean the appropriation was made without any authorization?

Mr. VINSON. No, not a bit. They have the authorization for the overhaul of vessels. We are in this sort of position. If Japan does not do it, then we will have to do it. We will have to do it with American sailors. Therefore, it is in our own interest to loan these ships to Japan for this patrol work, otherwise our American boys will have to be sent there to do the patrol work. The ships are to be turned back to us in substantially the same condition as when they were loaned.

Mr. HOFFMAN of Michigan. You mean to return them to us like Russia has returned the ships to us?

Mr. VINSON. No, not at all. Not at all. We are in an entirely different situation with reference to Japan than we are in with reference to Russia.

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

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

There was no objection.

PROVIDING FOR SUNDRY ADMINISTRATIVE MATTERS AFFECTING THE FEDERAL GOVERNMENT

The Clerk called the bill (H. R. 8177) to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes.

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

Be it enacted, etc., That in all cases where relief has been granted or may hereafter be granted to disbursing officers or agents of the Army, Navy, Air Force, and State Department operating under accounts of advances, under the authority of any act of Congress containing no provisions for the removal of charges outstanding in the accounts of advances of such Departments, and in all cases where charges have been outstanding in the accounts of advances of the aforesaid Departments for two full fiscal years and have been certified by the head of the Department concerned to the Comptroller General as uncollectible, such charges shall be removed by crediting the appropriate account of advances and debiting any appropriation made available therefor to the Department concerned: *Provided*, That nothing contained in this section shall in any way affect the financial liability of any disbursing officer, agent, or surety of the United States.

SEC. 2. Section 5 of the act of August 7, 1946 (60 Stat. 897, 898), is hereby amended by deleting the period after the word "loaned" and substituting a colon in place thereof, and by adding the following proviso thereto: "*Provided, however*, That claims for the return or replacement of binoculars under this section shall be filed with the Secretary of the Navy on or before December 31, 1952, and the United States shall be under no obligation to return, replace, or pay for binoculars under this section, for which no claim is so filed. After decision on claims submitted pursuant to this section, the Secretary of the Navy is authorized to dispose of any such binoculars held by the Navy in accordance with existing law."

SEC. 3. The Secretary of the Navy is authorized to sell to merchant ships, under such regulations as he may prescribe, and at such prices as he may deem reasonable, such fuel and other supplies as may be required to meet the necessities of such ships and as may not otherwise be locally procurable: *Provided*, That such ships, without such fuel or other emergency supplies to be furnished under this authority, are not able to proceed to the nearest port where such fuel and other supplies can be locally procured without endangering the health and comfort of the personnel, the safety of the ship, or the safe condition of the property thereon: *Provided further*, That the funds received from such sales shall, if not otherwise provided by law, be credited to the current appropriations concerned, and the amounts so credited shall be available for expenditures for the same purposes as the appropriations credited.

SEC. 4. Under such regulations as the President may prescribe, appropriations chargeable for the transportation of baggage and

household goods and effects of military personnel and civilian employees of departments or agencies of the Federal Government shall be available for the payment or reimbursement of general average contributions required in connection therewith: *Provided*, That no appropriation shall be available for the payment or reimbursement of general average contributions required in connection with and applicable to quantities of baggage and household goods and effects in excess of quantities authorized to be transported by law or regulation pursuant to law; nor shall any appropriations be so available in any case where the military person or civilian employee concerned (a) is allowed under any law or regulation pursuant to law a commutation in lieu of the actual transportation expenses or (b) has himself selected the means of shipment.

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 508 OF TITLE 14, UNITED STATES CODE

The Clerk called the bill (H. R. 7654) to amend section 508 of title 14, United States Code.

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

Be it enacted, etc., That the analysis of chapter 13 of title 14, United States Code, entitled "Coast Guard," as amended, immediately preceding section 461 of such title, is amended by striking out the item

"508. Deserters; arrest of by civil authorities; penalties."

and in lieu thereof inserting

"508. Deserters; payment of expenses incident to apprehension and delivery; penalties."

SEC. 2. Section 508 of title 14, United States Code, is amended to read as follows:

"§ 508. Deserters; payment of expenses incident to apprehension and delivery; penalties.

"(a) The Coast Guard may, pursuant to regulations prescribed by the Secretary, make such expenditures as are deemed necessary for the apprehension and delivery of deserters, stragglers, and prisoners.

"(b) No person who is convicted by court martial for desertion from the Coast Guard in time of war, and as the result of such conviction is dismissed or dishonorably discharged from the Coast Guard shall afterwards be enlisted, appointed, or commissioned in any military or naval service under the United States, unless the disability resulting from desertion, as established by this section is removed by a board of commissioned officers of the Coast Guard convened for consideration of the case, and the action of the Board is approved by the Secretary; or unless he is restored to duty in time of war."

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

GRANTING JURISDICTION TO THE COURT OF CLAIMS

The Clerk called the bill (S. 3195) granting jurisdiction to the Court of Claims to hear, determine, and render judgment upon certain claims.

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

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to have the author of the bill or a member of the committee give me some further explanation of this legislation.

Mr. Speaker, I ask unanimous consent that this bill be placed at the foot of the calendar.

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

There was no objection.

FEDERAL JURISDICTION TO PROSECUTE CRIMES ON AMERICAN AIRPLANES

The Clerk called the bill (S. 2149) to confer Federal jurisdiction to prosecute certain common-law crimes of violence when such crimes are committed on an American airplane in flight over the high seas or over waters within the admiralty and maritime jurisdiction of the United States.

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

Be it enacted, etc., That section 7 of title 18, United States Code, is hereby amended by adding at the end thereof a new subsection reading as follows:

"(5) Any aircraft belonging in whole or in part to the United States, or any citizen thereof, or to any corporation created by or under the laws of the United States, or any State, Territory, district, or possession thereof, while such aircraft is in flight over the high seas, or over any other waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State."

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.

ABOLISHING THE APPEAL BOARD OF THE OFFICE OF CONTRACT SETTLEMENT

The Clerk called the bill (S. 2199) to amend the Contract Settlement Act of 1944 and to abolish the Appeal Board of the Office of Contract Settlement.

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

Be it enacted, etc., That the Appeal Board established under section 13 (d) of the Contract Settlement Act of 1944 is hereby abolished: *Provided, however*, That said abolition shall not become effective until 6 months after the enactment of this act or such later date, nor more than 9 months after the enactment of this act, as may be fixed by written order of the Director of Contract Settlement published in the Federal Register. Such an order shall be made only in case the Director finds that it is impracticable for the Appeal Board to dispose of its pending business before the date fixed for abolition of the Board by this act or a previous order of the Director. No such order shall be made less than 30 days prior to the date theretofore fixed for abolition of the Appeal Board.

SEC. 2. (a) Upon the effective date of the abolition of the Appeal Board all appeals and disputes pending therein shall be terminated without prejudice and the right of the parties to pursue such other remedies as are provided by law shall not be affected thereby.

(b) In any such terminated appeal, timely initiated in the Appeal Board, where the period for pursuit of any other remedy pursuant to section 13 (b) (2) of the Contract Settlement Act of 1944 shall have expired or would expire within 60 days after the effective date of the abolition of the Appeal Board, the period within which proceedings may be initiated in accordance with the said section shall be extended to 60 days after said effective date.

(c) Effective 30 days after the enactment of this act no further appeals or submitted disputes shall be accepted for determination by said Appeal Board.

(d) Where an attempt is erroneously made to file an appeal with the Appeal Board after the time limited therefor by section 1 (c) of this act but prior to the effective date of the abolition of the Appeal Board, said Board shall forthwith return the papers to the person therein named as appellant together with a notice in writing that, pursuant to the terms of section 1 (c) of this act, it can no longer accept such an appeal. Where such an attempt is made in good faith and the appeal would, except for the provisions of section 1 (c) of this act, have been timely and the period for pursuit of any other remedy pursuant to section 13 (b) (2) of the Contract Settlement Act of 1944 expires or would expire prior to the expiration of 60 days after the receipt of such notice, the period within which proper proceedings may be initiated in accordance with said section 13 (b) (2) shall be extended to 60 days after the receipt of such notice.

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.

ASSISTING FEDERAL PRISONERS IN REHABILITATION

The Clerk called the bill (S. 3276) to amend the act entitled "An act to assist Federal prisoners in their rehabilitation.

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

Be it enacted, etc., That section 2 of the act of May 15, 1952 (Public Law 342, Eighty-second Congress), relating to the rehabilitation of Federal prisoners is hereby amended by striking out the words "Federal income, State, and gift taxes" and inserting in lieu thereof "Federal income, estate, and gift 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.

PROHIBITING REDUCTION OF RATING OF TOTAL DISABILITY FOR COMPENSATION

The Clerk called the bill (H. R. 6167) to prohibit reduction of any rating of total disability or permanent total disability for compensation, pension, or insurance purposes which has been in effect for 25 or more years.

Mr. FORD. Reserving the right to object, Mr. Speaker, I would like a little further explanation of this legislation.

Mr. HARRISON of Virginia. Mr. Speaker, the chairman of the Committee on Veterans' Affairs is in conference and has asked me to explain the purpose of this bill.

The bill deals with the existing policy of the Veterans' Administration; that is, where a man has been totally and permanently disabled, a service-connected disability which has existed for a great many years, the Veterans' Administra-

tion nevertheless requires periodic examination to determine whether the condition still exists. After a period of 20 or 25 years it seems inconceivable that a man who was wounded in World War I, for example, who has been classified as permanently and totally disabled throughout all that period of time without exception that there would be any possibility that he would cease to be in that condition. Therefore, this bill provides that at the end of 20 years, after he has been totally and permanently disabled for 20 years, he shall not be required to have such further examination.

As to the cost of it, it will probably save the Government money, because it costs money now to make these examinations and put him through this period of examination.

Mr. FORD. Is the gentleman familiar with how frequently the Veterans' Administration calls these examinations?

Mr. HARRISON of Virginia. My understanding is, it is done every 2 years.

Mr. FORD. Is that by law or by administrative practice?

Mr. HARRISON of Virginia. My understanding is that it is my administrative order.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

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

Be it enacted, etc., That a rating of total disability or permanent total disability which has been made for compensation, pension, or insurance purposes under laws administered by the Veterans' Administration, and which has been continuously in force for 25 or more years shall not be reduced thereafter.

With the following committee amendment:

Page 1, line 7, strike out "25" and insert "20."

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.

MEDICINE CREEK RESERVOIR

The Clerk called the bill (H. R. 51) to change the name of Medicine Creek Reservoir in Frontier County of the State of Nebraska to Harry Strunk Lake.

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

There was no objection.

Mr. CURTIS of Nebraska. Mr. Speaker, I ask unanimous consent that an identical bill (S. 103) be substituted for the House bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the reservoir behind Medicine Creek Dam in Frontier County of the State of Nebraska, heretofore known, designated, and referred to as "Medicine Creek Reservoir," shall hereafter be designated and referred to as "Harry Strunk Lake." Any law, regulations, document, or record of the United States in which such reservoir is designated or referred to under and by the name of "Medicine Creek Reservoir" shall be held and considered to refer to such reservoir under and by the name of "Harry Strunk Lake."

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. 51) was laid on the table.

AMENDING SECTION 1 OF THE ACT APPROVED JUNE 27, 1947 (61 STAT. 189)

The Clerk called the bill (H. R. 7487) to amend section 1 of the act approved June 27, 1947 (61 Stat. 189).

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

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, in view of the fact that there is no report from the Bureau of the Budget, and the Department of Justice opposes the enactment of this bill, I am forced to ask that it be passed over without prejudice unless some satisfactory explanation is made.

Mr. MURDOCK. Will the gentleman reserve his objection until we can have an explanation?

Mr. CUNNINGHAM. I will be glad to reserve the right to object.

Mr. MURDOCK. I think it would be well to ask the gentleman from New Mexico [Mr. FERNANDEZ] to explain the bill.

Mr. CUNNINGHAM. It seems that the Department of Justice did oppose the bill. There is no report from the Bureau of the Budget; there is little information about it. I am surprised that it should be on the Consent Calendar.

Mr. FERNANDEZ. Mr. Speaker, on June 19, 1947, the House had before it a bill to approve the purchase from the Indians of their vast helium reserves. That agreement was tied to another agreement with third parties on which there was a deadline of June 30, by which time it had to be approved or it would fall through.

Many of the Indian people and some of us in Congress felt that the price which the Government was paying them was not adequate. There was only one thing we could do: that was to hold up the bill until we could investigate the price. But the committee of which I was then a member felt that because of the work that had already been done in bringing about these agreements with these third parties, because of the complexity of the matter, and because of the impossibility of investigating the adequacy of the purchase price in time, we thought it best to let the deal go through, but provide by amendment that if after investigation it was determined the price was not adequate they could go into court and get what the committee very properly terms the second installment of the purchase price on this contract.

That amendment was adopted by both the House and the Senate with that understanding and the bill went through for the purchase of those helium lands for some $147,000.

Under that amendment the Indians after investigation—and it is a very complex matter—filed a suit for a more adequate price, but in the same suit they also included other dealings with respect to the same property, which they had a right to do, not under this amendment, but under the general law.

The Department of Justice filed what they called offsets, which they had the right to do under general law.

The purpose of this bill as amended by the committee is to provide that no offsets may be charged against the purchase price of the helium which was provided for in the 1947 bill. With that understanding the committee unanimously reported the bill out, because it would be utterly unfair if we now allowed offsets against the purchase price, when no offsets were contemplated at the time the agreement was entered into. Those of us who were working on it did not anticipate that the Government would claim offsets on the price to be paid to the Indians for this helium. We do not want any bad faith to be shown toward the Indians, and in order to avoid any appearance of bad faith on the part of Congress I offered this bill which, as amended, was reported out by the committee unanimously.

Mr. CUNNINGHAM. I notice that the Department of Justice opposed this on the ground that they feared that it might be a precedent for future claims. I also notice that the committee report specifically sets out the fact that it shall not be considered as a precedent for future cases. Is that the understanding of the gentleman?

Mr. FERNANDEZ. That is correct.

Mr. CUNNINGHAM. I thank the gentleman from New Mexico and yield to the gentleman from Arizona.

Mr. MURDOCK. I might say to the gentleman from Iowa that the matter of offsets still holds in the law, but they are not applied in this case because this is an anomalous case, and therefore will not set a precedent.

Mr. FORD. Mr. Speaker, reserving the right to object, quite frankly I am not satisfied with the explanation yet as to why there should be no offsets. Apparently, the Department of Justice feels that the United States has a legitimate claim and that the United States has been unable to collect what the Department of Justice at least contends is an amount legitimately owed to the Government. I do not see why there should not be an offset in order for the Government to collect on its alleged legitimate claim.

Mr. FERNANDEZ. As I tried to explain, the matter arises out of a purchase contract, the matter of purchase and sale, and the Indians would not have agreed to it if they had been advised that the sale involved ancient claims, gratuities, and things of that nature which were to be deducted. They never would have sold to the Government. We did not specifically provide it in the bill because we did not anticipate this would come up. When the Department of Justice came in with

its adverse report the suit about which we are speaking included other claims, and the Department very naturally opposed it, but since that time in conference with the Indian representatives and the Department of Justice we have agreed on the committee amendment that would make it clear there will be no offsets against the purchase price, but no waiver of offsets against any other claims involved in the suit.

Mr. McMULLEN. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Florida.

Mr. McMULLEN. I heard the testimony before the committee on this legislation. As I understand it, at the time the contract was entered into between the Government and these Indians there was no question raised about the matter of offsets. The contract was entered into in good faith, the first payment was made and there was no question about offsets. Apparently the Indians would not have entered into this contract if they had been informed and advised that offsets might be later claimed. This is a situation of the Government dealing with its wards, the Indians, and our committee felt the question of offsets should not be allowed to be set up at this time.

Mr. FORD. Is it not true, however, that if the Indians had not agreed to the sale the Federal Government, having a great need for the helium, could have condemned the property and taken it in that fashion?

Mr. McMULLEN. That is possible, but that question was not raised at the time the Indians entered into this contract. Being wards of the Government, we felt that this question should not be raised.

Mr. FERNANDEZ. If the Government had taken the property under eminent domain, then offsets would not have been claimed, as I understand the law, because that also would be a matter of purchase and sale, although forced by law.

Mr. D'EWART. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Montana.

Mr. D'EWART. It should be clearly understood that in dealing with the Government for the purchase of this helium gas, the only buyer was the Federal Government. There was no other buyer because this is a nonexplosive gas needed in Army operations. Therefore, the Government bought this helium gas under the contract that was entered into. Now, they wish to get an adjustment on this property. If you will read the contract carefully you will understand that there were a lot of items the value of which could not be determined at the time. In regard to this offset we have amended the bill so that only the offset can be applied to any income to the Navajos as the price to be paid for the helium gas. We did that because offsets were not alleged in the original contract. Therefore, if it is decided to adjust that price, we do not feel that offsets should be allowed in the adjustment.

Mr. FORD. Mr. Speaker, in light of the explanation, however with some reluctance, I withdraw my reservation of objection.

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 section 1 of the act approved June 27, 1947 (61 Stat. 189), entitled "An act authorizing certain agreements with respect to rights in helium-bearing gas lands in the Navajo Indian Reservation, N. Mex., and for other purposes," be and the same is hereby amended to read as follows:

"The the Secretary of the Interior, acting through the Bureau of Mines, and the Navajo Tribe of Indians are authorized to enter into an agreement dated December 1, 1945, entitled 'An agreement severing certain formations from oil and gas leases and substituting new leases as to those formations' and an 'Amending agreement', affecting lands in the Navajo Indian Reservation, N. Mex., copies of which are published in House of Representatives Document No. 212, Eightieth Congress, first session; and said agreements are ratified and approved. If said Navajo Tribe of Indians shall, after investigation, deem the total consideration payable to it by the United States pursuant to such agreement dated December 1, 1945, as amended, to be in any respect less than reasonable, fair, just, and equitable, said tribe shall be entitled within 3 years after the date of enactment of this act to institute suit against the United States in the Court of Claims for the recovery of such additional sum as may be necessary to compensate said tribe for the reasonable, fair, just, and equitable value of all right, interest, and property passing from said tribe to the United States under such agreement, as amended. Jurisdiction is hereby conferred upon the Court of Claims to hear and determine any suit so instituted and to enter final judgment against the United States therein for such sum, if any, in excess of the total consideration payable pursuant to such agreement, as amended, as such court may determine to be necessary to provide consideration in all respects reasonable, fair, just, and equitable, provided that interest shall be allowed on such sum at the rate of 4 percent per annum from December 1, 1945, to the date of payment and no offsets shall be deducted from such sum. Appellate review of any judgment so entered shall be in the same manner, and subject to the same limitations, as in the case of claims over which the Court of Claims has jurisdiction under section 145 of the Judicial Code, as amended (28 U. S. C., sec. 250). Notwithstanding any contract to the contrary, not more than 10 percent of the amount received or recovered by said tribe in satisfaction of any claim asserted under this section shall be paid to or received by any agent or attorney on account of services rendered in connection with such claims."

With the following committee amendment:

Page 3, line 2, strike out "from December 1, 1945, to the date of payment and no offsets shall be deducted from such sum" and insert "October 20, 1947, to the date of payment and no offsets shall be deducted from any sum determined by the court to be a reasonable, fair, just, and equitable consideration for the right, interest, and property passing to the United States under and pursuant to said agreement of December 1, 1945, as amended: *Provided further*, That the foregoing provision relating to interest and offsets shall not extend to any other claim or claims asserted in any such suit, whether or not the same arise out of the subject matter of said agreement, but such other claim or claims, if any, shall be governed by the law relating to actions brought pursuant to title 28, United States Code, section 1505."

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.

ESTABLISH CORONADO INTERNATIONAL MEMORIAL IN ARIZONA

The Clerk called the bill (H. R. 7553) to provide for the establishment of the Coronado International Memorial, in the State of Arizona, approved August 18, 1941 (55 Stat. 630).

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

Mr. BYRNES. Mr. Speaker, reserving the right to object, I wonder if somebody can explain this peculiar situation. In the report it says that no appropriation of Federal funds is requested, yet this bill provides for the creation of an American monument area as soon as possible. Now how do you go about doing this thing without it costing any money?

Mr. MURDOCK. This in effect merely changes the name of a former international memorial down on the border of Mexico at the point where Coronado crossed into our land 412 years ago. It was first called an international monument, so designed by the first enactment with the expectation that Mexico would supply an equal area of land corresponding to that which we set up.

Mr. BYRNES. I got the impression that there was a lot more to this bill than just changing the name because, in the first place, a bill to change the name is a lot simpler than the language of this bill. No. 2: The report from the Department of the Interior seems to say that what we have been doing is waiting for Mexico before establishing this monument; that is was going to be a joint enterprise. The report further states that the Mexican Government has shown a great deal of interest in the proposed memorial but that it has been unable, due to a combination of circumstances, to establish its part of the memorial, and the Department feels that the American area should be established as soon as possible. Well now, that is more than just changing the name, is it not?

Mr. MURDOCK. Yes; somewhat more. The memorial on our side of the border is already established so far as the site is concerned. It is on public domain. We have set aside a tract of land which we hoped would be matched by Mexico on the Mexican side but has not been matched during these 11 years. There is no money called for in this bill, but the land is there, and there may come a time when structures will be needed and erected, but there are none at the present time and none contemplated.

Mr. BYRNES. What is basically needed as far as this legislation is con-

cerned? What does it do that has to be done?

Mr. MURDOCK. It reaffirms that part of the act of 11 years ago for us to provide a part of the public domain right on the border as a national monument.

Mr. BYRNES. Do you have to reaffirm those things ever so often?

Mr. MURDOCK. Well, what we want to do now is to make it a national monument instead of an international monument; that is all there is to it.

Mr. BYRNES. Will the gentleman assure me that this does not involve any expenditure of funds at this time?

Mr. MURDOCK. I will be glad to assure the gentleman of that fact.

Mr. BYRNES. With that assurance, Mr. Speaker, which assurance I think is necessary, because I think that in our fiscal position right now we should limit ourselves to the things that are absolutely necessary, I withdraw my reservation of objection.

Mr. CUNNINGHAM. Mr. Speaker, further reserving the right to object, I note that the bill specifically says that no Federal funds are requested at this time. What about the future? Once it is established, will not the Federal Government be called upon to appropriate funds from year to year to keep this park up? How is it to be financed?

Mr. MURDOCK. Very likely at some future time there will be funds asked for for some structures, but there are none there now, and we will have to wait for a happier time to seek funds for that purpose.

Mr. CUNNINGHAM. Is there an obligation of the Federal Government to do its share along with the Government of Mexico, if the monument is to be maintained?

Mr. MURDOCK. Yes. If the Government of Mexico ever comes across with its part of the obligation. However, at the present time it is simply a block of land lying along the border set aside from our public domain.

Mr. CUNNINGHAM. But if the Mexican Government does come across, as the gentleman says, and agrees to this, then there is nothing more for the United States to do except to appropriate the necessary amount of money from time to time; is that correct?

Mr. CUNNINGHAM. But if the Mexican Government sees fit to come across, but 11 years have passed now without their doing so; so by this measure this is a national memorial.

Mr. BYRNES. Mr. Speaker, with the assurance of the chairman of the committee that it is not contemplated that any further advance will be made in this memorial other than changing its general designation from, an international to a national memorial, and that there is no contemplation of requesting any funds from the Committee on Appropriations either this year or next year, I withdraw my reservation of the right to object.

Mr. MURDOCK. I shall be glad to give the gentleman that assurance.

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

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 2909) be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

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

Be it enacted, etc., That the words "Coronado National Memorial" are hereby substituted in lieu of the words "Coronado International Memorial" wherever such words occur in the act of August 18, 1941 (55 Stat. 630).

SEC. 2. That section 1 of the aforesaid act is hereby amended by striking out ": *Provided*, That said proclamation shall not be issued until the President of the United States shall have been advised through official channels that the Government of Mexico has established, or provided for the establishment of, an area of similar type and size adjoining the area described herein."

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. 7553) was laid on the table.

MENOMINEE TRIBE OF INDIANS

The Clerk called the bill (H. R. 7104) to amend the act of Congress of September 3, 1935 (49 Stat. 1085) as amended.

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

Be it enacted, etc., That the act of September 3, 1935 (49 Stat. 1085), as amended, is hereby further amended to authorize and direct the Secretary of the Interior to provide for the payment from trust funds credited to the Menominee Tribe of Indians pursuant to the determination provided by the act of September 3, 1935, of $1,000 to each individual member of the Menominee Tribe of Indians on the Menominee tribal rolls as of December 31, 1951: *Provided*, That payments to minors and such members as are receiving welfare assistance through the social-security program or from the Menominee Tribe shall be made pursuant to regulations to be adopted by the Menominee General Council and approved by the Commissioner of Indian Affairs.

With the following committee amendment:

Page 2, line 4, strike out "Affairs." and insert "Affairs: *Provided further*, That such payment shall be made first from any funds on deposit in the Treasury of the United States to the credit of the Menominee Tribe drawing interest at the rate of 5 percent and thereafter from funds drawing 4 percent."

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.

COPYRIGHTS

The Clerk called the bill (H. R. 8273) to amend title 17 of the United States Code entitled "Copyrights" with respect to the day for taking action when the last day for taking such action falls on Saturday, Sunday, or a holiday.

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

Be it enacted, etc., That title 17, United States Code, is hereby amended by adding at the end thereof a new section 216 to read as follows:

"§ 216. When the day for taking action falls on Saturday, Sunday, or a holiday.

"When the last day for making any deposit or application, or for paying any fee, or for delivering any other material to the Copyright Office falls on Saturday, Sunday, or a holiday within the District of Columbia, such action may be taken on the next succeeding business day."

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

The Clerk read as follows:

Amendment offered by Mr. BRYSON: After line 12 add the following new section:

"SEC. 2. The table of contents of chapter 3 of title 17 of the United States Code is amended by adding at the end thereof '216. When the day for taking action falls on Saturday, Sunday or a holiday'."

The amendment was agreed to.

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

AMENDMENT OF ACT OF JULY 31, 1947 (61 STAT. 681)

The Clerk called the bill (H. R. 8341) to amend the act of July 31, 1947 (61 Stat. 681).

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

Be it enacted, etc., That the following sections are hereby added to the act of July 31, 1947 (61 Stat. 681), as amended by the act of August 31, 1950 (64 Stat. 571; 43 U. S. C., 1946 edition, supp IV, secs. 1185–1188):

"SEC. 5. Deposits of sand, stone, gravel, pumice, pumicite, and cinders when situated on public lands of the United States shall not be subject to acquisition under any law other than this act, except a law providing for the disposition of such materials on specified areas or authorizing their disposition for the purposes and in a manner provided in the Federal reclamation law (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto): *Provided*, That this shall not prevent the location and patenting under the United States mining laws of lands containing such materials, if such locations are based upon the discovery in said lands of other minerals, specifically named in the notice of location, which are subject to location under the mining laws. Rights acquired under such mineral location and any subsequent patent issued pursuant thereto, however, shall be subject to and shall not interfere with the rights of any purchaser to purchase and remove materials which have been sold under the terms of this Act where such contracts of sale were made pursuant to notice of sale first published prior to the date of the recordation of said mineral location.

"SEC. 6. The provisions of this act insofar as it relates to the materials described in section 1 shall apply to lands in national forests and such materials when situated on national-forest lands may be disposed of by the Secretary of Agriculture pursuant to the terms, conditions, and limitations of this act, as hereby amended. All moneys received from the disposal of materials by the Secretary of Agriculture under this act shall be disposed of in the same manner as other receipts from the land from which the

materials are disposed of. The word 'Secretary,' as used in said act, shall refer to the Secretary of Agriculture where lands within the national forests are involved."

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.

UNIVERSITY OF FLORIDA

The Clerk called the bill (S. 556) authorizing the transfer of certain lands in Putnam County, Fla., to the State Board of Education of Florida for use of the University of Florida for educational purposes.

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

Mr. FORD. Reserving the right to object, Mr. Speaker, may I ask the chairman of the committee or a member of the committee if the committee is satisfied with the sale price the Government is getting for this land? I notice the property was acquired by the Federal Government for the price of $309. I do not know just what date that property was acquired, but now the Government is selling the land at a price of $300. I would imagine the property was acquired during a period when land values were depressed, and now when land prices are inflated we are selling it for $9 less. Does anyone have any explanation?

Mr. HART. Mr. Speaker, I am not in possession of information as to when the land was acquired. This is a Senate bill. The committee in its consideration did discuss the question of the transfer and was satisfied with it as being proper and just. As a matter of fact, one of our colleagues on the committee who is very much interested in the bill would have been satisfied if the committee had increased the price, and even offered to pay the difference himself. But, all the circumstances considered, the committee thought the price was a just one.

Mr. McCORMACK. Mr. Speaker, if the gentleman will yield, this is in line with the observation I made a few weeks ago on another bill to the effect that something ought to be done with reference to small matters of this kind so that they could be taken care of without going through all of the expense of the regular legislative procedure. I imagine that it cost more than $300 to pass this bill right now.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to convey for the payment of $300, subject to other applicable provisions of this act, to the State Board of Education of the State of Florida, for the use and benefit of the University of Florida for educational purposes primarily concerned with conservation of natural resources, land utilization, forestry, biology, botany, and natural history, such portions of the area known as the Welaka Fish Hatchery, Putnam County, Fla., aggregating approximately 55 acres, as he may determine to be excess to the needs of the Department of the Interior and available for the aforesaid purposes.

SEC. 2. The property to be conveyed shall include both the land and the improvements thereon: *Provided,* That the United States reserves the right to remove, at any time within a period of 2 years from the date of approval of this act, any of said improvements constructed by it or financed out of its funds.

SEC. 3. The use of said property shall be subject to all easements, rights-of-way, licenses, leases, and outstanding interests in, upon, across, or through said property which have heretofore been granted or reserved by the United States or its predecessors in title.

SEC. 4. The United States reserves the rights to all minerals upon or in said property, together with the usual mining rights, powers, and privileges, including the right of access to and use of such portions of the surface of said property as may be necessary for mining and removing said minerals.

SEC. 5. Title to or control over the lands conveyed under the authority of this act may not be transferred by the grantee or its successor, except with the consent of the Secretary of the Interior. The grantee or its successor may not change the use of the lands from the educational purposes specified in section 1 of this act to another or additional use, except with the consent of the Secretary. If at any time after the lands are conveyed under this act, the grantee or its successor attempts to transfer title to or control over these lands to another or the lands are devoted to a use other than the educational purposes specified in section 1, without the consent of the Secretary, title to the lands shall revert to the United States. Such reversion shall be considered effective and established upon the mailing of notice thereof to the State Board of Education of Florida, or its successor, by the Secretary.

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.

CHANGING NAME OF BONNEVILLE POWER ADMINISTRATION TO THE COLUMBIA POWER ADMINISTRATION

The Clerk called the bill (H. R. 6436) to change the name of the Bonneville Power Administration to the Columbia Power Administration.

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

Be it enacted, etc., That the name of the Bonneville Power Administration, in the Department of the Interior, is hereby changed to the Columbia Power Administration; and the title of the Bonneville Power Administrator is hereby changed to the Columbia Power Administrator. All provisions of law applicable to the Bonneville Power Administration and the Bonneville Power Administrator shall be applicable in the same manner and to the same extent to the Columbia Power Administration and Columbia Power Administrator, respectively. All laws, regulations, and public documents of the United States referring to the Bonneville Power Administration or the Bonneville Power Administrator shall be held to refer to the Columbia Power Administration or the Columbia Power Administrator, respectively.

SEC. 2. This act shall become effective on the first day of the first month which commences more than 6 months 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.

RUFUS WOODS LAKE

The Clerk called the bill (S. 1989) to designate the lake to be formed by the waters impounded by the Chief Joseph Dam in the State of Washington as Rufus Woods Lake.

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

Be it enacted, etc., That the lake to be formed by the waters impounded by the Chief Joseph Dam in the State of Washington shall hereafter be known as Rufus Woods Lake, and any law, regulation, document, or record of the United States in which such lake is designated or referred to shall be held to refer to such lake under and by the name of Rufus Woods Lake.

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.

FIELD SERVICE EMPLOYEES OF POST OFFICE DEPARTMENT

The Clerk called the bill (H. R. 6004) to authorize payment of retroactive salary increase for services rendered by postmasters, officers, and employees of the field service of the Post Office Department who died between July 1, 1951, and October 24, 1951.

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

Be it enacted, etc., That section 23 (b) of the act of October 24, 1951 (Public Law 204, 82d Cong.), is hereby amended by striking out the period at the end thereof and inserting a comma followed by "or the rightful heirs or the estate of a deceased postmaster, officer, or employee for services rendered during the period beginning July 1, 1951, and ending with the date of his death."

SEC. 2. This act shall be effective as of July 1, 1951.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That section 23 (b) of the act of October 24, 1951 (Public Law 204, 82d Cong.), is hereby amended by inserting before the period at the end thereof a comma and the following: 'or in accordance with the provisions of the act of August 3, 1950 (Public Law 636, 81st Cong.), for services rendered by a deceased postmaster, officer, or employee during the period beginning July 1, 1951, and ending with the date of his death.'

"SEC. 2. (a) Section 6 (b) of the act of October 24, 1951 (Public Law 201, 82d Cong.), and section 4 (b) of the act of October 25, 1951 (Public Law 207, 82d Cong.), are each hereby amended by inserting before the period at the end thereof a comma and the following: 'or in accordance with the provisions of the act of August 3, 1950 (Public Law 636, 81st Cong.), for services rendered by a deceased officer or employee during the period beginning with the first day of the first pay period of such officer or employee which began after June 30, 1951, and ending with the date of his death.'

"(b) Retroactive compensation shall be paid, in the manner prescribed by law for unpaid compensation due deceased officers and employees of the Government, for services rendered by any deceased officer or employee during the period beginning with the first day of the first pay period of such officer or employee which began after June 30, 1951, and ending with the date of his death, if such officer or employee was entitled to an increase in compensation comparable to increases in compensation granted by the act of October 24, 1951 (Public Law 201, 82d

Cong.), by reason of administrative action pursuant to the Third Supplemental Appropriation Act, 1952."

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 provide for the payment of retroactive increases in compensation for services rendered by certain deceased officers and employees of the Federal Government, and for other purposes."

A motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, there are several bills on the Consent Calendar, which have not been on the calendar the required number of days. It might be well to have them considered now, so I ask unanimous consent that it be in order to call the remainder of the Consent Calendar.

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

Mr. CUNNINGHAM. Mr. Speaker, we have not reached the end of the calendar as yet. Would it not be better to hold such a request in abeyance until we have completed the bills which may properly be considered at this time?

Mr. McCORMACK. Mr. Speaker, I withdraw my request.

PAYMENT TO CERTAIN PUBLIC HEALTH OFFICERS FOR ACCRUED LEAVE

The Clerk called the bill (H. R. 7444) to amend the act of August 1, 1941, to include Public Health Service officers.

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

Mr. FORD. Mr. Speaker, reserving the right to object, I notice in the report that the Comptroller General has opposed the enactment of this legislation on the ground that it would be discriminatory. I would like to have an explanation from the committee as to why the committee takes such action in the light of the observation of the Comptroller General.

Mr. RHODES. Mr. Speaker, I do not know of any opposition by the Comptroller General. This bill will permit the payment of accrued annual leave to Public Health Service officers who entered the armed services prior to November 11, 1943. The House approved on May 6 an appropriation bill, which would grant payment of accrued leave to one of these Public Health Service officers and the subcommittee of the Committee on the Judiciary felt that it would be proper to pass this legislation to prevent a large number of private bills being introduced.

Mr. FORD. Mr. Speaker, if I may quote from the letter from the Comptroller General of the United States, dated June 13, 1952. This letter is signed by Mr. Frank L. Yates, Assistant Comptroller General of the United States. The letter in its entirety can be found in the committee report. I shall only quote the pertinent paragraph:

It is understood that the commissioned personnel of the Public Health Service has successfully secured full and complete pay and allowance benefits on complete parity with the commissioned personnel of the genuine Armed Forces, and it is not perceived why, equitably, they should secure any greater benefits by contending for those which pertain to civilian employees whose compensation is fixed on an entirely different basis.

In the light of that paragraph, Mr. Speaker, I fail to see how we can permit this legislation to go through on the Consent Calendar.

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

Mr. FORD. Mr. Speaker, I object.

ADJUSTMENT OF COMPENSATION OF EMPLOYEES IN THE POST OFFICE DEPARTMENT

The Clerk called the bill (H. R. 8006) to provide for an adjustment in the compensation of certain employees transferred from the field service of the Post Office Department to the General Services Administration pursuant to Reorganization Plan No. 18 of 1950, and for other purposes.

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

Be it enacted, etc., That each employee who (1) was transferred, effective as of July 1, 1950, from the field service of the Post Office Department to the General Services Administration pursuant to Reorganization Plan No. 18 of 1950, and (2) had completed sufficient service during the quarter ending June 30, 1950, to entitle him as of July 1, 1950, if he had not been so transferred, to an annual automatic increase in compensation under the act of July 6, 1945 (Public Law 134, 79th Cong.), as amended and supplemented, or to a longevity increase in compensation under the act of May 3, 1950 (Public Law 500, 81st Cong.), shall, effective as of July 1, 1950, be granted such increase in his rate of basic compensation, and his rate of basic compensation as an employee in a position under the Classification Act of 1949, as amended, shall, as of such date, be adjusted as follows:

(A) In the case of an employee whose rate of basic compensation on June 30, 1950, was in excess of the maximum scheduled rate of the grade in which his position has been classified under the Classification Act of 1949, as amended, the increase in compensation granted by this section shall be added to such rate of basic compensation.

(B) In the case of an employee whose rate of basic compensation on June 30, 1950, was less than the maximum scheduled rate of the grade in which his position has been classified under the Classification Act of 1949, as amended, the increase in compensation granted by this section shall be considered as part of the rate of basic compensation of such employee for the purpose of determining the rate of basic compensation to be established for such employee in accordance with the grade in which his position has been so classified.

SEC. 2. The rate of basic compensation of any employee transferred from the field service of the Post Office Department to the General Services Administration pursuant to Reorganization Plan No. 18 shall not be reduced by reason of the subsequent reassignment or transfer of such employee to another position in the same grade of the Classification Act of 1949, as amended. The rate of basic compensation of any such employee which has been reduced for such reason prior to the date of enactment of this act shall be restored, as of the date of such reduction in rate, to the rate which such employee was receiving immediately prior to such reduction, plus any increase in rate of basic compensation to which such employee may be entitled under the first section of this act.

SEC. 3. No retroactive compensation shall be payable by reason of the enactment of this act in the case of any individual not occupying a position under the Classification Act of 1949, as amended, on the date of enactment of this act, except that such retroactive compensation shall be paid (1) to an individual on furlough without pay, for services rendered during the period beginning July 1, 1950, and ending with the day immediately preceding the date on which such furlough commenced, and (2) to a retired employee for services rendered during the period beginning July 1, 1950, and ending with the date of his retirement.

With the following committee amendments:

On page 1, line 3, strike out beginning with the word "who" down through "1950," in line 4 and insert in lieu thereof "transferred"; line 6, strike out beginning with the comma down through "had" in line 7 and insert in lieu thereof "who has"; line 7, strike out beginning with the word "during" down through "June 30, 1950," in line 8 and insert in lieu thereof "prior to such transfer"; line 8, strike out "as of July 1, 1950."

On page 2, line 6, after the word "shall", strike out the comma and "effective as of July 1, 1950,"; lines 12 and 18 strike out "on June 30, 1950," and insert in lieu thereof "prior to such transfer."

On page 3, line 8, insert after "same" the words "or equivalent rate of pay or"; line 21, strike out "paid" and insert in lieu thereof "paid, if otherwise due under this act."

On page 4, line 1, strike out "and"; line 3, insert before the period a comma and the words "and (3) in accordance with Public Law 636, Eighty-first Congress, for services rendered during the period beginning July 1, 1950, and ending with the date of death."

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.

AUTHORIZATION REPORT OF IRRIGATION WORKS IN CONNECTION WITH CHIEF JOSEPH DAM

The Clerk called the bill (H. R. 6163) to provide the basis for authorization of irrigation works in connection with Chief Joseph Dam, to provide for financial assistance thereto from power revenues, and for other purposes.

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

Mr. FORD. Reserving the right to object, Mr. Speaker, according to the information at my disposal, the Bureau of the Budget did object to S. 2320. Will the gentleman from Washington explain the situation?

Mr. HORAN. Mr. Speaker it is true the Bureau of the Budget did object to the original bill. However, at the instance of the gentleman from Montana Mr. [D'EWART] the Committee on Interior and Insular Affairs wrote an amendment which we are now considering, which is acceptable to the Committee on Interior and Insular Affairs. Both the gentleman from California [Mr. ENGLE] and the gentleman from Montana [Mr. D'EWART] can assure the objectors.

Mr. FORD. I note in the information at my disposal that the Department of the Army is of the opinion that the principal provisions of the bill can be accomplished under existing law, with the exception of the provision for financial assistance to irrigation from power revenue. Can the gentleman explain that point of view?

Mr. D'EWART. The amendment strikes out the authorization, except for study and report. The officers of the Bureau argued that this authorization for a study and report was necessary because the report would deal with possible future reclamation construction in connection with an Army engineer dam. The bill will now be limited, as amended, to only a study and report to the Congress for us to consider before any authorization for any construction whatsoever is undertaken.

Mr. ENGLE. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from California.

Mr. ENGLE. All this bill does in its present form is to authorize a study of the irrigation features to be attached to the Chief Joseph Dam project. It does not authorize the project. It simply authorizes the study and sets up the standards under which the study shall be made, with the proviso that the Interior Department will report back to our committee. That is all the bill does. The Army engineers have said they thought there was sufficient authorization in the present law to make the investigation, without a specific authorization, but we have grave doubt about that. The Chief Joseph Dam is being constructed as an Army engineer project. We have grave doubt as to whether or not the Bureau of Reclamation can go on to an Army engineer project and make an investigation with reference to attaching irrigation features without specific authorization by a congressional committee. In any event, the matter is in doubt, and we felt it was better to resolve it by specific authorization, and in addition to that, to set up in the measure the standards by which the study shall be made, and on the basis of which the report shall be made. That is all the bill does. There is no authorization and no project authorized.

Mr. FORD. How much will the investigation cost?

Mr. ENGLE. We have not had an estimate of the amount of the cost, but presumably not very much. The Bureau makes these investigations all the time out of a general investigation fund provided by the Committee on Appropriations. It does not call for a specific appropriation for that purpose.

Mr. FORD. I know that is probably the case, but does not the Department of the Interior, Bureau of Reclamation, give to the committee the cost of a proposed investigation before such investigation is authorized?

Mr. ENGLE. They did not in this instance, and it was not regarded as sufficiently burdensome to require any special action on it.

The Bureau of Reclamation is provided with a general fund to make these investigations.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

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 the Secretaries of the Army and Interior are authorized to proceed in relation to the Chief Joseph Dam project on the Columbia River, Wash., initially authorized by section 1 of the act of July 24, 1946 (60 Stat. 637), in accordance with the provisions of this act for the purposes, in addition to those for which initially authorized, of providing financial and other assistance in the reclammation of arid lands in the general vicinity of the project.

SEC. 2. (a) The Secretary of the Army shall continue to construct and shall operate and maintain the dam and power plant pursuant to the laws affecting the prosecution of works for the improvement of navigation and control of floods, as modified by the provisions of this act.

(b) In the construction of the dam, provision shall be made for irrigation outlets of such capacity as has been or may hereafter be agreed on with the Secretary of the Interior. Operation and maintenance of the dam and power plant shall be pursuant to arrangements made with the Secretary of the Interior providing, among other things: (1) for the reservation of sufficient power and energy for the pumping of water for the irrigation of lands to be served from works hereafter authorized under the provisions of section 3 of this act, such power to be made available at rates to be established by the Secretary of the Interior; (2) for the disposal, under the provisions of section 5 of the act of December 22, 1944 (58 Stat. 887), of the remainder of the electric power and energy not required, in the opinion of the Secretary of the Army, for the operation of the dam and power plant; and (3) for the release or diversion of water as required under the rights established for the various irrigation divisions of the project.

(c) In determining rates for power and energy to be available as provided in this section, the Secretary of the Interior may allocate to irrigation appropriate portions of the costs of the dam and power plant, and may apply project power revenues to the return of such costs and to other irrigation costs as are assigned for return from power revenues under section 3 of this act to the same extent that power revenues may be so applied under the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto).

SEC. 3. (a) The Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws as modified by the provisions of this act, such works as he finds to be feasible for the irrigation of lands in the basin of the Columbia River and its tributaries in Washington between Grand Coulee Dam and Moses Coulee, such works to be accounted for as divisions of the Chief Joseph Dam project. For the purposes of determining the financial feasibility of any such works and of providing for the return of reimbursable costs, the Secretary of the Interior may assign for return from the project's power revenues whatever reimbursable construction costs of such works allocated to irrigation are determined by him to be in excess of the amount that the water users may reasonably be expected to repay under the provisions of the Federal reclamation laws.

(b) Any such reclamation works proposed to be constructed under the authority of this section may be undertaken only after the Secretary of the Interior has submitted a report and findings thereon under section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), which report shall include findings as to the costs and benefits of the proposed works and findings concerning the part of the costs allocated to irrigation, including costs of the dam and power plant so allocated, which probably can be repaid by the water users, and only if the works so reported on are thereafter specifically authorized by act of Congress.

SEC. 4. Nothing in this act shall modify in any way the requirements and provisions of existing laws with respect to the availability of funds for construction and operation and maintenance of the Chief Joseph Dam and power plant and the various other works that may be authorized pursuant to this act; and, except as modified by the provisions of (a) of section 3, revenues from the dam and power plant and from the various irrigation divisions shall be disposed of in accordance with the provisions of existing law.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following language: "That the Secretaries of the Army and Interior are authorized to proceed in relation to the Chief Joseph Dam project on the Columbia River, Wash., initially authorized by section 1 of the act of July 24, 1946 (60 Stat. 637), in accordance with the provision of this act for the purpose in addition to those for which initially authorized, to make a study and report to Congress of means of providing financial and other assistance in the reclamation of arid lands in the general vicinity of the project. In making such study and report the Secretaries shall be guided by the provisions of applicable reclamation laws.

"SEC. 2. The report of the Secretary of the Interior shall state, among other things, the construction cost of the proposed works, including said authorized project and proposed reclamation units; the portions of said cost allocable to various functions; the operation and maintenance costs of all functions (of the project); the amount of the construction cost allocable to irrigation which the irrigators may resaonably be expected to repay, together with the proposed charges for water service and proposed repayment period upon the irrigation allocation; the amount of the cost allocable to irrigation in excess of that which the irrigators can repay, which the Secretary proposes shall be recovered from power revenues; the proposed charges for power, and proposed repayment period on the amount allocable to power; the proposed interest rate on the power investment, and the disposition which the Secretary proposes to make of the interest component and other components of the power revenues; the unrecovered cost to the Federal Treasury of the works proposed, in connection with the means of financing recommended by the Secretary; the ratio of net costs to net benefits; the ratio of net benefits per acre to irrigators' repayment per acre; and a complete financial analysis of repayment program together with all other data reasonably required to enable the Congress to pass upon the economic feasibility of the proposed works.

"SEC. 3. Any such reclamation works proposed to be constructed under the study authorized by this act may be undertaken only after the Secretary of the Interior has submitted a report and findings thereon under section 2 of this act and section 9 of the Reclamation Project Act of 1939 (53 Stat. 1187), and only if the works so reported on are thereafter specifically authorized by act of Congress.

"SEC. 4. Nothing in this act shall modify in any way the requirements and provisions of existing laws with respect to the availability of funds for construction and operation and maintenance of the Chief Joseph Dam and power plant."

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 provide the basis for authorization of irrigation works in connection with Chief Joseph Dam, to provide for financial assistance thereto from power revenues, and for other purposes."

A motion to reconsider was laid on the table.

EXTENDING THE STATUTE OF LIMITATIONS WITH RESPECT TO CERTAIN SUITS

The Clerk called the bill (H. R. 168) to extend the statute of limitations with respect to certain suits.

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

Be it enacted, etc., That section 6 of the act of April 22, 1908, as amended (45 U. S. C. 56), is further amended by adding at the end of the first paragraph thereof the following:

"The time for commencing an action, where an award under any workmen's compensation law has been held, by the highest court of competent jurisdiction, to be invalid on the ground that the injuries were sustained in interstate commerce, shall be extended 1 year from the enactment of this amendment."

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.

ADJUSTMENT OF OVERTIME PAY OF SUPERVISORY EMPLOYEES OF THE POSTAL SERVICE

The Clerk called the bill (H. R. 6326) to amend subsections (c) and (d) of section 3 of the Postal Salary Act of July 6, 1945, as amended.

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

Be it enacted, etc., That subsections (c) and (d) of section 3 of the act entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes", approved July 6, 1945, as amended, is amended to read as follows:

"(c) The Postmaster General may, if the exigencies of the service require, authorize the payment of overtime to employees other than supervisory employees who base salaries, exclusive of longevity salary, are more than $4,970 per annum, for services performed on Saturdays, Sundays, and Christmas Day during the month of December, in lieu of compensatory time.

"(d) Supervisory employees shall be allowed compensatory time for services performed in excess of 8 hours per day, and those whose base salaries, exclusive of longevity salary, are more than $4,970 per annum shall be allowed compensatory time for services performed on Saturdays, Sundays, and on Christmas Day during the month of December, within 180 days from the days such service was performed."

With the following committee amendment:

Page 1, line 7, strike out "is" and insert in lieu thereof "are."

The committee amendment was agreed to.

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

SPECIAL CANCELING STAMPS FOR USE IN FIRST- AND SECOND-CLASS POST OFFICES

The Clerk called the bill (H. R. 7871) to authorize the Postmaster General to grant permission for the use in first- and second-class post offices of special canceling stamps or postmarking dies in order to encourage voting in general elections.

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

Mr. BYRNES. Mr. Speaker, a rule has been granted on this bill. I ask unanimous consent that it may be passed over without prejudice.

Mr. REES of Kansas. Mr. Speaker, reserving the right to object, I believe the gentleman has been misinformed about the rule.

Mr. MURRAY. If the gentleman will yield, this was just reported out by the Post Office and Civil Service Committee and placed on the Consent Calendar.

Mr. BYRNES. I thought it was scheduled to come up on June 30.

Mr. MURRAY. The gentleman is mistaken about that.

Mr. BYRNES. The gentleman has not applied for a rule and has not received a rule?

Mr. MURRAY. No application has been made for a rule.

Mr. BYRNES. Mr. Speaker, this matter presents a rather peculiar problem. Certainly the objective of having a program of propaganda or encouragement in whatever form to get people to vote in the elections is most desirable.

Generally I disagree with the Postmaster General, but in this case I think I am inclined to agree with him that this really is not a proper function of the Post Office Department. Matters of this kind should be taken care of by civic groups, by regular political organizations or anybody else who might determine that it is advisable to put on these campaigns; and, certainly, there are some very worth-while campaigns being put on now. In one of my communities a wholesale effort is being made to get a 100-percent registration and a 100-percent vote in that small community. I think we all laud that effort. But here we are going to ask that the Post Office Department incur additional costs when it is already running in the hole, additional costs of $175,650 to get into this activity. I just do not believe it is a proper governmental function. It is not the kind of expense that is absolutely necessary and essential at this time when our finances are in the condition they are.

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

Mr. REES of Kansas. Mr. Speaker, will the gentleman withhold his request for a moment?

Mr. BYRNES. I withhold it, Mr. Speaker.

Mr. REES of Kansas. Let me say to the distinguished gentleman that all in the world this program does, is to authorize the Postmaster General to furnish special canceling stamps and dies in first- and second-class post offices in order to encourage voting in general elections.

I hope the gentleman realizes the importance of encouraging and calling the attention of the people to cast their vote.

All kinds of slogans are advertised through the Post Office Department; why they even advertise flower festivals in America and festivals over in Hawaii.

Mr. BYRNES. Are we paying for them?

Mr. REES of Kansas. With regard to flower shows and festivals over in Hawaii, the sponsors pay for the dies but the Government pays for the labor of canceling the envelopes. This is, comparatively speaking, a small cost, because after the dies and stamps are made that is the total cost.

This bill was approved unanimously by the Committee on the Post Office and Civil Service; and I may say to the gentleman from Wisconsin that in a conversation with the Postmaster General with respect to this proposal when I asked him about it he said he thought it was a good idea and that it ought to go through. It ought to be passed. But what happened? He said later that he had spoken to some of his advisers and they thought there might be some political tinge to it. He did not explain but said he was advised against the approval of it, and that he did not feel he could go along and say, "I approve the bill." This bill has the approval of the American Legion, the Veterans of Foreign Wars, the American Federation of Labor, and other groups. No one appeared before the committee in opposition to the bill and I think the gentleman will agree with me that the cost is comparatively small when compared with the good it will accomplish.

Mr. BYRNES. Let me read the gentleman this paragraph from a letter signed by the Postmaster General, dated May 22 of this year:

Considering all aspects of the situation, including the primary fact that the Post Office Department was established for the transmission of mail matter and not as an instrument for influencing public action, it is not believed that its facilities should be used for the purposes contemplated by this measure.

Further let me quote from a letter from the Acting Director, Executive Office of the President, Bureau of the Budget, dated June 18, addressed to the Committee on Post Office and Civil Service:

It appears to this office that the Postmaster General has sufficient authority, under the provisions of the act of May 11, 1902 (39 U. S. C. 368), to grant permission for the use, as contemplated under H. R. 7871, of such special canceling stamps or postmarking dies provided at the expense of the permittee.

In other words, they have authority to grant the right to permittees to use these canceling devices already. Why should the Federal Government on its own motion go to this trouble, and at its own expense?

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES. I yield to the gentleman from New York.

Mr. JAVITS. The gentleman from Wisconsin is known in this House as being very reasonable. I would like to ask him if he would consider this point: This is not a private matter. This is a patriotic duty that the Post Office Department is asking for.

Mr. BYRNES. The Post Office Department is not asking for it.

Mr. JAVITS. It is very similar to what they use on canceled stamps like "enlist." This is asking the citizens to perform an equally patriotic duty to vote.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. BYRNES. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. May I say that I was a member of the subcommittee that recommended this bill. We felt it was a patriotic duty just as much as asking the people of the country to buy bonds. It is more important for them to vote. The expense is not great when you consider what it would do. I cannot see why there should be objection, especially in view of the money we are spending on such things as the Voice of America for foreign countries. I think it would be well for us to remind our own people of their duty to register and vote.

Mr. BYRNES. May I say to the gentlewoman from New York that I will be gald to do anything I possibly can to encourage the people to vote. But I do not think that is the issue. The issue is, Shall we have a department of Government engage in that activity?

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. BYRNES. I yield to the gentleman from New York.

Mr. KEATING. What is it they propose to put on these envelopes?

Mr. REES of Kansas. "Register—then vote."

Mr. KEATING. Is that the slogan that is set forth in the bill?

Mr. REES of Kansas. That is the slogan we recommend.

Mr. BYRNES. It is indefinite in the bill. The bill provides that they shall have special canceling stamps or postmarking dies made in order to encourage voting in general elections. You have no control over what they are going to put on there. I think they will be honest and put on something that is reasonable; but the Post Office Department in the past and probably still is to some extent engaging in political activities. This could be misconstrued that they are going to again become engaged in political activities in some way.

Mr. KEATING. The Postmaster General himself agrees with the President and believes that this is an improper activity for a Federal agency to engage in.

Mr. BYRNES. The office of the President, through the Bureau of the Budget, has said they do not favor the bill.

Mr. KEATING. What is the anticipated cost of entering into this propaganda campaign?

Mr. BYRNES. One hundred seventy-five thousand six hundred and fifty dollars and eighty cents, according to the estimate of the Postmaster General.

Mr. REES of Kansas. Mr. Speaker, if the gentleman will yield further, let me say to the distinguished gentleman from New York that this general proposal is supported by the American Legion, the Veterans of Foreign Wars and the American Federation of Labor. There is no so-called propaganda.

Mr. BYRNES. Does the gentleman mean these organizations asked for this bill?

Mr. REES of Kansas. They supported it. The American Legion and VFW came before committee and testified for it. Let me tell the gentleman this: This legislation is not particularly opposed by the Post Office Department. One of the representatives of the Department came before the committee, but he was quite reluctant in expressing his opposition to the proposal. If this legislation is not good, that is something else, and if one gentleman wants to take the responsibility of knocking it out, that is something else, too.

Mr. MURRAY. Mr. Speaker, will the gentleman yield?

Mr. BYRNES. I yield to the gentleman from Tennessee.

Mr. MURRAY. This bill is sponsored and offered by my good friend, the ranking minority member of the Committee on Post Office and Civil Service. Very seldom does a bill sponsored by a Member of your side get on the floor of this House. The committee is enthusiastically in favor of this bill. We want to encourage everyone to qualify and vote. As I say, this involves a public duty. We ought to encourage everybody to vote, and the gentleman from Kansas had no political motives in offering this bill. It is nonpolitical, nonpartisan, and I hope your side will let the ranking minority member of the committee get his bill by.

Mr. BYRNES. Permit me to state that I have a high regard for the gentleman from Kansas. When I first came here I served under him on the Committee on Post Office and Civil Service. I think he knows of my regard for him. I do not think that is an element, however, that goes to the merits whether a bill is sound or not or whether it should dictate my conscience as to whether it should be passed or not.

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

Mr. REES of Kansas. Mr. Speaker, I regret, as I am sure many other Members do, that the distinguished Member from Wisconsin has seen fit to object to the consideration of this bill. I have the highest respect for him. I think his argument against the legislation is unsound. Of course, there would be some expense attached to this legislation. It is rather strange, however, that this committee and this House, within the last hour, have approved legislation that will cost this country hundreds of millions of dollars without any question or objection.

The cost of this bill would amount to one-fiftieth of one percent of the amount of appropriations for the Post Office Department in 1 year. The expense of one operation would last for several years, so the expense for 1 year is infinitesimally small. I hope the distinguished gentleman from Wisconsin will withdraw his request and permit this legislation to receive the approval of the membership of the House.

This legislation would provide for the use of postal facilities as a medium for the Government to remind citizens, during a 60-day period before a general election, of the date of the election, and of the desirability of exercising their franchise.

I desire to strongly emphasize again this legislation is nonpartisan and nonpolitical. Nothing that can appear on the special canceling stamps or postmarking dies can be designed to help any political organization or party. This was brought out very forcefully at hearings on the legislation before the Post Office and Civil Service Committee.

As I stated before, representatives of the American Legion and the Veterans of Foreign Wars testified very strongly in support of this proposal. Examples were presented of the very constructive work already being done by these veterans' organizations, at their own expense, to get out the vote without regard to political complexion. The American Federation of Labor has always insisted that the citizens assume their right and responsibility for voting. In the last issue of their magazine, the American Federationist, there is a statement emphasizing the importance of every citizen casting his vote. A slogan appears on the cover of the magazine entitled "Register and Vote."

The Junior Chamber of Commerce of Wichita, Kans., one of the largest organizations in the country, and other junior chambers of commerce, have been gravely concerned, as many other public-spirited organizations and citizens are concerned, with respect to the failure of American citizens to exercise their privilege of suffrage. The junior chamber of commerce has made considerable effort to publicize the need and the duty of all citizens to exercise their voting franchise.

Since the Postmaster General is authorized to permit the use of special stamps or postmarking dies, at the expense of the permittee, to advertise such events as flower festivals, Aloha Week in Hawaii, and automobile shows, he should have authority to publicize the need of registering and voting by the general public. The use of a stamp urging citizens to vote is neither specifically included nor excluded by the language of the law.

I would like to emphasize again that this legislation cannot under any circumstances be used to serve the interests of any political party or organization. It is purely to serve the public interest without regard to party affiliation.

I do not think it is necessary to delve into the reasons behind the steady increase in the number of people who are failing to exercise their right to vote. But by the very nature of our office as Members of Congress, the fact of this increase is constantly hammered home to

us. I agree it is unfortunate that people should have to be reminded of the privilege, as well as the responsibility, of casting their votes at election. Incredible as it may seem, only 49 percent of those entitled to vote in the 1948 election actually voted. Enactment of H. R. 7871, of course, will not automatically bring to the polls all of the 39,000,000 persons who failed to vote in the last Presidential election. I do believe it would be one effective means of stirring eligible voters of all parties to more active participation in general elections. For too long people have not been reminded of the dignity and seriousness clothing this privilege of voting.

This legislation is entirely consistent with the past policy not only of the Post Office Department but the executive branch. Presidents regardless of affiliations have always been leaders in urging citizens to vote. Theodore Roosevelt said:

It is not only your right to vote, but it is your duty if you are indeed free men and American citizens. I want to see every man vote. I would rather have you come to the polls even if you voted against me than have you shirk your duty.

Lincoln was not thinking in terms of party policy when he wrote:

It is not the qualified voters, but the qualified voters who choose to vote, that constitute the political power of the state.

Thomas Jefferson wrote "that government is strongest of which every man feels himself a part." If ever political leaders in this country have been united in a common cause, it has been to get out the vote.

I am sure the Members of the House will agree that it most certainly is as much a duty of the Government to remind its citizens of general-election dates and their corollaries, the registration dates, as it is to advertise such matters as flower festivals, and other activities, to say nothing of Aloha Week in Hawaii. To the extent we increase the number of voters who register and go to the polls, to that extent we strengthen our democracy.

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

There was no objection.

ORGANIZATIONS OF POSTAL AND FEDERAL EMPLOYEES

The Clerk called the bill (H. R. 554) to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees.

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

Mr. MURRAY. Mr. Speaker, I object.

AMENDING TITLE 18, UNITED STATES CODE: CRIMES AND CRIMINAL PROCEDURE

The Clerk called the bill (H. R. 6036) to amend title 18, United States Code, entitled "Crimes and Criminal Procedure," with respect to State jurisdiction over offenses committed by or against Indians in the Indian country.

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

Be it enacted, etc., That chapter 53 of title 18, United States Code, is hereby amended by inserting at the end of the chapter analysis preceding section 1151 of such title the following new item:

"1161. State jurisdiction over offenses committed by or against Indians in the Indian country."

SEC. 2. Title 18, United States Code, is hereby amended by inserting in chapter 53 thereof immediately after section 1160 a new section, to be designated as section 1161, as follows:

"§ 1161. State jurisdiction over offenses committed by or against Indians in the Indian country.

"(a) Each of the States listed in the following table shall have jurisdiction over offenses committed by or against Indians in the areas of Indian country listed opposite the name of the State to the same extent that such State has jurisdiction over offenses committed elsewhere within the State, and the criminal laws of such State shall have the same force and effect within such Indian country as they have elsewhere within the State:

"State of	*Indian country affected*
"California	Agua Caliente Indian Reservation.
"Kansas	Sac and Fox Indian Reservation.
"Kansas	All Indian country within the State.
"New York	All Indian country, including Indian reservations, within the State.
"North Dakota	Devils Lake Indian Reservation.

"(b) Nothing in this section shall deprive the courts of the United States of jurisdiction over offenses defined by the laws of the United States committed by or against Indians within the areas of Indian country listed in this section.

"(c) Nothing in this section shall deprive any Indian or any Indian tribe, band, community, or group of any right, privilege, or immunity afforded under Federal law, treaty, or agreement with respect to the ownership or taxation of trust or restricted Indian property, or with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof."

SEC. 3. (a) Section 3243 of title 18, United States Code, the act of May 31, 1946 (60 Stat. 229, ch. 279), the act of June 30, 1948 (62 Stat. 1161, ch. 759), and the act of July 2, 1948 (62 Stat. 1224, ch. 809), are hereby repealed.

(b) Chapter 211 of title 18, United States Code, is hereby amended by deleting at the end of the chapter analysis preceding section 3231 of such title the following item:

"3243. Jurisdiction of State of Kansas over offenses committed by or against Indians on Indian reservations."

(c) Section 1 of the act of October 5, 1949 (63 Stat. 705, ch. 604), is hereby amended by deleting "laws, civil and criminal," and by inserting in lieu thereof "civil laws."

(d) any rights or liabilities now existing under the statutes or parts thereof repealed or amended by this section shall not be affected by such repeal or amendment.

With the following committee amendment:

Page 3, line 12, after "New York, all Indian country", insert "including Indian reservations."

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.

EXTENSION OF VETERANS' PREFERENCE ACT

The Clerk called the bill (H. R. 7721) to extend the benefits of the Veterans' Preference Act of 1944 to persons serving in the Armed Forces of the United States after the termination of the state of war between the United States and the Government of Japan and prior to July 2, 1955.

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

Be it enacted, etc., That (a) section 2 of the Veterans' Preference Act of 1944, as amended, is amended by inserting before the period at the end thereof a semicolon and the following: "and (6) those ex-service men and women who have served on active duty in any branch of the Armed Forces of the United States during the period beginning April 28, 1952, and ending July 1, 1955 (the period after the termination of the state of war between the United States and the Government of Japan during which persons may be inducted under existing law for training and service in the Armed Forces), and have been separated from such Armed Forces under honorable conditions."

(b) Clauses (3) and (5) of such section 2, as amended, are amended by inserting after "has been authorized)" a comma and the following: "or during the period specified in clause (6) of this section."

SEC. 2. Section 3 of the Veterans' Preference Act of 1944, as amended, is amended by inserting after "section 2 (4)" the following: "and (6)."

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 4472 OF THE REVISED STATUTES

The Clerk called the bill (H. R. 6521) to amend section 4472 of the Revised Statutes, as amended, to further provide for the safe loading and discharging of explosives in connection with transportation by vessel.

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

Be it enacted, etc., That section 4472 of the Revised Statutes, as amended by the act of October 9, 1940 (46 U. S. C., sec. 170), is further amended by adding the following paragraph to subsection (7) thereof:

"(e) The United States Coast Guard shall issue no permit or authorization for the loading or discharging to or from any vessel at any point or place in the United States, its Territories or possession (not including Panama Canal Zone) of any explosives unless such explosives are packaged, marked, and labeled in conformity with regulations prescribed by the Interstate Commerce Commission under section 835 of title 18 of the United States Code, and unless such permit or authorization specifies that the limits as to maximum quantity, isolation and remoteness established by local, municipal, territorial, or State authorities for each port shall be observed. Nothing herein contained shall be deemed to limit or restrict the shipment,

transportation, or handling of military explosives by or for the Armed Forces of the United States."

With the following committee amendments:

Page 1, line 10, strike out "possession" and insert "possessions."

Page 2, line 1, after "such explosives", insert "for which a permit is required by the regulations promulgated pursuant to this section."

Page 2, line 9, strike out "shall be observed" and insert "shall not be exceeded."

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.

MERCHANT MARINE CONSTRUCTION RESERVE FUNDS

The Clerk called the joint resolution (H. J. Res. 480) to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended.

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

Resolved, etc., That section 5 of an act approved August 8, 1947 (Public Law 384, 80th Cong.), relating to merchant marine construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended, is hereby amended by striking out "March 31, 1952" and inserting in lieu thereof "March 31, 1953."

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

PARLIAMENTARY INQUIRY

Mr. BYRNES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BYRNES. Mr. Speaker, earlier in the call of the Consent Calendar a number of requests were made to have bills placed at the foot of the calendar. Will those bills be called at this time?

The SPEAKER pro tempore. They will be called now. The Clerk will report the first of those bills.

PREVENTING SHIPMENT IN INTERSTATE COMMERCE OF ILLEGAL UNDERSIZED FISH

The Clerk called the bill (H. R. 5803) to prevent the shipment in interstate commerce of illegal undersized fish.

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

Mr. BYRNES. Reserving the right to object, Mr. Speaker, I notice the gentleman from North Carolina [Mr. BONNER] on the floor, and I wonder if he could advise me as to the effect of this bill on the transportation of fish which are caught legally in one State into a State in which, if caught in that State, they would be of illegal size.

Mr. BONNER. Mr. Speaker, I presided over the subcommittee that considered the bill. The question was raised of amending the Black Bass Act, whether it would affect the act as it was intended, and we were assured that it would not happen. The transportation companies were present, and those interested in fish and wildlife were present. All approved the bill as amended. The bill had the unanimous report of the subcommittee and the unanimous report of the full committee. As to the point the gentleman raises, fish legally caught in one State will meet no objection as to their transportation in interstate commerce on going into a State where fish of that size might be illegal if caught there.

Mr. BYRNES. The gentleman can understand that some of the commercial fishermen are interested in this because the legal size of fish in some States varies from the legal size in others. In other words, you might catch a fish 7 inches long in a State where that size is legal and transport it through another State where that size would be illegal.

Mr. BONNER. I can appreciate the gentleman's point, but I assure him that the situation about which he is concerned will not happen.

Mr. WEICHEL. This legislation was designed to stop the sale in interstate commerce of illegal fish; imposes no burden on the movement of legal fish and will aid in the conservation and preservation of fish life for public use.

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

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

Be it enacted, etc., That the sending, shipping, and transportation in interstate commerce of fish, undersized or otherwise illegal according to the law of the State wherein such fish were netted, taken, possesed, transported, or shipped, shall be a Federal offense.

SEC. 2. Any person, firm, or corporation found guilty of violation of section 1, of this act, shall be fined not less than $100 for the first offense, not less than $200 for the second offense, and not less than $1,000 for offenses thereafter.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the first section of the act entitled 'An act to regulate the interstate transportation of black bass, and for other purposes', approved May 20, 1926, as amended, is hereby amended to read as follows: 'That when used in this act, the word "person" includes company, partnership, corporation, association, and common carrier.'

"SEC. 2. Such act, as amended, is further amended by striking out the words 'game fish' wherever they appear therein and by inserting in lieu of such words, the word 'fish'."

The committee amendment was agreed to.

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

The title was amended so as to read: "A bill to extend the provisions of the act of May 20, 1926, as amended, so as to further regulate the interstate shipment of fish."

A motion to reconsider was laid on the table.

BUREAU OF RECLAMATION

The Clerk called the bill (H. R. 6723) to approve contracts negotiated with the Gering and Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district, and to authorize their execution; to authorize the execution of contracts with individual water-right contractors on the North Platte Federal reclamation project and with the Northport irrigation district, and for other purposes.

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

Mr. SAYLOR. Reserving the right to object, Mr. Speaker, I should like to have the author of the bill, the gentleman from Nebraska [Mr. MILLER] explain this bill to the committee.

Mr. MILLER of Nebraska. The bill is a contract between the Reclamation Bureau and three irrigation districts in western Nebraska and eastern Wyoming, under which they sell their power revenues and rights to revenues for all time to come to the Bureau of Reclamation. The amount of money agreed upon is $6,636,873. That will be applied upon the contract for construction and repayment. It does not require any appropriation.

They had 2 years of negotiations among the members of these three irrigation districts. By a vote of about 95 percent over all the landowners themselves, after meetings in schoolhouses, at corner grocery stores, and so forth, and having heard all the arguments, agreed to the contract. There is some question as to whether they made a good deal, but it is their horse trade and they have asked for it. I hope they may be permitted to go ahead with this agreement between the Bureau of Reclamation and the irrigation districts.

Mr. SAYLOR. Is it not a fact that this bill will cost the taxpayers over $6,000,000 for facilities which we already own, and by the expenditure of that sum of money we will get absolutely nothing we do not already have?

Mr. MILLER of Nebraska. No; I do not agree to that because the farmers irrigation districts out there own this transmission line, and they are trading it to the Government for the revenues which will be derived from now on in perpetuity. They think it is a good horse trade.

Mr. SAYLOR. Is it not a fact that the committee has not received as yet a report from the Bureau nor a report from the Department or from the Bureau of the Budget?

Mr. MILLER of Nebraska. That is correct.

Mr. SAYLOR. Mr. Speaker, I just want the Members of the Congress to know that this is an expenditure which, I think, is absolutely unjustified, but in view of the fact that the majority of the people there have voted for it, I withdraw my reservation of objection at this time.

Mr. MILLER of Nebraska. Mr. Speaker, when this bill first came up today, it was suggested that it go to the foot of the calendar, in order that those who might be in opposition to it, could be

present. They are now here, and the bill is before the House of Representatives.

The bill has for its purpose approving contracts which were negotiated with the Gering-Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district, and to authorize the execution of these agreements, with the Interior Department.

The farmers of these three irrigation districts, own the power revenues. The farmers of these districts voted better than 90 percent—in some instances 95 percent—for the proposed contract and agreement. The bill has been under discussion with the farmers for 2 years. Many meetings were held. They understand exactly what they are trading. They are trading the power revenues to the Bureau of Reclamation for all time, and in return they receive a credit of $6,636,873 against their construction obligation. This is the decision of those at the grass roots. I agree that because of the REA and other public power projects surrounding their particular projects, they are in a squeeze and feel they are not able to meet the competitive light rates now being offered by the public power districts.

The Department of the Interior will be able to consolidate all of these public power lines, and I believe it will, in the end, reflect in lower rates for the farmers in these districts.

There are some on the committee who felt the bill should not pass; that the farmers were not being treated as they should be treated. I am not sure that they are making a good horse trade, but they have voted to do that after many meetings, and a thorough understanding of the problem. I hope the gentleman from Pennsylvania [Mr. SAYLOR] will not object seriously to extending to the farmers the privilege of making this agreement. I believe the bill should pass.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the contract with the Gering and Fort Laramie irrigation district, which was approved by the district electors on November 15, 1951; the contract with the Goshen irrigation district, which was approved by the district electors on November 15, 1951; and the contract with the Pathfinder irrigation district, which was approved by the district electors on November 15, 1951, all of which have been negotiated by the Secretary of the Interior (hereinafter referred to as the Secretary), pursuant to subsection (a) of section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187; 43 U. S. C. 485), are hereby approved and the Secretary is hereby authorized to execute them on behalf of the United States.

SEC. 2. The Secretary is hereby authorized to execute on behalf of the United States—

(a) contracts with individual water right contractors on the North Platte Federal reclamation project whose lands are not included within the boundaries of a project irrigation district which contracts shall provide, among other things, (i) that said water user shall relinquish his interest in the present and potential power revenues of or related to the North Platte project; (ii) that the power acquisition consideration for each contractor, which shall be the proportionate part of $6,636,873 represented by the ratio of the contractor's irrigable acreage to the total irrigable acreage of the project, as determined by the Secretary, shall be applied as a credit upon the water user's obligation to the United States for construction charges and for future charges for operation and maintenance of project works; (iii) that the miscellaneous revenues accruing to the benefit of the water user, pursuant to subsections I and J of section 4 of the act of December 5, 1924 (43 Stat. 672, 703), shall be retained by the United States for the establishment and maintenance of a fund in an amount fixed by the Secretary to be used by the Secretary for replacement and operation and maintenance of project works operated and maintained by the United States; and

(b) a contract with the Northport irrigation district, which shall be amendatory of the contract of August 19, 1948, between the United States and the district (authorized by the act of Congress dated May 25, 1948 (62 Stat. 273)), which amendatory contract shall provide, among other things, (i) that the district shall relinquish its interest in all present and potential power revenues of or related to the North Platte project; (ii) that the district's power acquisition consideration of $403,828 shall be applied by the United States, until that amount has been exhausted, toward the payment of the annual cost of the carriage of the district's water through the Farmers irrigation district canal: *Provided, however,* That the annual payments thus to be made shall in no event exceed $8,000 per year; and (iii) that the proportionate part of the miscellaneous revenues accruing to the benefit of the district, pursuant to subsections I and J of section 4 of the act of December 5, 1924, shall be retained by the United States for the establishment and maintenance of a fund, in an amount to be fixed by the Secretary, to be used by the Secretary for replacement and operation and maintenance of project works operated and maintained by the United States.

SEC. 3. The authority granted in section 2 of this act to make contracts shall continue for 5 years from the effective date of this act, but the power acquisition consideration provided in section 2 of this act for the individual water right contractors and for the Northport irrigation district shall be reduced by whatever amount of net power revenues shall have accrued to the benefit of such individual water right contractors or to the Northport irrigation district after June 30, 1950, by virtue of their not having previously relinquished their respective interests in said power revenues.

SEC. 4. Miscellaneous revenues accruing pursuant to subsections I and J of section 4 of the act of December 5, 1924, on behalf of those who have contracted with the United States pursuant to this act shall be deposited in a special deposit account in the Treasury Department, and such revenues may be expended, as in such contracts provided, for the replacement of the project works operated and maintained by the United States and to supplement funds advanced by the water users to meet annual costs of operation and maintenance of such works.

SEC. 5. This act is declared to be a part of the Federal reclamation laws as these are defined in the Reclamation Project Act of 1939 (53 Stat. 1187).

With the following committee amendments:

On page 3, line 9, strike out "States; and" to and including "United States" on page 4, line 8 and insert the word "States."

On page 4, line 13, after the word "contractors", strike out "and for the Northport irrigation district."

On page 4, line 16, after the word "contractors", strike out "or to the Northport irrigation district."

On page 5, line 8, insert a new section as follows:

"SEC. 6. No extension, enlargement, or addition of any hydroelectric plant, transmission line, or accompanying works on the Gering and Fort Laramie irrigation district, the Goshen irrigation district, the Pathfinder irrigation district, or Northport irrigation district shall be built or contracted for until such extension, enlargement, or addition have been authorized by 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.

The title was amended so as to read: "A bill to approve contracts negotiated with the Gering and Fort Laramie irrigation district, the Goshen irrigation district, and the Pathfinder irrigation district, and to authorize their execution; and to authorize the execution of contracts with individual water right contractors on the North Platte Federal reclamation project, and for other purposes."

A motion to reconsider was laid on the table.

COURT OF CLAIMS

The Clerk called the bill (S. 3195) granting jurisdiction to the Court of Claims to hear, determine, and render judgment upon certain claims.

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

Mr. FORD. Mr. Speaker, reserving the right to object, I previously asked unanimous consent that this bill be put at the foot of the calendar in order to have an opportunity to ask the author of the bill, or a member of the committee, for an explanation of it. On further investigation upon my part, I find that the objection I have has been overcome. 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 the United States Court of Claims be, and hereby is, given jurisdiction to hear, determine, and render judgment, notwithstanding any statute of limitations, laches, or lapse of time, on the claim of any owner or operator of a gold mine or gold placer operation for losses incurred allegedly because of the closing or curtailment or prevention of operations of such mine or placer operation as a result of the restrictions imposed by War Production Board Limitation Order L–208 during the effective life thereof: *Provided,* That actions on such claims shall be brought within 1 year from the date this act becomes effective.

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.

HOSPITALIZATION OF THE MENTALLY ILL OF ALASKA

Mr. BYRNES. Mr. Speaker, I ask unanimous consent to return to Calendar No. 395, the bill (H. R. 8086) to govern the hospitalization of the mentally ill of

Alaska, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

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

Mr. ANGELL. Mr. Speaker, I object, and ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The bill has been passed over without prejudice pursuant to the previous request of the gentleman from Wisconsin [Mr. BYRNES].

GRANTING OF CERTAIN EASEMENTS TO STATE OF CALIFORNIA FOR HIGHWAY CONSTRUCTION PURPOSES.

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to return to Calendar No. 407, the bill (H. R. 7126) to authorize and direct the Secretary of Commerce to convey certain land and grant certain easements to the State of California for highway construction purposes in Richmond, Calif.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, was this bill objected to when it was called previously?

Mr. BYRNES. The bill was passed over without prejudice on the basis of a question I asked which nobody seemed to be able to answer at the time.

Mr. Speaker, I wonder if the gentleman could advise me why this land should be given to the State of California rather than sold for the fair market value.

Mr. ROGERS of Florida. This request was made by the people of the State of California with reference to the grant of this one-third of an acre in order that they might complete a highway. The original cost of this land to the Government, the entire tract of 20 acres, was only $30,000, and the land involved here amounts to only $327. There is no objection to it whatsoever.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. HINSHAW. I would like to say to the gentleman from Wisconsin that the benefits which will accrue to the land that is owned by the Government are far in excess of any value of the small amount that may be involved in the particular parcel by virtue of the building of the State highway.

Mr. BYRNES. In other words, my understanding is that it is a mutual arrangement which will be mutually beneficial, and therefore the purchase price of the land here is of no particular consideration; is that correct?

Mr. HINSHAW. It will be beneficial to the Government. I think the Government is making a better deal on it by far.

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

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

Be it enacted, etc., That (a) the Secretary of Commerce is authorized and directed to donate and convey to the State of California all the right, title, and interest of the United States in and to certain land (hereinafter referred to as "Parcel A") located between Railroad Avenue and Castro Street in the city of Richmond, Calif. Such land, which contains approximately two hundred and fifty-seven one-thousandths acre (eleven thousand one hundred and seventy-eight square feet), comprises a portion of lots 22 and 23 in section 14, township 1 north, range 5 west, Mount Diablo base and meridian, as shown on the map entitled "Map No. 1, Salt Marsh and Tide Lands situate in the County of Contra Costa, State of California, 1872" (on file in the office of the surveyor general), and is more particularly described as follows:

Commencing at the northeasterly corner of lot 2 in block 14 as said lot and block are shown on the map of Osborne's Addition, filed in map book "E", at page 107, in the office of the County Recorder of Contra Costa County; thence along the northerly and northeasterly line of said block 14, north seventy-seven degrees fourteen minutes twenty-eight seconds west, nineteen and seventy-nine one-hundredths feet and north forty degrees forty minutes four seconds west, one hundred fifty-eight and seventy-seven one-hundredths feet to the property line common to the lands, now or formerly, of the United States of America and of the city of Richmond; thence along said common property line north forty-nine degrees nineteen minutes fifty-six seconds east, twenty-five and forty-four one-hundredths feet; thence from a tangent that bears south fifty-six degrees twenty-five minutes twenty-nine and seven-tenths seconds east, along a curve to the right with a radius of two thousand five hundred and fifty-five feet, through an angle of six degrees twenty minutes fifty-one and seven-tenths seconds, a distance of two hundred eighty-three and six one-hundredths feet to the northerly line of block 13 of Osborne's Addition as shown on the map above referred to; thence along said northerly line and the westerly prolongation of said line north seventy-seven degrees fourteen minutes twenty-eight seconds west, one hundred twenty-six and thirty-four one-hundredths feet to the point of commencement.

(b) The land to be conveyed pursuant to subsection (a) shall be used by the State of California for the construction and maintenance of a public highway, and for no other purpose.

(c) There shall be reserved to the United States in the conveyance of the land described in subsection (a) all oil, gas, coal, and other mineral deposits in such land, including all materials determined pursuant to section 5 (b) (1) of the Atomic Energy Act of 1946 to be peculiarly essential to the production of fissionable material, together with the right to prospect for, mine, and remove such minerals.

SEC. 2. The Secretary of Commerce is authorized and directed to grant to the State of California an easement for the construction and maintenance of a highway embankment, and for the construction and maintenance of trenches and pipes as required for proper drainage, upon, over, under, and across certain land (hereinafter referred to as "Parcel B") which contains approximately four hundred and two square feet and is more particularly described as follows:

Beginning for reference at the most northerly corner of lot 13 in block 14 as said lot and block are shown on the map of Osborne's Addition, filed in map book "E", at page 107, records of Contra Costa County; thence along the northeasterly line of said block 14 south forty degrees forty minutes four seconds east, fifteen and thirty-eight one-hundredths feet; thence from a tangent that bears south fifty-eight degrees twenty-four minutes sixteen seconds east, along a curve to the right with a radius of two thousand five hundred and fifty-five feet, through an angle of forty degrees fifty minutes forty-four seconds, a distance of two hundred sixteen and eight one-hundredths feet to the true point of commencement, said point being fifty-five feet measured radially from engineer's station 279+15 on the centerline of the State Highway in the city of Richmond from Garrard Boulevard to Marine Street, IV-CC-69-Rch., thence north thirty-six degrees twenty-six minutes twenty-eight seconds east, twenty feet; thence from a tangent that bears south fifty-three degrees thirty-three minutes thirty-two second east, along a curve to the right with a radius of two thousand five hundred and seventy-five feet, through an angle of no degrees twenty-six minutes fifty-five seconds, an arc length of twenty and sixteen one-hundredths feet; thence south thirty-six degrees fifty-three minutes twenty-three seconds west, twenty feet; thence from a tangent that bears north fifty-three degrees six minutes thirty-seven seconds west, along a curve to the left with a radius of two thousand five hundred and fifty-five feet, through an angle of no degrees twenty-six minutes fifty-five seconds, a distance of twenty feet to the true point of commencement.

SEC. 3. The Secretary of Commerce is authorized and directed to grant to the State of California a temporary easement, to be effective until January 1, 1955, for the construction and maintenance of a highway embankment upon, over, under, and across certain land (hereinafter referred to as "Parcel C") comprising a portion of lots 22 and 23 in section 14, township 1 north, range 5 west, Mount Diablo base and meridian, as shown on the map entitled "Map. No. 1, Salt Marsh and Tide Lands Situate in the County of Contra Costa, State of California, 1872" (on file in the office of the surveyor general). Such land contains approximately one hundred and twenty-nine one-thousandths acre (five thousand six hundred and twelve square feet), excepting therefrom the land described in section 2, and is more particularly described as follows:

Beginning for reference at the northwesterly corner of block 13, as said block is shown on the map of Osborne's Addition, filed in map book "E", at page 107, in the office of the county recorder of Contra Costa County; thence along the northerly line of said block 13, south seventy-seven degrees fourteen minutes twenty-eight seconds east, sixty-six and thirty-four one-hundredths feet to the true point of commencement; thence from a tangent that bears north fifty degrees four minutes thirty-eight seconds west, along a curve to the left with a radius of two thousand five hundred and fifty-five feet, through an angle of six degrees twenty minutes fifty-one and seven-tenths seconds, a distance of two hundred eighty-three and six one-hundredths feet to the property line common to the lands, now or formerly, of United States of America and of the city of Richmond; thence along said common line, north forty-nine degrees nineteen minutes fifty-six seconds east, twenty and seventy-seven one-hundredths feet; thence from a tangent that bears south fifty-six degrees seventeen minutes fifty-seven and eight-tenths seconds east, along a curve to the right with a radius of two thousand five hundred and seventy-five feet through an angle of six degrees twenty-seven minutes fifty-seven and eight-tenths seconds, a distance of two hundred ninety and sixty one-hundredths feet; thence south forty-nine degrees fifty minutes east, twenty-seven and seventy-four one-hundredths feet to said northerly line of said block 13; thence along last said line north seventy-seven degrees fourteen minutes twenty-eight seconds west, forty-

three and fifty one-hundredths feet to the true point of commencement.

SEC. 4. (a) The easements granted pursuant to sections 2 and 3 shall include all the privileges and appurtenances necessary for the full enjoyment thereof.

(b) The conveyance of land made pursuant to the first section of this act and the grants of easements made pursuant to sections 2 and 3 of this act shall expressly provide that the State of California will at all times maintain such public highway, embankments, and drainage systems in good order, condition, and repair wholly at its own cost and expense, and that such drainage systems will be constructed and maintained by the State of California in such manner as to provide sufficient and adequate surface drainage at all times from the adjacent or contiguous lands owned by the United States.

With the following committee amendment:

Page 4, line 12, change the word "forty" to "four."

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.

QUITCLAIM DEED TO CERTAIN LAND IN THE CITY OF CAMDEN

Mr. PRIEST. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5954) to provide the release to the city of Camden of all the rights, title, and interest of the United States in and to certain land heretofore conditionally granted to such city.

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

Mr. SMITH of Wisconsin. Reserving the right to object, will the gentleman explain the bill?

Mr. PRIEST. Mr. Speaker, this is a bill introduced by the gentleman from New Jersey [Mr. WOLVERTON]. It would provide a release to the city of Camden, N. J., to title to a small tract of land between streetcar tracks, on which there is to be built a shelter for people waiting to board a streetcar. This is a quitclaim proposition and there is no money involved, as I understand it. It is simply a clearance of title. It was unanimously reported by the Committee on Interstate and Foreign Commerce.

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

Be it enacted, etc., That the Secretary of Commerce is authorized and directed to donate, convey, relinquish, and release to the city of Camden, county of Camden, N. J., all the right, title, and interest of the United States, if any, in and to certain land conditionally granted to such city by deed dated November 20, 1928 (recorded on October 10, 1930, in the Office of the Register of Deeds of Camden County in book 729 of Deeds, p. 458). Such land, which is located in the city of Camden, county of Camden, State of New Jersey, contains approximately three and four-tenths acres and is more particularly described as follows:

"Beginning at a point formed by the intersection of the northerly line of Collings Road and the proposed westerly line of Mount Ephraim Pike which line is forty feet westerly of and parallel to the center line of said Mount Ephraim Pike and running thence in a straight line along the said northerly line of Collings Road south seventy-four degrees fifty-six minutes fifty seconds west for a distance of about four thousand one hundred and seventy feet to the high-water line of Newton Creek, the above-described line being the southerly line of a strip of land thirty-six feet wide as measured at right angles and extending from the said proposed westerly line of Mount Ephraim Pike in a westerly direction to the said high-water line of Newton Creek being bounded on the south by the above-described line on the east by the said proposed westerly line of Mount Ephraim Pike on the north by a line parallel to and thirty-six feet distant northerly of said above-described line and on the west by the high-water line of Newton Creek."

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

CONVEYANCE OF CERTAIN LAND TO FULTON COUNTY, GA.

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8272) to provide for the conveyance by the United States to Fulton County, a political subdivision of Georgia, of certain land in said county.

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

Mr. SMITH of Wisconsin. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. DAVIS of Georgia. This is a bill to legalize an agreement between the Civil Aeronautics Administration and the Board of Commissioners of Fulton County, Ga., by which the CAA will transfer to Fulton County, Ga., a tract of land less than one-half acre to be used as right-of-way for highway purposes. An agreement has been made by Fulton County with the CAA and a unanimous report in favor of the passage of the bill was made by the Committee on Interstate and Foreign Commerce. The County of Fulton, Ga., will pay in money or in remodeling the remaining property approximately $40,000 for less than one-half acre of land.

Mr. SMITH of Wisconsin. This is a unanimous report from the committee?

Mr. DAVIS of Georgia. Yes; it is.

Mr. SMITH of Wisconsin. I withdraw my reservation of objection, Mr. Speaker.

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

Be it enacted, etc., That the Secretary of Commerce is authorized and directed to convey to Fulton County, a political subdivision of the State of Georgia, upon such terms and conditions with respect to relocation or reconstruction of existing buildings and facilities on and near the premises and with respect to such other matters as he may deem desirable, all the right, title, and interest of the United States in and to a parcel of land bounded and described as follows:

All that tract or parcel of land lying and being in the city of Atlanta in land lots 85 and 108 of the fourteenth district of originally Henry, now Fulton County, Ga., and more particularly described as follows:

Beginning at the northeast corner of Stewart Avenue and Wells Street, running thence northeasterly along the southerly line of the property of the United States of America and northerly side of Wells Street twenty-eight feet; thence north no degrees thirty-one minutes nineteen seconds east a distance of sixty-eight feet; thence north no degrees fifty-six minutes forty-one seconds east a distance of two hundred and thirty-three feet to the northerly line of the United States of America property; thence southwesterly along the northerly line of the United States of America property a distance of ninety-three feet; thence south no degrees fifty-six minutes forty-one seconds west a distance of sixty-five feet to the westerly line of the United States of America property and the easterly side of Stewart Avenue; thence southeasterly along the said westerly line of the United States of America property and easterly line of Stewart Avenue two hundred and thirty feet to the northeast corner of Stewart Avenue and Wells Street and the point of beginning; being a portion of premises conveyed to the United States of America by deed from Smith and Simpson Realty Co., dated April 2, 1919, and recorded April 2, 1919, in book 501, folio 560, of the Fulton County records, and currently being used by the Civil Aeronautics Administration for warehouse purposes in the city of Atlanta.

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.

APPEALS UNDER FEDERAL EMPLOYEES' COMPENSATION FOR EMPLOYEES OF THE CANAL ZONE GOVERNMENT

Mr. BARDEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1271) to permit employees of the Canal Zone Government and the Panama Canal Company to appeal decisions under the Federal Employees' Compensation Act to the Employees' Compensation Appeals Board.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. BARDEN. I shall be glad to.

This bill, S. 1271, amends the first paragraph of section 42 of the Federal Employees' Compensation Act, Thirty-ninth Statutes at Large, page 742, as amended, and would give employees of the Canal Zone Government and the Panama Canal Company the right to appeal to the Federal Employees' Compensation Appeals Board from any decision of the Government of the Canal Zone respecting compensation under the Compensation Act before or after the creation of such Board. This bill will also authorize the Board on its own motion to review any decision of the Governor of the Canal Zone.

Section 42 of the Federal Employees' Compensation Act, among other things, vested in the President the authority to transfer the administration of the Compensation Act, so far as employees of the Panama Canal and the Panama Railroad Company were concerned, to the Governor of the Panama Canal. This authority was delegated to the Governor by Executive Order 2455, September 15, 1916. A new Panama Railroad Company was formed as a result of the act of June 29, 1948, Sixty-second Statutes at Large, page 1075, which provides

for the Railroad Company to assume the costs of benefit payments made to its employees by the Bureau of Employees' Compensation. Although such provision may be construed as also making available to the Canal Zone employees the existing procedures of the Federal Employees' Compensation Appeals Board, this construction has not been adopted by the Governor of the Panama Canal.

It seems only equitable to give to the employees whose compensation claims are adjudicated by the Governor of the Panama Canal the same right of appeal as was given to other Federal employees when the Employees' Compensation Appeals Board was created in 1946, under Reorganization Plan No. 2, Sixtieth Statutes at Large, page 1095.

As stated before, the present status of these employees is based on provisions of an act passed in 1916 and which was not modified in 1946 when the other Federal employees were given the right to make appeals to the Board.

It was the opinion of our committee that all Federal employees be given the same recourse to appeal, and the purpose of this bill is to rectify the present exclusion of the Panama Canal Zone employees from this right which was due to an inadvertent omission when the Employees Compensation Appeals Board was created under the reorganization plan in 1946.

This bill was reported favorably by the Committee on Education and Labor with the recommendation that it do pass.

Mr. MARTIN of Massachusetts. It puts them on a parity with other Government employees?

Mr. BARDEN. That is exactly it.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

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

Be it enacted, etc., That the first paragraph of section 42 of the Federal Employees Compensation Act (5 U. S. C., sec. 793) is amended by adding at the end thereof the following: "Employees of the Canal Zone Government and of the Panama Canal Company shall, notwithstanding any such transfer, have the right to appeal to the Employees' Compensation Appeals Board from any decision of the Governor of the Canal Zone rendered either before or after the creation of such Board, and such Board shall upon such appeal, and may at any time, on its own motion, review any decision of the Governor of the Canal Zone and in accordance with the facts found on such review, may proceed as in other cases in which it has jurisdiction."

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

TRANSFER OF CERTAIN PROPERTY BY THE ADMINISTRATOR OF GENERAL SERVICES ADMINISTRATION TO THE SECRETARY OF THE INTERIOR

Mr. DAWSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2043) to authorize the transfer of certain property by the Administrator of the General Services Administration to the Secretary of the Interior.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain what this is?

Mr. DAWSON. This is the transfer of an existing building that has been used by the Civil Aeronautics Division for the use of the Indian Affairs Committee.

Mr. MARTIN of Massachusetts. Where is it located?

Mr. DAWSON. It is located in the city of Everett, Wash. It occupies about 0.07 of an acre of land. The land is under a 5-year lease to the Government.

Mr. MARTIN of Massachusetts. The present occupant cannot use it?

Mr. DAWSON. That is right; it has been declared surplus, and the Department of the Interior wishes to use it.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my 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 the Administrator of the General Services Administration is hereby authorized and directed to transfer to the Secretary of the Interior, without reimbursement, a woodframe building located in the city of Everett, Wash., on land leased from the city of Everett, formerly occupied by the Civil Aeronautics Administration, Department of Commerce, and now excess to the requirements of the Department of Commerce.

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

TRANSFER OF PROPERTY AT FORT WORTH, TEX., TO THE DEPARTMENT OF THE NAVY

Mr. DAWSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill S. 3051, to authorize the Administrator of General Services to transfer to the Department of the Navy, without reimbursement, certain property at Fort Worth, Tex. This bill is No. 453 on the Consent Calendar.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. DAWSON. This is an interdepartmental transfer of property, in this instance from the General Services Administration to the Navy Department.

Mr. MARTIN of Massachusetts. 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 the Administrator of General Services is authorized to transfer to the Navy Department, without reimbursement, the Globe Aircraft plant, Fort Worth, Tex., consisting of approximately 156.6 acres of land and all improvements thereon.

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

AUTHORIZING CERTAIN LAND AND OTHER PROPERTY TRANSACTIONS

Mr. DAWSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3052) to authorize certain land and other property transactions and for other purposes. This, I may say, is No. 454 on the Consent Calendar.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, this is a similar bill?

Mr. DAWSON. A similar bill, a transfer of property between departments.

Mr. MARTIN of Massachusetts. 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 the Administrator of General Services is authorized to transfer to the Navy Department, without reimbursement, a parcel of land containing eight and five-tenths acres, more or less, being a part of the site of the United States Navy Underwater Sound Laboratory, Fort Trumbull, New London, Conn, together with all improvements thereon and personal property relating thereto, formerly under the jurisdiction and control of the Department of Commerce (Maritime Administration), and now occupied by the Navy Department by virtue of a revocable permit.

SEC. 2. The Administrator of General Services is authorized to transfer to the Navy Department, without reimbursement, a parcel of land consisting of three and nine-tenths acres, more or less, situated at Oceanside, San Diego, Calif., being a part of a sixty-five and forty-seven one-hundredths-acre tract acquired by the Department of Agriculture for use in connection with an emergency rubber project and subsequently reported as excess to the Federal Works Agency, and now used by the Navy Department in connection with the operation of Public Housing Administration project Cal-4900-N.

SEC. 3. The Housing and Home Finance Administrator is authorized to transfer to the Department of the Navy, without reimbursement, a 12-inch cast-iron water pipe line extending a distance of two thousand eight hundred and forty feet, more or less, from Chase's Pond to Folly Pond, Kittery, Maine, together with pump house, pumps, and other appurtenances, including the leasehold rights of the United States in the premises on which said property is located, being the same facility formerly under the jurisdiction and control of the Federal Works Agency and known as project No. Me-17-902-F, Kittery, Maine, and which supplies water to the United States naval base.

SEC. 4. The Housing and Home Finance Administrator is authorized to transfer to the Navy Department, without reimbursement, the water supply line at the Naval Fuel Annex, Casco Bay, Portland, Maine, extending between Great Diamond Island and Long Island in Casco Bay, consisting of approximately 8,200 linear feet of 8-inch cast-iron pipe and 4,700 linear feet of 3-inch black steel pipe, together with pump house pumps, and all other appurtenances, including appurtenant easement rights.

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

AMENDING RULE X OF THE RULES OF THE HOUSE OF REPRESENTATIVES

Mr. COX. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 647.

The Clerk read the resolution, as follows:

Resolved, That clause (a) 8 of rule X of the rules of the House of Representatives is amended by striking out "Committee on Expenditures in the Executive Departments" and inserting in lieu thereof "Committee on Government Operations."

Clause (b) (3) of rule X is amended to read as follows:

"All vacancies in standing committees in the House shall be filled by election by the House. Each Member shall be elected to serve on one standing committee and no more; except that Members who are elected to serve on the Committee on the District of Columbia, Committee on Government Operations, or on the Committee on Un-American Activities may be elected to serve on two standing committees and no more, and Members of the majority party who are elected to serve on the Committee on House Administration may be elected to serve on two standing committees and no more."

Clause (1) (h) (1) of rule XI is amended by striking out "Committee on Expenditures in the Executive Departments" and inserting in lieu thereof "Committee on Government Operations."

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, as I understand this makes but one change in the rules; it provides that a Member of the minority side of the House can serve on another committee other than the Committee on Expenditures.

The SPEAKER. And it changes the name of the committee.

Mr. COX. That is correct.

The committee granted a rule making in order the consideration of this resolution, but upon condition that it would not be filed unless the matter was cleared with the leadership on both sides of the House.

Mr. MARTIN of Massachusetts. It has been cleared with me.

Mr. COX. The Speaker, the majority leader, and the minority leader have been approached, and all have agreed that it is a resolution which should be accepted.

Mr. MARTIN of Massachusetts. Does that also make the Committee on House Administration an exclusive committee for the minority?

Mr. COX. The second clause of the resolution reads as follows:

All vacancies in standing committees in the House shall be filled by election by the House. Each Member shall be elected to serve on one standing committee and no more except that Members who are elected to serve on the Committee on the District of Columbia, the Committee on Government Operations, and the Committee on Un-American Activities may be elected to serve on two standing committees and no more, and Members of the majority party who are elected to serve on the Committee on House Administration may be elected to serve on two standing committees and no more.

Mr. MARTIN of Massachusetts. How does that affect the minority membership of the Committee on House Administration?

Mr. COX. I do not know. This resolution is sponsored by the gentleman from Michigan [Mr. HOFFMAN].

Mr. MARTIN of Massachusetts. May I request that the gentleman withdraw his request for the moment?

Mr. EBERHARTER. Mr. Speaker, reserving the right to object, may I ask the gentleman from Georgia: This resolution would have no practical effect whatsoever during this session of Congress, would it?

Mr. HARDY. Mr. Speaker, I may say that insofar as the Committee on House Administration is concerned, the resolution will have no effect. It affects only the present Committee on Expenditures and there would be considerable advantage in having it passed at this time, particularly with respect to seniority on committees, if there are vacancies which can be filled by present members of the Expenditures Committee.

Mr. EBERHARTER. Is it just a matter of being able to give somebody seniority because of their election?

Mr. COX. I am not the sponsor of the resolution; I am simply trying to cooperate in making possible the disposal of all business necessary to adjournment. The Committee on Rules can call this up under a rule, but I do not believe it is controversial, if the gentleman understood it. I would hate to do that because of the time that would be consumed.

Mr. EBERHARTER. I shall not object because I understand it has the approval of the leadership on both sides, but I would like to make one further statement. I think we could very well put in this resolution a clause to the effect that the chairman of any standing committee of the House shall not serve on any other committee of the House. I think that would be quite an important matter in considering these changes.

Mr. HARDY. That concerns another rule of the House already. This resolution has no bearing on that at all.

Mr. EBERHARTER. That is not the rule of the House now.

Mr. COX. I hope the gentleman will let it pass.

Mr. MARTIN of Massachusetts. Mr. Speaker, there are several Members on this side who probably will object to the unanimous-consent request unless the Committee on House Administration is taken care of. Certainly there is no justification for continuing the House Administration Committee as an exclusive committee, particularly with the proposed action concerning the Expenditures Committee.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. That is all right, if anyone on the minority side wants to object there is no reason why he should not, so go ahead and do so, but you will not get it to apply to the other committees unless you introduce a bill, a resolution or an amendment to this resolution. The Members on the majority side now, as I see it, think they may be in the minority next year, so they want the amendment so they may, if they are on any one of the three named committees, serve on another committee. And it may be that Republicans will still be a minority. For example, the gentleman from Virginia [Mr. HARDY] is a member of the Committee on Armed Services. He has rendered a very valuable service to that committee. He is also a member of the Committee on Expenditures in the Executive Departments. Because he is a member of both committees those two committees have worked together very closely.

The gentleman from Virginia [Mr. HARDY] heads a subcommittee of the Committee on Expenditures in the Executive Departments which has rendered exceptional service, the work of that subcommittee has resulted in changes in the practices of the Air Force, which in one recent case saved some $80,000,000. Because of his knowledge of what the Armed Services Committee is doing and of what the Expenditures Committee is doing he has the opportunity to suggest and have adopted methods which save the taxpayers' money—prevents the spending of that money. That is just one instance. The gentleman from North Carolina [Mr. BONNER] heads another subcommittee and has rendered a like service. Because the majority members of the committee are on other committees as well as on the Expenditures Committee, waste can be anticipated and prevented. If the majority members can give that service there is no reason why minority members should not have like opportunity. Nor is there any sound reason why if the Democrats are in the minority in the Eighty-third Congress the country should be deprived of the services of the two gentlemen named, or of others in like situation. Now if somebody on the Committee on House Administration wants to kill this attempt to aid in the betterment of the service of both of those committees, go ahead; I do not personally care. I was only trying to get a little more coordination and efficiency in the activities of the House committees.

This resolution makes no change in the House Rules except that it changes the name of the committee to comply with the change in name as made by the Senate and a change which permits the minority members of the committee to serve on more than one committee.

The rule as it stands reads as follows:

Clause (b) (3) of rule X is amended to read as follows:

"All vacancies in standing committees in the House shall be filled by election by the House. Each Member shall be elected to serve on one standing committee and no more; except that Members who are elected to serve on the Committee on the District of Columbia, Committee on Government Operations, or on the Committee on Un-American Activities may be elected to serve on two standing committees and no more, and Members of the majority party who are elected to serve on the Committee on House Administration may be elected to

serve on two standing committees and no more."

The amendment proposed reads as follows:

All vacancies in standing committees in the House shall be filled by election by the House. Each Member shall be elected to serve on one standing committee and no more; except that Members who are elected to serve on the Committee on the District of Columbia or on the Committee on Un-American Activities may be elected to serve on two standing committees and no more, and Members of the majority party who are elected to serve on the Committee on Expenditures in the Executive Departments or on the Committee on House Administration may be elected to serve on two standing committees and no more.

The only purpose and effect of the adoption of the resolution insofar as service on committees is affected would be to, as just stated, permit minority members of the Expenditures Committee to serve on another committee.

It makes no change in the status of the House Committee on Administration.

Objection is now made because a like privilege was not provided for minority members of the House Committee on Administration.

I am a member of the Expenditures Committee. For more than a year this matter has been under consideration. The resolution was introduced on May 21, 1951. A rule was tentatively granted some 2 weeks ago.

It was cleared with the leadership on both sides. Now it is said that I should have included a provision that the minority members of the House Committee on Administration should have been given the privilege of serving on two committees. I have been told by members of that committee that I should have consulted them. On like reasoning I should have consulted the members of the other 18 standing committees.

Is there any reason why I should go around asking the members of the other committees if any of them wanted some change in the House rules as the rules affected their committee? Had I done so they probably would have told me that if they did they would send for me or tell me.

I was looking after the interests of the minority members of my own committee as well as trying to make it possible for the House to retain the advice and service of majority members of that committee should they find themselves in the minority next year.

I have no objection to an amendment which will give the minority members of that committee the same privilege that is asked for my own minority members. But the squawk that has just been made with so much heat because they were not taken care of is without justification when it is remembered that the proposed amendment does not in any way change the present rule insofar as that committee or its members are involved.

I have not the slightest objection to their taking a free ride on this resolution by amendment. Why do they not offer it instead of objecting to present consideration of the resolution?

Why get mad at me because I did not know and anticipate their wishes? I was just trying to take care of my own business, and that I find a job.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Ohio.

Mr. HAYS of Ohio. I want to say that I concur with the gentleman's remarks, because this does seem to change the existing rules concerning the Committee on House Administration.

Mr. HOFFMAN of Michigan. No; it does not.

Mr. HAYS of Ohio. It does; because a member of the minority can serve on another committee, can he not?

Mr. HOFFMAN of Michigan. No; he cannot.

Mr. MARTIN of Massachusetts. I think, Mr. Speaker, the gentleman should withdraw his request for the moment.

Mr. COX. I withdraw the request, Mr. Speaker.

CALL OF THE HOUSE

Mr. SMITH of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. 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. 128]

Abernethy	Feighan	Nelson
Albert	Fenton	O'Brien, N. Y.
Allen, La.	Hall,	O'Hara
Anderson, Calif.	Edwin Arthur	Poage
Armstrong	Harden	Potter
Bakewell	Harvey	Powell
Bates, Ky.	Hébert	Reece, Tenn.
Beckworth	Herter	Regan
Belcher	Heselton	Richards
Bender	Hillings	Robeson
Bentsen	Jones, Mo.	Sabath
Bosone	Kearney	Scott, Hardie
Brehm	Kennedy	Sikes
Brown, Ohio	Kilburn	Stigler
Burdick	Kilday	Sutton
Camp	Larcade	Tackett
Carlyle	Lyle	Teague
Carnahan	McGrath	Thompson, Tex.
Cole, Kans.	Magee	Trimble
Cole, N. Y.	Mills	Watts
Combs	Mitchell	Welch
Davis, Tenn.	Morris	Wickersham
Donovan	Morrison	Willis
Engle	Morton	Wolcott
Evins	Moulder	Woodruff

The SPEAKER. On this roll call 352 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SELECT COMMITTEE TO INVESTIGATE FOUNDATIONS

The SPEAKER. The unfinished business is the question of agreeing to House Resolution 638, to authorize the expenditure of certain funds for the expenses of the Select Committee To Investigate Foundations, which the Clerk will report.

The Clerk read the title of the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. HAYS of Ohio) there were—ayes 99, noes 37.

Mr. HAYS of Ohio. 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 roll call is automatic. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 247, nays 99, answered "present" 1, not voting 83, as follows:

[Roll No. 129]

YEAS—247

Aandahl	Eaton	Lucas
Abbitt	Eberharter	McConnell
Adair	Elliott	McCormack
Allen, Ill.	Ellsworth	McCulloch
Andersen, H. Carl	Elston	McDonough
Andresen, August H.	Fallon	McGregor
Andrews	Feighan	McGuire
Arends	Fernandez	McIntire
Bailey	Fisher	McKinnon
Baker	Forand	McMullen
Barden	Forrester	McVey
Bates, Mass.	Frazier	Mack, Wash.
Battle	Fugate	Mahon
Beall	Furcolo	Mansfield
Beamer	Gamble	Martin, Mass.
Bennett, Fla.	Gary	Mason
Bennett, Mich.	Gathings	Meader
Berry	Gavin	Merrow
Betts	George	Miller, Md.
Blackney	Golden	Miller, Nebr.
Boggs, La.	Goodwin	Miller, N. Y.
Bolton	Gore	Mumma
Bonner	Graham	Nicholson
Bow	Grant	Norblad
Boykin	Gregory	Norrell
Bramblett	Gross	O'Brien, Mich.
Bray	Gwinn	Passman
Brooks	Hagen	Patman
Brown, Ga.	Hall, Leonard W.	Patten
Brownson	Halleck	Patterson
Bryson	Hardy	Philbin
Budge	Harris	Phillips
Buffett	Harrison, Va.	Poulson
Burleson	Harrison, Wyo.	Preston
Burton	Hart	Priest
Busbey	Harvey	Rabaut
Bush	Hays, Ark.	Radwan
Butler	Herlong	Rains
Cannon	Hess	Rankin
Carrigg	Hill	Reams
Chatham	Hinshaw	Redden
Chelf	Hoeven	Reed, Ill.
Chenoweth	Hoffman, Ill.	Rees, Kans.
Chiperfield	Hoffman, Mich.	Rhodes
Clemente	Hope	Riehlman
Clevenger	Horan	Riley
Cole, Kans.	Hull	Rivers
Colmer	Hunter	Roberts
Cooley	Ikard	Rogers, Fla.
Cotton	Jackson, Calif.	Rogers, Mass.
Coudert	James	Rogers, Tex.
Cox	Jarman	Ross
Crumpacker	Jenison	St. George
Cunningham	Jensen	Sasscer
Curtis, Mo.	Johnson	Saylor
Curtis, Nebr.	Jonas	Schenck
Dague	Jones, Ala.	Scott, Hardie
Davis, Ga.	Jones, Hamilton C.	Scrivner
Davis, Wis.	Jones, Woodrow W.	Scudder
Deane	Judd	Secrest
DeGraffenried	Kerr	Shafer
Delaney	Kersten, Wis.	Sheehan
Dempsey	King, Calif.	Sheppard
Devereux	King, Pa.	Short
D'Ewart	Lane	Sieminski
Dingell	Lanham	Simpson, Ill.
Dolliver	Lantaff	Simpson, Pa.
Dondero	Latham	Smith, Kans.
Donohue	LeCompte	Smith, Miss.
Dorn	Lesinski	Smith, Va.
Doughton	Lind	Smith, Wis.
Doyle	Lovre	Stanley
Durham		Steed
		Stockman
		Taber

Talle	Velde	Williams, N. Y.
Taylor	Vinson	Wilson, Ind.
Teague	Vursell	Wilson, Tex.
Thomas	Walter	Winstead
Thompson, Mich.	Weichel	Withrow
	Werdel	Wood, Ga.
Thornberry	Wheeler	Wood, Idaho
Vail	Whitten	Zablocki
Van Pelt	Wigglesworth	
Van Zandt	Williams, Miss.	

NAYS—99

Addonizio	Granahan	Morano
Allen, Calif.	Granger	Morgan
Anfuso	Green	Multer
Angell	Greenwood	O'Brien, N. Y.
Aspinall	Hale	O'Neill
Auchincloss	Hand	Osmers
Ayres	Harrison, Nebr.	Ostertag
Baring	Havenner	Perkins
Barrett	Hays, Ohio	Polk
Bishop	Heffernan	Price
Blatnik	Heller	Prouty
Boggs, Del.	Holifield	Ramsay
Bolling	Holmes	Reed, N. Y.
Buchanan	Howell	Ribicoff
Burnside	Irving	Rodino
Byrnes	Jackson, Wash.	Rogers, Colo.
Canfield	Javits	Rooney
Case	Karsten, Mo.	Roosevelt
Celler	Kean	Sadlak
Chudoff	Kearns	Seely-Brown
Church	Keating	Shelley
Corbett	Kee	Sittler
Crosser	Kelley, Pa.	Spence
Denny	Kelly, N. Y.	Springer
Denton	Keogh	Staggers
Dollinger	Klein	Tollefson
Fine	McCarthy	Vorys
Flood	Machrowicz	Wharton
Fogarty	Mack, Ill.	Widnall
Ford	Madden	Wier
Fulton	Marshall	Wolverton
Garmatz	Martin, Iowa	Yates
Gordon	Miller, Calif.	Yorty

ANSWERED "PRESENT"—1

O'Toole

NOT VOTING—83

Abernethy	Hall,	Murray
Albert	Edwin Arthur	Nelson
Allen, La.	Harden	O'Brien, Ill.
Anderson, Calif.	Hébert	O'Hara
Armstrong	Hedrick	O'Konski
Bakewell	Herter	Poage
Bates, Ky.	Heselton	Potter
Beckworth	Hillings	Powell
Belcher	Jenkins	Reece, Tenn.
Bender	Jones, Mo.	Regan
Bentsen	Kearney	Richards
Bosone	Kennedy	Robeson
Brehm	Kilburn	Sabath
Brown, Ohio	Kilday	Scott,
Buckley	Kirwan	Hugh D., Jr.
Burdick	Kluczynski	Sikes
Camp	Larcade	Stigler
Carlyle	Lyle	Sutton
Carnahan	McGrath	Tackett
Cole, N. Y.	McMillan	Thompson, Tex.
Combs	Magee	Trimble
Cooper	Mills	Watts
Crawford	Mitchell	Welch
Davis, Tenn.	Morris	Wickersham
Dawson	Morrison	Willis
Donovan	Morton	Wolcott
Engle	Moulder	Woodruff
Evins	Murdock	
Fenton	Murphy	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Heselton for, with Mr. Buckley against.

Mr. Reece of Tennessee for, with Mr. Powell against.

Mr. Camp for, with Mr. Welch against.

Mr. Brown of Ohio for, with Mr. Moulder against.

Mr. Hébert for, with Mr. McGrath against.

Mr. Morrison for, with Mr. Mitchell against.

Mr. Robeson for, with Mr. Murphy against.

Mrs. Harden for, with Mr. Dawson against.

Mr. Sikes for, with Mr. Sabath against.

Mr. Hillings for, with Mr. Donovan against.

Mr. Larcade for, with Mrs. Bosone against.

Until further notice:

Mr. Abernethy with Mr. Wolcott.

Mr. Evins with Mr. Woodruff.

Mr. Engle with Mr. Jenkins.

Mr. Kluczynski with Mr. Kilburn.

Mr. Kennedy with Mr. Bakewell.

Mr. Trimble with Mr. Armstrong.

Mr. McMillan with Mr. Herter.

Mr. Magee with Mr. Edwin Arthur Hall.

Mr. Mills with Mr. Fenton.

Mr. Albert with Mr. Crawford.

Mr. Wickersham with Mr. O'Hara.

Mr. Morris with Mr. O'Konski.

Mr. Jones of Missouri with Mr. Potter.

Mr. Watts with Mr. Hugh D. Scott, Jr.

Mr. Cooper with Mr. Belcher.

Mr. Kilday with Mr. Bender.

Mr. Kirwan with Mr. Kearney.

Mr. Murdock with Mr. Brehm.

Mr. Murray with Mr. Morton.

Mr. Davis of Tennessee with Mr. Nelson.

Mr. Sutton with Mr. Cole of New York.

Mr. Tackett with Mr. Burdick.

Mr. BAILEY, Mr. DINGELL, and Mr. MCDONOUGH changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

STUDIES AND INVESTIGATION BY THE COMMITTEE ON WAYS AND MEANS

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 686) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the studies and investigations, authorized by House Resolution 78, Eighty-second Congress, incurred by the Committee on Ways and Means, acting as a whole or by subcommittee, not to exceed $50,000 in addition to the amount heretofore authorized by House Resolution 153 and House Resolution 433, Eighty-second Congress, including expenditures for the employment of such experts, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Mr. STANLEY. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. DEANE].

Mr. DEANE. Mr. Speaker, I know that it is the desire of the House to move promptly today, but this is a resolution in which I am sure the entire membership of the House is interested. It deals with the committee headed by the gentleman from California [Mr. KING], charged with the investigation of the Internal Revenue Bureau. Serving with the gentleman from California [Mr. KING] on this committee are the gentleman from Illinois [Mr. O'BRIEN], the gentleman from New York [Mr. KEOGH], the gentleman from Texas [Mr. COMBS], the gentleman from New Jersey [Mr. KEAN], the gentleman from Nebraska [Mr. CURTIS], and the gentleman from Wisconsin [Mr. BYRNES].

I take this time, Mr. Speaker, to express my personal appreciation, and I am sure the House Members feel the same way, for the remarkably fine job this committee has rendered; and I especially would like to make mention of a statement that has been brought to my attention whereby it was insinuated that the gentleman from California [Mr. KING] tied himself to the tails of this particular committee to advance his own personal position. Knowing the gentleman from California as all of us do, we know that is most untrue, because certainly a study of the hearings shows how impartial has been the work of this particular committee.

I have before me, and I will ask unanimous consent to include them as part of my statement, some of the outstanding statements editorially made of the fairness of this committee and its members from both sides of the aisle. I felt that we should take a minute or two to express our gratitude and personal appreciation of the work this committee has done. The members of the committee have risked their political fortunes and criticism perhaps inside and outside the Government because of the courageous work they have done.

Mr. Speaker, in the interest of conserving time and space under the circumstances, I shall include a portion of but three of the many commendatory editorials and articles that have come to my attention with regard to the splendid work of Mr. KING's committee.

First. From the editorial section of the St. Louis Post-Dispatch of Sunday, December 30, 1951, entitled "CECIL R. KING of California Investigates Tax Corruption Thoroughly, but Also Fairly":

> As chairman of the subcommittee, KING has been in charge of an investigation that had made more headlines and produced more concrete results than any similar congressional inquiry in recent years. The evidence of loose ethical standards among public officials, dug up by the subcommittee, could be the deciding factor in the 1952 Presidential elections. Despite the clamor and the sensations, KING, a largely self-educated former businessman, has directed the subcommittee with fairness and detachment. He has consistently expressed regard for the rights of witnesses, and on one occasion, at least, virtually pleaded with a youthful witness to "come clean" and avoid the danger of ruining his life.

Second. From the syndicated column of Republican United States Senator MARGARET CHASE SMITH, one of America's most distinguished women, in the Chicago Sun-Times, entitled "King-Size Investigation":

> The King-size of all congressional investigations for exposing corruption is the one being carried out by the King subcommittee of the House Ways and Means Committee. The subcommittee derives its name from its chairman, Representative CECIL R. KING, of Los Angeles. What the group has done in digging out scandals in the Government puts all other investigating committees to shame. It is to be commended for making the most out of what it has—for the public and not just for individual glory and personal publicity of its members.

Third. From an editorial of the Santa Monica Evening Outlook, one of the oldest and most respected daily newspapers in southern California, under date

of February 26, 1952, entitled "The Verdict of the King Committee":

Representative CECIL R. KING, of California, who has headed the congressional committee investigating scandals in the Internal Revenue Department, is a Democrat whose courage and integrity must be admired. For he has now climaxed a fearless probe of conditions which cried aloud for public censure and correction, by placing the blame for these conditions on an inept top administration in Washington. In delivering this scathing indictment, Representative KING has risked his political career, and has certainly cut himself off from any possible favor with the present heads of his party. But while this courageous honesty will consign him to the doghouse, it has won him the wholehearted respect and gratitude of the decent people of this country. We congratulate Representative CECIL R. KING on having made a brave and honorable choice, and on the great ability and fearlessness which he has shown in the conduct of his committee investigation.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Indiana, a member of the committee.

Mr. HALLECK. As a minority member of the subcommittee on accounts of the Committee on House Administration I want to corroborate what the gentleman has just said. The King subcommittee is certainly deserving of a lot of credit for the manner in which it has proceeded with an investigation which has been of tremendous importance and concern to all of the people of the United States, and certainly to the taxpayers of the United States.

The committee, as far as I have been able to observe, has operated on a strictly nonpartisan basis in carrying out the mandate of the Congress when it was instructed to make the investigation.

I want to commend the chairman, Mr. KING, the ranking minority member from New Jersey [Mr. KEAN] and all of the members of the committee whose names have been read, for the very fine job they have done.

Mr. LECOMPTE. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield to the gentleman from Iowa, a member of the committee.

Mr. LECOMPTE. I, too, want to add my word of commendation for the King committee. As a matter of fact, I am not sure that I have been in favor of all the investigations that have been made, but I think the King committee, a subcommittee of the Committee on Ways and Means, has done a splendid job. They have approached their problem in a nonpartisan way, and I am happy to support the appropriation for continuation of their study and investigation.

I do want to say, however, Mr. Speaker, that this Congress it seems to me, has gone quite far afield in their investigations. We have spent more money—a total of over $3,000,000—for investigations of various kinds and character extending from baseball to obscene literature and everything in between.

The chairman of the Committee on House Administration has done well in cutting down the requests of different committees for studies, and he has done a splendid job in holding down the total to as near a reasonable figure as possible.

Mr. Speaker, I include as a part of my remarks a statement of expenditures of the Eighty-second Congress for various investigations and studies, including resolutions that are pending, which I assume will be passed, showing a total of $3,215,000 for studies and investigations with the possibility there will be slightly more before the Congress adjourns:

Investigation funds approved by the House of Representatives, 82d Cong.

Standing committees	$1,985,000
Special and select committees	507,500
Joint committees (House share)	97,500
Appropriations Committee	445,000
	3,035,000

PENDING BEFORE HOUSE, AS REPORTED BY COMMITTEE ON HOUSE ADMINISTRATION

Standing committees	$50,000
Special and select committees	130,000
	180,000
	3,215,000

APPROPRIATIONS

79th Cong	$1,270,219.19
80th Cong	2,187,204.03
81st Cong	1,978,987.90
82d Cong. (including pending resolutions)	3,215,000.00

82d Cong.—Appropriations approved by the House for studies and investigations

Standing committees:	
Agriculture	$150,000
Armed Services	150,000
Banking and Currency	50,000
District of Columbia	2,000
Education and Labor	30,000
Expenditures in Executive Departments	360,000
Foreign Affairs	75,000
Interior and Insular Affairs	85,000
Interstate and Foreign Commerce	80,000
Judiciary	308,000
Public Works	95,000
Un-American Activities	500,000
Ways and Means	200,000
Total	1,985,000
Pending (authorized by House Administration Committee but still pending before House of Representatives): Ways and Means (H. Res. 686)	50,000
Special and select committees:	
Australian Jubilee	10,000
Dorchester Heights	2,500
Chemicals in Foods	75,000
GI Education	75,000
Katyn Forest Massacre	85,000
Small Business	260,000
Total	507,000
Pending:	
Foundations (Cox) (H. Res. 638)	75,000
Campaign Expenses (BOGGS) (H. Res. 691)	30,000
Pornographic Material (GATHINGS) (H. Res. 692)	25,000
Total	130,000
Joint committees (House share):	
Consultation Council (Europe)	15,000
Defense Production	45,000
Railroad Retirement	25,000
Navajo-Hopi Indians	12,500
Total	97,500
Appropriations Committee	445,000

The SPEAKER. The Chair desires to make a statement.

The Chair hopes that the gentleman from Virginia will ask unanimous consent that all Members may extend their remarks on this resolution. There is more business on the Speaker's desk to be transacted today than we can possibly conclude before 10 or 11 o'clock tonight, if we move with all the expedition possible. If the gentleman from Virginia wants to use up his hour, it is all right with the Chair, of course.

Mr. STANLEY. Mr. Speaker, I assure the Speaker that I am endeavoring to cooperate with him in expediting the business now before the House.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include an article from the Washington Post.

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

There was no objection.

Mr. HINSHAW. Mr. Speaker, I rise to support this appropriation for the King Committee. As everyone here knows, it takes a great deal of courage on the part of a committee chairman who is on the same side as an administration, to expose corruption in that administration. Our colleague, Mr. KING, as chairman, with the other members of his committee, has been fearless and diligent in prosecuting investigations into tax evasions and in my opinion deserves the support as well as the commendation of the Congress and the people.

Mr. Speaker, a United Press report carried in the Washington Star of last April 13 a statement of Chairman STANLEY, of the House Administration Committee, critical of a number of investigatory committees of the House. But in respect to the King Committee the article states as follows:

STANLEY said some investigations have been "necessary and worth while." He singled out for particular praise the House subcommittee investigating Government tax scandals. He said the $200,000 appropriated for that inquiry will "ultimately pay nuge dividends to taxpayers."

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. JOHNSON. Mr. Speaker, CECIL R. KING and I were elected to Congress on the same day. I did not know him but soon became well acquainted with him after becoming a Member of the House of Representatives.

In the recent investigation of irregularities and alleged scandals in the Internal Revenue Bureau, CECIL R. KING has shown that he is a real leader. When, as chairman, he opened the first hearing, he was promptly attacked. There were insinuations made against his character and his capacity to conduct this investigation impartially. He promptly asked the committee to investigate him and determine for themselves whether he was the right type of man to

be chairman of this important committee. After considerable investigation, the committee unanimously gave him a clean bill of health.

To fight crime is a difficult and rugged job. I know from experience. CECIL KING has furnished the intelligence, the leadership, and the courage to make the investigation entrusted o him and his committee an outstanding accomplishment in the uncovering of irregularities and crime in a very important department of government. He deserves the thanks of every citizen who believes in honesty in government. He deserves the praise of his colleagues, and he has mine, on uncovering graft and corruption in a very important part of our Government. He deserves praise for insisting on integrity in government so that the people, whom public officials serve as trustees of their interest and welfare, may have confidence that men in public life will safeguard the public welfare. Without integrity, popular government would soon collapse. The leadership of CECIL R. KING in this investigation has given our people renewed confidence in representative government as the protector and guardian of the rights of the people.

Mr. NORBLAD. Mr. Speaker, I ask unanimous consent to extend my remark at this point in the RECORD.

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

There was no objection.

Mr. NORBLAD. Mr. Speaker, the funds provided for under this resolution should be granted. In my opinion the King committee has done an excellent job in digging out the graft and corruption in the Bureau of Internal Revenue. This is an agency of Government in which the people must have confidence, and the disclosures of the committee clearly indicate that there has been little or no grounds for confidence in the Bureau the way that it has been operating in the past.

While the committee has done a fine job to date there remains much more to be done in the future but without the funds provided herein they would be virtually helpless to go ahead with their work. The resolution should pass unanimously.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield to the gentleman from New York.

Mr. REED of New York. Mr. Speaker, I want to commend the King committee and every member of it for the excellent work they have done. I hope they will continue this work because I feel their job is incomplete. Their work has been constructive, it has been patriotic and if we are going to have a clean, wholesome Government, we need more such work as they are doing in uncovering corruption in official life.

Mr. STANLEY. Mr. Speaker, I concur in the remarks that the Members have made in commendation of the fine work done by the so-called King committee.

THE SUBCOMMITTEE ON ADMINISTRATION OF THE INTERNAL REVENUE LAWS

Mr. DOUGHTON. Mr. Speaker, the Subcommittee on Administration of the Internal Revenue Laws, under the chairmanship of the gentleman from California [Mr. KING] has done an excellent job. As a result of the investigations and hearings which the subcommittee has held, both the Bureau of Internal Revenue and the Department of Justice have gone through housecleanings which have helped greatly to restore the confidence of the public in the administration of our tax laws. The subcommittee was instrumental in speeding up the reorganization of the Bureau of Internal Revenue.

Each member of the subcommittee is to be highly commended for the long and arduous work he has performed. The members have been diligent and fair in their work.

As chairman of the Committee on Ways and Means, I am very pleased with the manner in which the gentleman from California and the other members of the subcommittee have approached this investigation.

The results which the subcommittee has produced speak for themselves. I urge favorable action on the resolution providing additional funds for the subcommittee.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES, 1952

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I call up House Resolution 691 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the investigation authorized by House Resolution 558, considered and agreed to on May 12, 1952, incurred by the Special Committee To Investigate Campaign Expenditures, 1952, acting as a whole or by subcommittee, not to exceed $50,000, including expenditures for employment of such experts, special counsel, and such clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee, and approved by the Committee on House Administration.

With the following committee amendment:

Page 1, line 5, strike out "$50,000" and insert in lieu thereof "$30,000."

The committee amendment was agreed to.

Mr. HALLECK. Mr. Speaker, will the gentleman yield for a brief comment? I appreciate what the Speaker has said, and I want to expedite matters, too, but I should like to refer to a few things.

Mr. STANLEY. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, in years gone by candidates for Congress have frequently been called upon by this committee to submit detailed information, most of which is a straight duplication of what we are already required to report to the Clerk of the House. To my mind, it seems to me, nothing really worth while could be accomplished by any such procedure. Secondly, I have had some information to the effect that the committee proposes to set up immediately an expensive staff in connection with this work. It would occur to me that there would be no reason to set up an expensive staff and begin the spending of money until there was something to investigate, and certain work to be done by the committee, which certainly could not exist at this time, so far as I know.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE ON THE STUDY OF CURRENT PORNOGRAPHIC MATERIALS

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 692) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the expenses of conducting the studies and investigations authorized by House Resolution 596, Eighty-second Congress, incurred by the Select Committee on the Study of Current Pornographic Materials, acting as a whole or by subcommittee, not to exceed $25,000, including expenditures for the employment of such experts, clerical stenographic, special counsel, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ASSISTANT PROPERTY CUSTODIAN

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Res. 725) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, until otherwise provided by law, there shall be paid out of the contingent fund of the House compensation at the basic rate of $2,800 per annum for the employment of an Assistant Property Custodian (electrical and mechanical office equipment), office of the Clerk of the House.

The resolution was agreed to.

A motion to reconsider was laid on the table.

INAUGURAL ADDRESSES, FROM PRESIDENT GEORGE WASHINGTON TO PRESIDENT HARRY TRUMAN

Mr. STANLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (H. Res. 726) providing for a collection of inaugural addresses, from President

George Washington to President Harry Truman, compiled from research volumes and state papers by the Legislative Reference Service, Library of Congress, be printed as a House document.

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

Mr. H. CARL ANDERSEN. Mr. Speaker, reserving the right to object, how much is this going to cost?

Mr. STANLEY. Between $1,000 and $1,200.

Mr. H. CARL ANDERSEN. What is the need for it?

Mr. STANLEY. I will say to the gentleman that there never has been such a House document printed, and there have been many requests for it.

Mr. H. CARL ANDERSEN. Is there any reason why you cannot wait a while longer?

Mr. STANLEY. I know of no particular reason. Does the gentleman object?

Mr. H. CARL ANDERSEN. I object, Mr. Speaker.

PROVIDE FOR INTENSIFIED RESEARCH IN AIR POLLUTION

Mr. KLEIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 218) to provide for intensified research into the causes, hazards, and effects of air pollution; into methods for its prevention, and control, and for recovery of critical materials from atmospheric contaminants, and for other purposes.

The Clerk read the title of the joint resolution.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, what does this bill do?

Mr. KLEIN. This was reported out unanimously by the Committee on Interstate and Foreign Commerce. It provides for research as to the causes of air pollution and how to correct it. It will be done by the Public Health Service, the Department of Agriculture, and the Department of the Interior.

Mr. MARTIN of Massachusetts. How much will it cost?

Mr. KLEIN. About $75,000 or $100,000 a year for 5 years. They expect to be all finished in 5 years.

Mr. MARTIN of Massachusetts. This is a unanimous report?

Mr. KLEIN. Yes.

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

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas certain industrial processes, the use of certain fuels, and other activities have caused serious air pollution in many areas of the United States; and

Whereas air pollution has caused many deaths and illnesses among the people of the United States and extensive damage to public, industrial, and residential structures, to clothing and personal property, agriculture, forests, livestock, and to other real property; and

Whereas the methods and equipment used in many of the processes that are contaminating the atmosphere are dissipating vast quantities of materials of strategic value that are in critically short supply, such as sulfur, fuels, and various chemical and mineral products; and

Whereas existing knowledge of the causes and effects of air pollution and the methods of its prevention or control is insufficient and intensification of present programs of research and investigation is needed to determine and evaluate the effects of air pollution, to develop methods for eliminating its dangers, and to conserve or recover strategic fuels and mineral products which are wasted by dissemination into the atmosphere; and

Whereas local communities are seeking technical guidance and information to aid them in meeting their responsibilities in combating air pollution; and

Whereas the problem is so widespread and is costing business and industry many millions of dollars annually, its solution is so pressing as to be a matter of national concern: Therefore be it

Resolved, etc., (a) That for the purpose of protecting public health, property, and the recovery of fuels and minerals vital to the national defense efforts, the Surgeon General of the Public Health Service, and the Secretary of the Interior, are authorized and directed to intensify their respective activities within the scope of their existing statutory authority with respect to the conduct of research, investigations, experiments, demonstrations, and the publication and dissemination of information through appropriate media, relating to the causes and effects and means of prevention and control of air pollution. There are hereby authorized to be appropriated to the Public Health Service, and to the Department of the Interior, such sums for each fiscal year for the next 5 years, following enactment of this resolution, as may be necessary to intensify such activities.

(b) The Secretary of the Interior, and the Surgeon General, shall coordinate their activities under this act and cooperate with other Federal agencies and with State and local agencies and other public and private bodies concerned with problems of air pollution, rendering every effort insofar as practicable to aid such State and local agencies in discharging their responsibilities in combating air pollution.

(c) Not later than January 1 of each calendar year after funds are made available pursuant to the authority conferred by subsection (a), the Surgeon General of the Public Health Service, reporting through the Federal Security Administrator, and the Secretary of the Interior, respectively, shall make to the Congress a report of their activities, including recommendations as to steps which should be taken by Federal, State, and local agencies, private industries, and the general public, to assure safety from air pollution and the most effective utilization of strategic resources.

(d) The Secretary of the Interior, and the Surgeon General of the Public Health Service, are hereby authorized to enter into such contracts for the performance of research and services as they shall deem necessary to the efficient discharge of their responsibilities under this joint resolution.

With the following committee amendments:

Page 2, line 6, strike out "and" and insert after the word "Interior" ", and the Secretary of Agriculture."

Page 3, line 4, strike out "and to", insert a comma after the word "Service", and on line 5 after the word "Interior" insert "and to the Department of Agriculture."

Page 3, line 8, strike out the words "and the", insert a comma after the word "Interior", and on line 9 after the word "General" insert "and the Secretary of Agriculture."

Page 3, line 19, strike out the word "and", and after the word "Interior" add "and the Secretary of Agriculture."

Page 4, line 1, strike out the "and", insert a comma after the word "Interior", and on line 2 after the word "Service" add ", and the Secretary of Agriculture."

The committee amendments were agreed to.

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

WEATHER MODIFICATION

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2225) to create a committee to study and evaluate public and private experiments in weather modification.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the purpose of the bill?

Mr. WILLIAMS of Mississippi. This bill was sent to the House by a unanimous vote of the Senate. It has been reported unanimously by the Committee on Interstate and Foreign Commerce.

The bill provides for a temporary Advisory Committee on Weather Control comprised of nine members, including five to be appointed by the President by and with the advice and consent of the Senate. Other members would be the Secretaries of Defense, Interior, Agriculture, and Commerce, or their designees. The committee's duty would be to conduct a study into various rainmaking experiments that have been carried on recently throughout the country, to determine their effects, and to coordinate experimentation in this field.

Mr. MARTIN of Massachusetts. What change did the Senate make in the House bill?

Mr. WILLIAMS of Mississippi. This is a Senate bill we have before us. It has already been passed by that body.

Mr. MARTIN of Massachusetts. Did we not have a bill of similar character before the House?

Mr. WILLIAMS of Mississippi. There were several bills, I understand, before the House. However, as I said, this particular bill was reported unanimously by the Committee on Interstate and Foreign Commerce.

Mr. MARTIN of Massachusetts. Are we not overdoing this rain-making? As I understand it there are two of three departments considering the subject.

Mr. WILLIAMS of Mississippi. As I understand it, no one in the Government now has anything to do with rain-making experiments. The purpose of this billl is to provide for a study of the rain-making experiments conducted thus far and to attempt to coordinate and assimilate all available information on the subject, as well as to conduct experiments in this activity.

Mr. MARTIN of Massachusetts. What I am trying to get at is, why should more than one department be handling the subject?

Mr. SMITH of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. SMITH of Mississippi. The purpose of the bill is to attempt to provide some coordination of a study to see whether rain making has any practical effect upon the weather, to relieve the minds of a lot of people who are worrying about what effect it does have.

Mr. MARTIN of Massachusetts. How much are we going to put into the rain-making research this year?

Mr. SMITH of Mississippi. The Government is doing nothing so far as rain making is concerned. This is a study, not an effort to make rain. This is a study of what is being done in the field by both public and private agencies.

Mr. MARTIN of Massachusetts. This is an effort to coordinate the research?

Mr. SMITH of Mississippi. Yes; and to find out what is being done.

Mr. MARTIN of Massachusetts. When you find out, let me know.

Mr. Speaker, I withdraw my reservation of the right to object.

Mr. DONDERO. Reserving the right to object, Mr. Speaker, just what does this cost the Federal Government?

Mr. SMITH of Mississippi. It should not cost the Government any more than $100,000.

Mr. DONDERO. Mr. Speaker, I object.

Mr. HINSHAW. Mr. Speaker, will the gentleman withdraw his objection for the moment, and reserve the right to object?

Mr. DONDERO. Mr. Speaker, I reserve the right to object.

The SPEAKER. Does the gentleman from Michigan [Mr. DONDERO] intend to object?

Mr. DONDERO. Mr. Speaker, I do intend to object, and I do now object.

S. 1429

Mr. REDDEN. Mr. Speaker, with reference to S. 1429, the gentleman from Arkansas [Mr. HARRIS], of the Committee on Interstate and Foreign Commerce, has advised me that the committee will not insist upon the consideration of the bill at this time, until further hearings are held.

AIR TRANSPORTATION TICKET AGENTS

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2690) to amend the Civil Aeronautics Act of 1938, as amended, to make unlawful certain practices of ticket agents engaged in selling air transportation, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the Civil Aeronautics Act of 1938, as amended, is amended by renumbering paragraph (32) as paragraph (33) and by inserting therein a new paragraph (32) reading as follows:

"(32) 'Ticket agent' means any person, not an air carrier or a foreign air carrier and not a bona fide employee of an air carrier or foreign air carrier, who, as principal or agent, sells or offers for sale any air transportation, or negotiates for, or holds himself out by solicitation, advertisement, or otherwise as one who sells, provides, furnishes, contracts or arranges for, such transportation."

SEC. 2. Section 411 of the Civil Aeronautics Act of 1938, as amended, is amended to read as follows:

"METHODS OF COMPETITION

"SEC. 411. The Board may, upon its own initiative or upon complaint by any air carrier, foreign air carrier, or ticket agent, if it considers that such action by it would be in the interest of the public, investigate and determine whether any air carrier, foreign air carrier, or ticket agent has been or is engaged in unfair or deceptive practices or unfair methods of competition in air transportation or the sale thereof. If the Board shall find, after notice and hearing, that such air carrier, foreign air carrier, or ticket agent is engaged in such unfair or deceptive practices or unfair methods of competition, it shall order such air carrier, foreign air carrier, or ticket agent to cease and desist from such practices or methods of competition."

SEC. 3. Section 902 (d) of the Civil Aeronautics Act of 1938, as amended, is amended to read as follows:

"GRANTING REBATES

"(d) Any air carrier, foreign air carrier, or ticket agent, or any officer, agent, employee, or representative thereof, who shall, knowingly and willfully, offer, grant, or give, or cause to be offered, granted, or given, any rebate or other concession in violation of the provisions of this act, or who, by any device or means, shall, knowingly and willfully, assist, or shall willingly suffer or permit, any person to obtain transportation or services subject to this act at less than the rates, fares, or charges lawfully in effect, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject for each offense to a fine of not less than $100 and not more than $5,000."

SEC. 4. Nothing contained in this act shall be construed to enlarge or extend the jurisdiction of the Civil Aeronautics Board over transportation not subject to the Civil Aeronautics Act of 1938, as amended.

SEC. 5. This act shall be effective upon enactment.

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

FEDERAL COAL MINE SAFETY ACT

Mr. KELLEY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1310) amending the act of May 7, 1941 (55 Stat. 177; 30 U. S. C., 1946 edition, secs. 4f–4o), providing for the welfare of coal miners, and for other purposes, with an amendment, the amendment being the McConnell bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes", approved May 7, 1941, is amended by adding at the end thereof the following new title:

"TITLE II—PREVENTION OF MAJOR DISASTERS IN MINES

"DEFINITIONS AND EXEMPTION

"SEC. 201. (a) For the purposes of this title—

"(1) The term 'Board' means the Federal Coal Mine Safety Board of Review created by section 205.

"(2) The term 'Bureau' means the Bureau of Mines.

"(3) The term 'certified person', when used to designate the kind of person to whom the performance of a duty in connection with the operation of a mine shall be assigned, means a person who is qualified under the laws of the State in which such mine is located to perform such duty, except that in a State the laws of which do not provide for such qualification, the term means a person deemed by the operator of such mine to be qualified to perform such duty.

"(4) The term 'commerce' means trade, traffic, commerce, transportation, or communications between any State, Territory, possession, or the District of Columbia and any other State, Territory, or possession, of the United States, or between any State, Territory, possession, or the District of Columbia and any foreign country, or wholly within any Territory, possession, or through any other State or through any Territory, possession, or the District of Columbia or through any foreign country.

"(5) The term 'Director' means the Director of the Bureau of Mines.

"(6) The term 'duly authorized representative of the Bureau' means a person appointed under section 109 of title I or under section 212 of this title, and authorized in writing by the Director to perform the duties of a duly authorized representative of the Bureau as provided in section 202, 203, and 206 of this title.

"(7) The term 'mine' means an area of land including everything annexed to it by nature and all structures, machinery, tools, equipment and other property, real or personal, placed upon, under or above its surface by man, used in the work of extracting bituminous coal, lignite or anthracite, from its natural deposits in the earth in such area and in the work of processing the coal so extracted. The term 'mine' does not include any strip mine. The term 'work of processing the coal' as used in this paragraph means the sizing, cleaning, drying, mixing, and crushing of bituminous coal, lignite, or anthracite, and such other work of processing such coal as is usually done by the operator, and does not mean crushing, coking, or distillation of such coal or such other work of processing such coal as is usually done by a consumer or others in connection with the utilization of such coal.

"(8) The term 'operator' means the person, partnership, association, or corporation operating a mine and owning the right to do so.

"(9) The term 'permissible,' as applied to equipment used in the operation of a mine, means equipment to which an approval plate, label, or other device is attached as authorized by the Director under section 212 (a), and which meets specifications which (A) are prescribed by the Director for the construction and maintenance of such equipment, and (B) are designed to assure that such equipment will not cause a mine explosion or mine fire.

"(10) The term 'premises' when used in referring to the premises of a mine, means the land within the mine's area of land.

"(11) The term 'rock dust' means pulverized limestone, dolomite, gypsum, anhydrite, shale, talc, adobe, or other inert material,

preferably light colored, (A) 100 percent of which will pass through a sieve having 20 meshes per linear inch and 70 percent or more of which will pass through a sieve having 200 meshes per linear inch; (B) the particles of which when wetted and dried will not cohere to form a cake which will not be dispersed into separate particles by a light blast of air; and (C) which does not contain more than 5 percent of combustible matter, nor more than a total of 5 percent of free and combined silica (SiO).

"(b) This title shall not apply to any mine in which no more than 14 individuals are regeularly employed underground.

"INSPECTIONS

"SEC. 202. (a) For the purpose of determining whether a danger described in section 203 (a) exists in any mine the products of which regularly enter commerce or the operations of which substantially affect commerce, or whether any provision of section 209 is being violated in any such mine, or whether any such mine is a gassy mine as prescribed in section 203 (d), the Director shall cause an inspection of each such mine to be made by a duly authorized representative of the Bureau at least annually. The Director shall also make, or cause duly authorized representatives of the Bureau to make, such special inspections of such mines as may be required by section 203 (c) and section 206, and such other inspections of such mines as he deems necessary for the proper administration of this title.

"(b) (1) In order to promote sound and effective coordination in Federal and State activities within the field covered by this title, the Director shall cooperate with the official mine inspection or safety agencies of the several States.

"(2) Any State desiring to cooperate in making the inspections required under this title may submit, through its official mine inspection or safety agency, a State plan for carrying out the purposes of this subsection. Such State plan shall—

"(A) designate such State mine inspection or safety agency as the sole agency responsible for administering the plan throughout the State and contain satisfactory evidence that such agency will have the authority to carry out the plan,

"(B) give assurances that such agency has or will employ an adequate and competent staff of inspectors qualified under the laws of such State to make mine inspections within such State,

"(C) give assurances, that upon request of the Director or upon request of an operator under section 203 (e) (1), the agency will assign inspectors employed by it to participate in inspections to be made in such State under this title, and

"(D) provide that the agency will make such reports to the Director, in such form and containing such information, as the Director may from time to time require.

"(3) The Director shall approve any State plan or any modification thereof which complies with the provisions of paragraph (2) of this subsection. He shall not finally disapprove any State plan or modification thereof without first affording the State agency reasonable notice and opportunity for hearing.

"(4) Whenever the Director, after reasonable notice and opportunity for hearing to the State agency, finds that in the administration of the State plan there is—

"(A) a failure to comply substantially with any provision of the State plan; or

"(B) a failure to afford reasonable cooperation in administering the provisions of this title,

the Director shall notify such State agency of his withdrawal of approval of such plan and upon receipt of such notice such plan shall cease to be in effect.

"(5) No inspection of a mine shall be made by a representative of the Bureau under this title in any State in which a State plan is in effect unless a State inspector participates in such inspection in accordance with such plan, except where, in the Director's judgment, an inspection is urgently needed to determine whether a danger described in section 203 (a) exists in such mine, and participation by a State inspector would unreasonably delay such inspection.

"(c) The Director, any duly authorized representative of the Bureau, any State inspector assigned in accordance with a State plan, and any independent inspector appointed under section 203 (c) (3) shall be entitled to admission to any mine the products of which regularly enter commerce or the operations of which substantially affect commerce, for the purpose of making any inspection authorized under this title.

"FINDINGS AND ORDERS

"SEC. 203. (a) (1) If a duly authorized representative of the Bureau, upon making an inspection of a mine as authorized in section 202, finds danger that a mine explosion, mine fire, mine inundation, or man-trip or manhoist accident will occur in such mine immediately or before the imminence of such danger can be eliminated, he shall also find the extent of the area of such mine throughout which such danger exists. Thereupon he shall immediately make an order requiring the operator of such mine to cause all persons, excepting persons referred to in paragraph (2) of this subsection, to be withdrawn from, and to be debarred from entering, such area. Such findings and order shall contain a detailed description of the conditions which such representative finds cause and constitute such danger, and a description of the area of such mine throughout which persons must be withdrawn and debarred.

"(2) No order issued under paragraph (1) of this subsection shall require any of the following persons to be withdrawn from, or to be debarred from entering, the area described in the order: (A) Any person whose presence in such area is necessary, in the judgment of the operator of the mine, to eliminate the danger described in the order; (B) any public official whose official duties require him to enter such area; or (C) any legal technical consultant, or any representative of the employees of the mine, who is a certified person qualified to make mine examinations, or is accompanied by such a person, and whose presence in such area is necessary, in the judgment of the operator of the mine, for the proper investigation of the conditions described in the order.

"(b) If such representative of the Bureau finds that any provision of section 209 is being violated and that the conditions created by such violation do not cause danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur in such mine immediately or before the imminence of such danger can be eliminated, he shall find what would be a reasonable period of time within which such violation should be totally abated. Such findings shall contain the provisions of section 209 which he finds are being violated and a detailed description of the conditions which cause and constitute such violation.

"(c) (1) The period of time so found by such representative to be a reasonable period of time may be extended by a duly authorized representative of the Bureau from time to time upon the making of a special inspection to ascertain whether or not such violation has been totally abated. The Director shall promptly cause a special inspection to be made: (A) Upon the expiration of such a period of time as originally fixed; (B) upon the expiration of such a period of time as extended; and (C) whenever an operator of a mine, prior to the expiration of any such period of time, requests him to cause such a special inspection to be made at such mine. Upon making such a special inspection, such representative of the Bureau shall find whether or not such violation has been totally abated. If he finds that such violation has not been totally abated, he shall find whether or not such period of time as originally fixed, or as so fixed and extended, should be extended. If he finds that such period of time should be extended, he shall find what a reasonable extension would be. If he finds that such violation has not been totally abated, and if such period of time as originally fixed, or as so fixed and extended, has then expired, and if he also finds that such period of time should not be further extended, he shall also find the extent of the area of such mine which is affected by such violation. Thereupon he shall promptly make an order requiring the operator of such mine to cause all persons in such area, excepting persons referred to in paragraph (2) of this subsection, to be withdrawn from, and to be debarred from entering, such area. Such finding and order shall contain the provisions of section 209 which are being violated and a detailed description of the conditions which such representative finds cause and constitute such violation, and a description of the area of such mine throughout which persons must be withdrawn and debarred.

"(2) No order issued under paragraph (1) of this subsection shall require any of the following persons to be withdrawn from, or to be debarred from entering, the area described in the order: (A) Any person whose presence in such area is necessary, in the judgment of the operator of the mine, to abate the violation described in the order; (B) any public official whose official duties require him to enter such area; or (C) any legal or technical consultant or any representative of the employees of the mine, who is a certified person qualified to make mine examinations, or is accompanied by such a person, and whose presence in such area is necessary, in the judgment of the operator of the mine, for the proper investigation of the conditions described in the order.

"(d) If a duly authorized representative of the Bureau, upon making an inspection of a mine, as authorized in section 202, finds that methane has been ignited in such mine or finds methane by use of a permissible flame safety lamp or by air analysis in an amount of 0.25 per centum or more in any open workings of such mine when tested at a point not less than 12 inches from the roof, face, or rib, he shall make an order requiring the operator of such mine to comply with the provisions of section 209 of this title which pertain to gassy mines, in the operation of such mine.

"(e) (1) If an order is made pursuant to subsection (a) of this section with respect to a mine in a State in which a State plan approved under section 202 (b) is in effect, and a State inspector did not participate in the inspection on which such order is based, the operator of the mine may request the agency designated in the State plan to assign a State inspector to inspect the mine. The State inspector assigned in accordance with such request shall inspect such mine promptly after the request is made.

"(2) No order shall be made pursuant to subsection (c) of this section with respect to a mine in a State in which a State plan approved under section 202 (b) is in effect unless a State inspector participated in the inspection on which such order is based and concurs in such order, or an independent inspector appointed under paragraph (3) concurs in such order. If the State inspector does not concur in such order, the operator of the mine, the duly authorized representative of the Bureau who proposes to make such order, or the State inspector may apply, within 24 hours after the completion of the inspection involved, for the appointment of an independent inspector under paragraph (3). Within 5 days after

the date of his appointment, the independent inspector shall inspect the mine. The representative of the Bureau and the State inspector shall be given the opportunity to accompany the independent inspector during such inspection. If, after such inspection is completed, either the independent inspector or the State inspector concurs in the order, it shall be issued.

"(3) Within 5 days after the date of receipt of an application under paragraph (2) of this subsection, the chief judge of the United States District Court for the district in which the mine involved is located (or in his absence, the clerk of such court) shall appoint a graduate engineer with experience in the coal-mining industry to serve as an independent inspector under this subsection. Each independent inspector so appointed shall be compensated at the rate of $50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and related expenses.

"(4) An order made pursuant to subsection (a) or (c) of this section with respect to a mine in a State in which a State plan approved under section 202 (b) is in effect shall not be subject to review under section 206, but shall be subject to review under section 207.

"(f) Notice of each finding and order made under this section shall promptly be given to the operator of the mine to which it pertains, by the person making such finding or order.

"NOTICES

"SEC. 204. (a) All findings and orders made pursuant to section 203 or section 206, and all notices required to be given of the making of such findings and orders, shall be in writing. All such findings and orders shall be signed by the person making them, and all such notices shall be signed by the person charged with the duty of giving the notice. All such notices shall contain a copy of the findings and orders referred to therein.

"(b) Each operator of a mine shall maintain an office on or near the premises of such mine and shall maintain thereon a conspicuous sign designating it as the office of such mine. Each operator of a mine shall maintain a bulletin board at such office or at some conspicuous place near an entrance of such mine, in such manner that notices required by law to be posted on the mine bulletin board may be posted thereon, be easily visible to all persons desiring to read them, and be protected against damage by weather and against unauthorized removal. The operator shall maintain on such bulletin board a conspicuous sign designating it as the bulletin board of such mine. Notice of any finding or order required by section 203 or section 206 to be given to an operator shall be given by causing such notice, addressed to the operator of the mine to which it pertains, to be delivered to the office of such mine provided for in the first sentence of this subsection, and by causing a copy of such notice to be posted on the bulletin board of such mine provided for in the second sentence of this subsection. The requirement of the preceding sentence that a notice shall be 'addressed to the operator of the mine to which it pertains,' shall not require that the name of the operator for whom it is intended shall be specifically set out in such address. Addressing such notice to 'Operator of ——— Mine,' specifiying the mine sufficiently to identify it, shall satisfy such requirement.

"(c) The Director shall cause a copy of each such notice to be mailed immediately to a duly designated representative of the employees of the mine to which it pertains, and to the public official or agency of the State or Territory charged with administering State or Territorial laws, if any, relating to mine safety in such mine.

"CREATION OF REVIEW BOARD

"SEC. 205. (a) An agency is hereby created to be known as the Federal Coal Mine Safety Board of Review, which shall be composed of 3 members who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) The terms of office of members of the Board shall be 3 years, except that the terms of office of the members first appointed shall commence on the effective date of this section and shall expire one at the end of 1 year, one at the end of 2 years, and one at the end of 3 years, as designated by the President at the time of appointment. A member appointed to fill a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term for which he was appointed, shall be appointed only for the remainder of such unexpired term. The members of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

"(c) Each member of the Board shall be compensated at the rate of $50 for each day of actual service (including each day he is traveling on official business) and shall, notwithstanding the Travel Expense Act of 1949, be fully reimbursed for traveling, subsistence, and other related expenses. The Board, at all times, shall consist of one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal-mine operators, one person who by reason of previous training and experience may reasonably be said to represent the viewpoint of coal-mine workers, and one person, who shall be chairman of the Board, who shall be a graduate engineer with experience in the coal-mining industry or shall have had at least 5 years' experience as a practical mining engineer in the coal-mining industry, and who shall not, within 1 year of his appointment as a member of the Board, have had a pecuniary interest in, or have been regularly employed or engaged in, the mining of coal, or have regularly represented either coal-mine operators or coal-mine workers, or have been an officer or employee of the Department of the Interior assigned to duty in the Bureau.

"(d) The principal office of the Board shall be in the District of Columbia. Whenever the Board deems that the convenience of the public or of the parties may be promoted, or delay or expense may be minimized, it may hold hearings or conduct other proceedings at any other place. The Board shall have an official seal which shall be judicially noticed and which shall be preserved in the custody of the secretary of the Board.

"(e) The Board shall, without regard to the civil-service laws, appoint and prescribe the duties of a secretary of the Board and such legal counsel as it deems necessary. Subject to the civil-service laws, the Board shall appoint such other employees as it deems necessary in exercising its powers and duties. The compensation of all employees appointed by the Board shall be fixed in accordance with the Classification Act of 1949, as amended.

"(f) Two members of the Board shall constitute a quorum, and official actions of the Board can be taken only on the affirmative vote of at least two members; but any one member, or any two members, upon order of the Board, shall conduct any hearing provided for in section 207 and submit the transcript of such hearing to the entire Board for its action thereon. Every official act of the Board shall be entered of record, and its hearings and records thereof shall be open to the public.

"(g) The Board shall hear and determine applications filed pursuant to section 207 for annulment or revision of orders made pursuant to section 203 or section 206. The Board shall not make or cause to be made any inspection of a mine for the purpose of determining any pending application.

"(h) The Board is authorized to make such rules as are necessary for the orderly transaction of its proceedings, which shall include requirement for adequate notice of hearings to all parties.

"(i) Any member of the Board may sign and issue subpenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths. Witnesses summoned before the Board shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

"(j) The Board may order testimony to be taken by deposition in any proceeding pending before it, at any stage of such proceeding. Reasonable notice must first be given in writing by the party or his attorney proposing to take such deposition to the opposite party or his attorney of record, which notice shall state the name of the witness and the time and place of the taking of his deposition. Any person may be compelled to appear and depose, and to produce books, papers, or documents, in the same manner as witnesses may be compelled to appear and testify and produce like documentary evidence before the Board, as provided in subsection (i). Witnesses whose depositions are taken under this subsection, and the persons taking such depositions shall be entitled to the same fees as are paid for like services in the courts of the United States.

"(k) In case of contumacy by, or refusal to obey a subpena served upon, any person under this section, the Federal district court for any district in which such person is found or resides or transacts business, upon application by the United States, and after notice to such person and hearing, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Board or to appear and produce documents before the Board, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"REVIEW BY DIRECTOR

"SEC. 206. (a) Except as provided in section 203 (e) (4), an operator notified of an order made pursuant to section 203 (a) may apply to the Director for annulment or revision of such order. Upon receipt of such application the Director shall make a special inspection of the mine affected by such order, or cause three duly authorized representatives of the Bureau, other than the representative who made such order, to make such inspection of such mine and to report thereon to him. Upon making such special inspection himself, or upon receiving the report of such inspection made by such representatives, the Director shall find whether or not danger throughout the area of such mine as set out in such order existed at the time of making such special inspection. If he finds that such danger did not then exist throughout such area of such mine, he shall make an order, consistent with his findings, revising or annulling the order under review. If he finds that such danger did then exist throughout such area of such mine, he shall make an order denying such application.

"(b) Except as provided in section 203 (e) (4), an operator notified of an order made pursuant to section 203 (c) may apply to the Director for annulment or revision of such order. Upon receipt of such application the Director shall make a special inspection of the mine affected by such order, or cause three duly authorized representatives of the Bureau, other than the representative who made such order, to make such inspection of such mine and report thereon to him. Upon making such special inspection himself, or upon receiving the report of such inspection made by such representatives, the Director shall find whether or not there was a violation of section 209 as described in such order, at the time of the making of such

order. If he finds there was no such violation he shall make an order annulling the order under review. If he finds there was such a violation he shall also find whether or not such violation was totally abated at the time of the making of such special inspection. If he finds that such violation was totally abated at such time, he shall make an order annulling the order under review. If he finds that such violation was not totally abated at such time, he shall find whether or not the period of time within which such violation should be totally abated, fixed under section 203, should be extended. If he finds that such period of time should be extended, he shall find what a reasonable extension of such period of time would be. Thereupon he shall find the extent of the area of such mine which was affected by such violation at the time such special inspection was made, and then he shall make an order, consistent with his findings, revising the order under review. If he finds that such violation was not totally abated at the time of such special inspection, and that such period of time should not be extended, he shall find the extent of the area of such mine which was affected by such violation at the time such special inspection was made, and he shall then make an order, consistent with his findings, affirming or revising the order under review.

"(c) An operator notified of an order made pursuant to section 203 (d) may apply, not later than 20 days after the receipt of notice of such order, to the Director for annulment of such order. Upon receipt of such application the Director shall make or cause to be made such investigation as he deems necessary. Upon concluding his investigation or upon receiving the report of such investigation made at his direction, the Director shall find whether or not methane has been ignited in such mine, or whether or not methane was found in such mine in an amount of 0.25 percent or more in any open workings of such mine, when tested at a point not less than 12 inches from the roof, face, or rib, at the time of the making of such order. If he finds that methane has not been ignited in such mine and was not found in such mine as set out in such order, he shall make an order annulling the order under review. If he finds that methane has been ignited in such mine or was found in such mine as set out in the order under review, he shall make an order denying such application.

"(d) The Director shall cause notice of each finding and order made under this section to be given promptly to the operator of the mine to which it pertains.

"(e) Except as provided in section 202 (e) (4), at any time while an order made pursuant to section 203 or this section is in effect, or at any time during the pendency of a proceeding under section 207 or section 208 seeking annulment or revision of such order, the operator of the mine affected by such order may apply to the Director for annulment or revision of such order. The Director shall thereupon proceed to act upon such application in the manner provided in subsections (a), (b), or (c) of this section.

"(f) In view of the urgent need for prompt decision of matters submitted to the Director under this section, all actions which the Director or his representatives are required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved.

"REVIEW BY BOARD

"SEC. 207. (a) An operator notified of an order made pursuant to subsection (a), (c), or (d) of section 203 may apply to the Federal Coal Mine Safety Board of Review for annulment or revision of such order without seeking its annulment or revision under section 206. An operator notified of an order made pursuant to section 206 may apply to the Board for annulment or revision of such order: *Provided, however,* That an operator applying to the Board for annulment of an order made pursuant to subsection (d) of section 203 or pursuant to subsection (c) of section 206 shall file such application with the Board not later than 20 days after the receipt of notice of such order.

"(b) The operator shall be designated as the applicant in such proceeding and the application filed by him shall recite the order complained of and other facts sufficient to advise the Board of the nature of the proceeding. He may allege in such application: That danger as set out in such order does not exist at the time of the filing of such application; that violation of section 209, as set out in such order, has not occurred; that such violation has been totally or partially abated; that the period of time within which such violation should be totally abated, as fixed in the findings upon which such order was based, was not reasonable; that the area of the mine described in such order as the area affected by the violation referred to in such order is not so affected at the time of the filing of such application; or that the mine described in such order is not a gassy mine. The Director shall be the respondent in such proceeding, and the applicant shall send a copy of such application by registered mail to the Director at Washington, D. C.

"(c) Immediately upon the filing of such an application the Board shall fix the time for a prompt hearing thereof.

"(d) Pending such hearing the applicant may file with the Board a written request that the Board grant such temporary relief from such order as the Board may deem just and proper. Such temporary relief may be granted by the Board only after a hearing by the Board at which both the applicant and the respondent were afforded an opportunity to be heard, and only if respondent was given ample notice of the filing of applicant's request and of the time and place of the hearing thereon as fixed by the Board.

"(e) The Board shall not be bound by any previous findings of fact by the respondent or by any other representative of the Bureau. Evidence relating to the making of the order complained of and relating to the questions raised by the allegations of the pleadings or other questions pertinent in the proceeding may be offered by both parties to the proceeding. If the respondent claims that danger or a violation of section 209, as set out in such order, existed at the time of the filing of the application, or that methane has been ignited or found in such mine as set out in the order under review, the burden of proving the then existence of such danger or violation, or that methane has been ignited or found in such mine as set out in the order under review, shall be upon the respondent, and the respondent shall present his evidence first to prove the then existence of such danger or violation. Following presentation of respondent's evidence the applicant may present his evidence, and thereupon respondent may present evidence to rebut the applicant's evidence.

"(f) If the proceeding is one in which an operator seeks annulment or revision of an order made pursuant to section 203 (a), the Board, upon conclusion of the hearing, shall find whether or not danger throughout the area of such mine as set out in such order existed at the time of the filing of the operator's application. If the Board finds that such danger did not then exist throughout such area of such mine, the Board shall make an order, consistent with its findings, revising or annulling the order under review. If the Board finds that such danger did then exist throughout such area of such mine, the Board shall make an order denying such application.

"(g) If the proceeding is one in which an operator seeks annulment or revision of an order made pursuant to section 203 (c), the Board, upon conclusion of the hearing, shall find whether or not there was a violation of section 209 as described in such order, at the time of the making of such order. If the Board finds there was no such violation, the Board shall make an order annulling the order under review. If the Board finds there was such a violation, the Board shall also find whether or not such violation was totally abated at the time of the filing of the operator's application. If the Board finds that such violation was totally abated at such time, the Board shall make an order annulling the order under review. If the Board finds that such violation was not totally abated at such time, the Board shall find whether or not the period of time within which such violation should be totally abated, fixed under section 203 or 206, should be extended. If the Board finds that such period of time should be extended, the Board shall also find what a reasonable extension of such period of time would be, and shall immediately also find the extent of the area of such mine which was affected by such violation at the time of the filing of such application and the Board shall then make an order, consistent with its findings, revising the order under review. If the Board finds that such violation was not totally abated at the time of the filing of the operator's application, and that such period of time should not be extended, the Board shall find the extent of the area of such mine which was affected by such violation at such time, and shall make an order, consistent with its findings, affirming or revising the order under review.

"(h) If the proceeding is one in which an operator seeks annulment of an order made pursuant to section 203 (d) or 206 (c), the Board, upon conclusion of the hearing, shall find whether or not methane has been ignited in such mine or was found in such mine in an amount of 0.25 percent or more in any open workings of such mine when tested at a point not less than 12 inches from the roof, face, or rib, as set out in such order. If the Board finds that methane has not been ignited in such mine and was not found in such mine as set out in such order, the Board shall make an order annulling the order under review. If the Board finds that methane has been ignited in such mine or was found in such mine as set out in the order under review, the Board shall make an order denying such application.

"(i) Each finding and order made by the Board shall be in writing. It shall show the date on which it is made, and shall bear the signatures of the members of the Board who concur therein. Upon making a finding and order the Board shall cause a true copy thereof to be sent by registered mail to all parties or their attorneys of record. The Board shall cause each such finding and order to be entered on its official record, together with any written opinion prepared by any member in support of, or dissenting from, any such finding or order.

"(j) In view of the urgent need for prompt decision of matters submitted to the Board under this section, all actions which the Board is required to take under this section shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved.

"JUDICIAL REVIEW

"SEC. 208. (a) Any final order issued by the Board under section 207 shall be subject to judicial review by the United States court of appeals for the circuit in which the mine affected is located, upon the filing in such court of a notice of appeal by the Director or the operator aggrieved by such final order within thirty days from the date of the making of such final order.

"(b) The party making such appeal shall forthwith send a copy of such notice of appeal, by registered mail, to the other party and to the Board. Upon receipt of such copy

of a notice of appeal the Board shall promptly certify and file in such court a complete transcript of the record upon which the order complained of was made. The costs of such transcript shall be paid by the party making the appeal.

"(c) The court shall hear such appeal on the record made before the Board, and shall permit argument, oral or written or both, by both parties. The court shall permit such pleadings, in addition to the pleadings before the Board, as it deems to be required or as provided for in the Rules of Civil Procedure governing appeals in such court.

"(d) Upon such conditions as may be required and to the extent necessary to prevent irreparable injury, the United States court of appeals may, after due notice to and hearing of the parties to the appeal, issue all necessary and appropriate process to postpone the effective date of the final order of the Board or to grant such other relief as may be appropriate pending final determination of the appeal.

"(e) The United States court of appeals may affirm, annul, or revise the final order of the Board, or it may remand the proceeding to the Board for such further action as it directs. The findings of the Board as to facts, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

"(f) The decision of a United States court of appeals on an appeal from the Board shall be final, subject only to review by the Supreme Court as provided in section 1254 of title 28 of the United States Code.

"MINE SAFETY PROVISIONS

"SEC. 209. (a) Duty to comply: Every operator of a mine, and every person who is on the premises of a mine for any reason whatsoever, shall comply with the provisions of this section, except those provisions which impose no duty, obligation or responsibility upon such operator or such person.

"(b) Every operator of a mine which, on or after the effective date of this title, is, or which, immediately prior to the effective date of this title, was, defined, classed, classified as, or determined, deemed, judged, held, or found to be, a gassy or gaseous mine pursuant to and in accordance with the laws of the State in which it is located, and every operator of a mine which, immediately prior to the effective date of this title, was operated as a gassy mine, shall comply with the provisions of this section which pertain to gassy mines.

"(c) Roof support: The roof and ribs of all active underground roadways and travelways in a mine shall be adequately supported to protect persons from falls of roof or ribs.

"(d) Ventilation: (1) All active underground working places in a mine shall be ventilated by a current of air containing not less than 19.5 percent of oxygen, not more than 0.5 percent of carbon dioxide, and no harmful quantities of other noxious or poisonous gases. The volume and velocity of the current of air shall be sufficient to dilute so as to render harmless, and to carry away, flammable or harmful gases. In bituminous coal and lignite mines the quantity of air reaching the last open crosscut in any pair or set of entries shall not be less than 6,000 cubic feet a minute, except that the quantity of air reaching the last open cross-cut in any pair or set or entries in pillar sections may be less than 6,000 cubic feet a minute if not less than 6,000 cubic feet of air a minute is being delivered to the intake end of the pillar line. In anthracite mines the quantity of air reaching the face of each working place shall be at least 200 cubic feet a minute for each man working in the place and as much more as may be required to dilute, render harmless, and sweep away noxious or dangerous gases, smoke, and fumes. In robbing areas where the air currents cannot be controlled and measurements of the air cannot be obtained, the air shall have perceptible movement.

"(2) If the air at an underground working face in a mine, when tested at a point not less than 12 inches from the roof, face, or rib, contains more than 1.0 percent of methane, as determined by a permissible methane detector, a permissible flame safety lamp, air analysis, or other recognized means of accurately detecting such gas, changes or adjustments shall be made at once in the ventilation in such mine so that such air shall not contain more than 1.0 percent of methane.

"(3) If a split of air returning from active underground working places in a mine contains more than 1.0 percent of methane, as determined by a permissible methane detector, a permissible flame safety lamp, air analysis, or other recognized means of accurately detecting such gas, changes or adjustments shall be made at once in the ventilation in such mine so that such returning air shall not contain more than 1.0 percent of methane.

"(4) If a split of air returning from active underground working places in a mine contains 1.5 percent of methane, as determined by a permissible methane detector, a permissible flame safety lamp, air analysis, or other recognized means of accurately detecting such gas, the employees shall be withdrawn from the portion of the mine endanagered thereby, and all power shall be cut off from such portion of the mine, until the quantity of methane in such spit shall be less than 1.5 percent. However, in virgin territory in mines ventilated by exhaust fans, where methane is liberated in large amounts, if the quantity of air in a split ventilating the workings in such territory equals or exceeds twice the minimum volume of air prescribed in paragraph (1) of this subsection and if only permissible electric equipment is used in such workings and the air in the split returning from such workings does not pass over trolley or other bare power wires, and if a certified person designated by the mine operator is continually testing the gas content of the air in such split during mining operations in such workings, it shall be necessary to withdraw the employees and cut off all power from the portion of the mine endangered by such methane only when the quantity thereof in the air returning from such workings exceeds 2 percent, as determined by a permissible methane detector, a permissible flame safety lamp, air analysis, or other recognized means of accurately detecting such gas.

"(5) In a gassy mine, air which has passed by an opening of any unsealed, abandoned area shall not be used to ventilate any active face area in such mine if such air contains 0.25 percent or more of methane; but if this sentence cannot be complied with in such mine on the effective date of this section, such mine may continue to be operated after such date as it was operated immediately prior to such date, for a reasonable time until future mine development and ventilation of such mine can be changed to comply with this sentence. In no event shall such air be used to ventilate any area in such mine in which men work or travel if such air contains more than 1 percent of methane. For the purposes of this paragraph, an area within a panel shall not be deemed to be abandoned until such panel is abandoned.

"(6) In a gassy mine, air that has passed through an abandoned panel which is inaccessible for inspection, or air that has passed through a similar abandoned area which is inaccessible for inspection, or air which has been used to ventilate a pillar line, or air which has been used to ventilate an area from which the pillars have been removed, shall not be used to ventilate any active face area in such mine; but if this sentence cannot be complied with in such mine on the effective date of this section, such mine may continue to be operated after such date as it was operated immediately prior to such date, for a reasonable time until future mine development and ventilation of such mine can be changed to comply with this sentence. In no event shall such air be used to ventilate any area in such mine in which men work or travel if such air contains more than 1 percent of methane.

"(7) In a gassy mine, within 4 hours immediatelly preceding the beginning of a coal-producing shift, and before any workmen in such shift other than those who may be designated to make the examinations prescribed in this paragraph enter the underground areas of such mine, certified persons designated by the operator of such mine to do so shall make an examination, as prescribed in this paragraph, of such areas. Each person designated to act as such a mine examiner shall be directed to examine a definite underground area of such mine, and, in making his examination, such examiner shall inspect every active working place in such area and make tests therein with a permissible flame safety lamp for accumulations of methane and oxygen deficiency in the air therein; examine seals and doors to determine whether they are functioning properly; inspect and test the roof, face, and rib conditions in the working places and on active roadways and travel ways; inspect active roadways, travel ways, approaches to abandoned workings and accessible falls in active sections for explosive gas and other hazards; and inspect to determine whether the air in each split is traveling in its proper course and in normal volume. Such mine examiner shall place his initials and the date at or near the face of each place he examines. If such mine examiner, in making his examination, finds a condition which he considers to be dangerous to persons who may enter or be in such area, he shall indicate such dangerous place by posting a 'Danger' sign conspicuously at a point which persons entering such dangerous place would be required to pass. No person, other than Federal or State mine inspectors or persons authodized by the mine operator to enter such place for the purpose of eliminating the dangerous condition therein, shall enter such place while such sign is so posted. Upon completing his examination such mine examiner shall report the result of his examinations to a person designated by the mine operator to receive such reports, at a designated station on the surface of the premises of the mine or undergdound, before other persons enter the underground areas of such mine to work in such coal-producing shift. Each such mine examiner shall also record the result of his examination with ink or indelible pencil in a book kept for such purpose at a place on the surface of the mine designated by the mine operator. No person (other than a certified person designated under this paragraph) shall enter any underground area in a gassy mine, except during a coal-producing shift, unless an examination of such area as prescribed in this paragraph has been made within 12 hours immediately preceding his entrance into such area.

"(8) In nongassy mines, an examination as prescribed in paragraph (7) shall be made at least once in each calendar day during which coal is produced. Such exmination shall be made within 4 hours immediately preceding the beginning of the first coal-producing shift on such day.

"(9) The underground working places in all mines shall be examined for hazards by certified persons designated by the mine

operator to do so, at least once during each coal-producing shift, or oftener if necessary for safety. In a gassy mine, such examinations shall include tests with a permissible flame safety lamp for methane, and oxygen deficiency. In all underground face workings in a gassy mine where electrically driven equipment is operated, examinations for methane shall be made with a permissible flame safety lamp by a person trained in the use of such lamp before such equipment is taken into or operated in face regions, and frequent examinations for methane shall be made during such operations.

"(10) In a gassy mine, immediately before a roof fall is made in pillar workings, such workings shall be examined to ascertain whether methane is present. If in such examination methane is found in amounts that can be detected with a permissible flame safety lamp, a roof fall shall not be made until such gas is removed.

"(11) In a gassy mine, all workings which are abandoned after the effective date of this section or the date such mine became a gassy mine, whichever is later, shall be sealed or ventilated. If such workings are sealed, the sealing shall be done in a substantial manner with incombustible material. One or more of the seals of every sealed area shall be fitted with a pipe and cap or valve to permit the sampling of gases and the measuring of hydrostatic pressure behind such seals. For the purposes of this paragraph, workings within a panel shall not be deemed to be abandoned until such panel is abandoned.

"(e) Coal dust and rock dust: (1) Coal dust, loose coal, and other combustible materials shall not be permitted to accumulate in dangerous quantities in active underground workings of a mine.

"(2) Where underground mining operations raise an excessive amount of dust into the air, water, or water with a wetting agent added to it, or other effective method shall be used to allay such dust at its source.

"(3) All underground mines, except those mines or areas of mines in which the dust is too wet or too high in incombustible content to propagate an explosion, shall be rock-dusted to within 40 feet of all faces, and, if open crosscuts near such faces are less than 40 feet therefrom, such crosscuts shall be rock-dusted.

"(4) In mines partially rock-dusted or in mines that are required to start rock-dusting, haulage ways and parallel entries connected thereto by open crosscuts shall be rock-dusted. Back entries shall be rock-dusted for at least 1,000 feet outby the junction with the first active entry. Inby this junction, the rooms, entries, and crosscuts shall be rock-dusted.

"(5) Where rock dust is applied, it shall be distributed upon the top, floor, and sides of all open places and maintained in such quantity that the incombustible content of the combined coal dust, rock dust, and other dust will not be less than 65 percent. Where methane is present in any ventilating current, the 65 percent of incombustible content of such combined dust shall be increased 1 percent for each 0.1 percent of methane.

"(6) Paragraphs (2), (3), (4), and (5) of this subsection shall not apply to anthracite mines.

"(f) Electrical equipment: (1) All electric face equipment used in a gassy mine shall be permissible, except that electric face equipment may be used in a gassy mine even though such equipment is not permissible if, before the effective date of this section or the date such mine became a gassy mine, whichever is later, the operator of such mine owned such equipment, or owned the right to use such equipment, or had ordered such equipment. Permissible electric face equipment in use in a gassy mine shall not be replaced by electric face equipment which is not permissible except that (A) permissible and nonpermissible electric face equipment in use in a mine may be interchanged within such mine, and (B) explosion-tested cable-reel locomotives and shuttle cars purchased before permissible cable-reel locomotives and shuttle cars became available, may be used to replace permissible cable-reel locomotives and shuttle cars.

"(2) In a gassy mine, permissible junction or distribution boxes shall be used for making multiple-power connections in working places or other places where dangerous quantities of methane may be present or may enter the air current, except that where nonpermissible junction or distribution boxes are in use, or on order, on the effective date of this section or the date such mine became a gassy mine, whichever is later, their use may be continued until such time as replacements are made.

"(3) In a gassy mine, explosion-tested cable-reel locomotives shall be equipped with two-conductor trailing cables.

"(4) In a gassy mine, trolley and feeder wires shall not extend beyond the last open crosscut and shall be kept at least 150 feet from pillar workings.

"(g) Fire protection: (1) Each mine shall be provided with suitable fire-fighting equipment, adequate for the size of the mine.

"(2) After every blasting operation performed on shift, an examination shall be made to determine whether fires have been started.

"(3) Underground storage places for lubricating oil and grease in excess of 2 days' supply shall be of fireproof construction.

"(4) Lubricating oil and grease kept in face regions or other underground working places in a mine shall be in portable, closed, metal containers.

"(5) Underground structures (transformer stations, battery-charging stations, substations, permanent pump rooms, etc.) installed in a mine after the effective date of this section shall be of fireproof construction.

"(6) Welding, cutting, or soldering with arc or flame in underground face regions in other than a fireproof enclosure shall be done under the direct supervision of a certified person who shall test for methane before and during such operations in gassy mines and shall make a diligent search for fire after such operations in all mines. Rock dust or suitable fire extinguishers shall be immediately available during such welding, cutting, or soldering.

"(h) Miscellaneous: (1) The drilling and sealing of oil and gas wells penetrating coal beds or underground workings of mines shall be done in compliance with State statutes.

"(2) Whenever any working place in an underground mine approaches within 50 feet of abandoned workings in such mine as shown by surveys made and certified by a competent engineer or surveyor, or within 200 feet of any other abandoned workings of such mine, which cannot be inspected and which may contain dangerous accumulations of water or gas, or within 200 feet of any workings of an adjacent mine, a borehole or boreholes shall be drilled to a distance of at least 20 feet in advance of the face of such working place. Such boreholes shall be drilled sufficiently close to each other to insure that the advancing face will not accidentally hole through into such workings. Boreholes shall also be drilled not more than 8 feet apart in the rib of such working place to a distance of at least 20 feet and at an angle of 45 degrees. Such rib holes shall be drilled in one or both ribs of such working place as may be necessary for adequate protection of persons working in such place.

"(3) In a gassy mine, smoking shall not be permitted underground, nor shall any person be permitted to carry smoking materials, matches, or lighters underground.

"(4) In a gassy mine, persons underground shall use only permissible electric lamps for portable illumination.

"(5) Black blasting powder shall not be stored, handled, or used underground in a mine; but for a period of 6 months after the effective date of this section, this paragraph shall not apply to any mine in which the storage, handling, or use of such powder is expressly permitted by a statute of the State in which such mine is located.

"(6) Mudcaps (adobes) or other unconfined shots shall not be fired underground in a mine. However, in anthracite mines mudcaps or other open, unconfined shots may be fired, if restricted to battery starting when no gas or fire hazard is present, and if it is otherwise impracticable to start the battery; likewise, in anthracite mines open, unconfined 'shake' shots in working places and other places in pitching veins may be fired, when no gas or fire hazard is present, if the taking down of loose, hanging coal by other means is too hazardous for men working in such places. Only permissible explosives shall be used for such open, unconfined shots in anthracite mines.

"(7) Every hoist used to transport persons at a mine, other than hoists used in excavating shafts or slopes, shall be equipped with overspeed, overwind, and automatic stop controls unless a second engineer is on duty. Every hoist used to transport such persons shall be equipped with brakes capable of stopping the platform, cage, or other device for transporting persons when fully loaded; and with hoisting cable adequately strong to sustain the fully loaded platform, cage, or other device for transporting persons, and have a proper margin of safety. Cages or platforms which are used to transport persons in vertical shafts, except cages or platforms which are also used to transport coal, shall be equipped with safety catches that act quickly and effectively in an emergency, and the safety catches shall be tested at least once every 2 months. Every hoist that is used to transport persons at a mine shall be inspected daily. No engineer shall be required for automatically operated cages or platforms.

"PENALTIES

"SEC. 210. (a) Any operator of a mine notified of an order made pursuant to section 203 or section 206, requiring him to cause persons to be withdrawn from, and to be debarred from entering, any area of such mine, who willfully fails to comply with such order shall be fined not more than $2,000.

"(b) Any agent of an operator of a mine, knowing of the making of an order requiring such operator to cause persons to be withdrawn from, and to be debarred from entering, any area of such mine, who willfully directs, authorizes or causes any person, other than one who is lawfully authorized to enter or be in such area, to enter or be in such area while such order is in effect, shall be fined not more than $2,000.

"(c) Any person, knowing of the making of an order requiring an operator of a mine to cause persons to be withdrawn from, and to be debarred from entering, any area of such mine, who enters such area or remains therein while such order is in effect, shall, unless he is a person who is lawfully authorized to enter or be in such area, be fined not more than $2,000.

"(d) Any owner, lessee, agent, manager, superintendent, or other person having control or supervision of any coal mine subject to section 202 who refuses to admit the Director, any duly authorized representative of the Bureau, any State inspector assigned in accordance with a State plan, or any independent inspector appointed under section 203 (e) (3) to such mine, pursuant to section 202 (c), shall be fined not more than $500.

"EFFECT ON STATE LAWS

"SEC. 211. (a) No State or Territorial law in effect upon the effective date of this title or which may become effective thereafter, shall be superseded by any provision of this title, except insofar as such State or Territorial law is in conflict with this title, or with orders issued pursuant to this title.

"(b) Provisions in any State or Territorial law in effect upon the effective date of this title, or which may become effective thereafter, which provide for greater safety of persons on coal-mine premises, in connection with a particular phase of coal-mining operations, than do provisions of this title, which relate to the same phase of such operations, shall not be construed or held to be in conflict with this title. Provisions in any State or Territorial law in effect upon the effective date of this title, or which may become effective thereafter, which provide for the safety of persons on coal-mine premises in connection with phases of coal-mining operations concerning which no provision is contained in this title, shall not be construed or held to be superseded by this title.

"(c) Nothing in this title shall be construed or held to supersede or in any manner affect the workmen's compensation laws of any State or Territory, or to enlarge or diminish or affect in any other manner the common law or statutory rights, duties, or liabilities of employers and employees under State or Territorial laws in respect of injuries, occupational or other diseases or death of employees arising out of or in the course of employment.

"ADMINISTRATIVE PROVISIONS

"SEC. 212. (a) Whenever the Director determines that the construction of any equipment conforms to specifications prescribed by the Director which are designed to assure that such equipment will not cause a mine explosion or mine fire, he shall issue a certificate to the manufacturer of such equipment (1) stating that such equipment has met such specifications, (2) authorizing such manufacturer to attach an approval plate, label, or other device approved by the Director which indicates that such equipment conforms to such specifications, and (3) authorizing such manufacturer to attach an identical approval plate, label, or other device to all identical equipment.

"(b) The Secretary of the Interior shall have authority to appoint, subject to the civil-service laws, such officers and employees as he may deem requisite for the administration of this title; and to fix, subject to the Classification Act of 1949, as amended, the compensation of officers and employees so appointed. No person shall be assigned or appointed to perform the duties of a duly authorized representative of the Bureau unless he has the basic qualifications of at least 5 years' practical experience in the mining of coal and is recognized by the Bureau as having the training or experience of a practical mining engineer in those essentials necessary for competent coal-mine inspection.

"(c) The Director shall submit annually to the Congress, as soon as practicable after the beginning of each regular session, a full report of the administration of his functions under this title during the preceding calendar year. Such report shall include, either in summary or detailed form, the information obtained by him under this title, together with such findings and comments thereon and such recommendations for legislative action as he may deem proper.

"EXCLUSION FROM ADMINISTRATIVE PROCEDURE ACT

"SEC. 213. The Administrative Procedure Act shall not apply to the making of any order pursuant to this title or to any proceeding for the annulment or revision of any such order.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 214. There are hereby authorized to be appropriated such sums, not exceeding $3,000,000 in any fiscal year, as may be necessary for the due execution of this title.

"SEVERABILITY

"SEC. 215. If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of this title, and the application of such provision to other persons or circumstances, shall not be affected thereby."

SEC. 2. Section 4 of the act entitled "An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes," approved May 7, 1941, is amended by striking out "or by imprisonment not exceeding 60 days, or by both."

SEC. 3. Section 5 of the act entitled "An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes," approved May 7, 1941, is amended—

(1) By striking out "during the calendar year in which the request is made or during the preceding calendar year" and inserting in lieu thereof "during the 6-month period immediately preceding the date on which the request is made."

(2) By adding at the end of such section the following new sentence: "Whoever willfully violates this section shall be fined not more than $500."

SEC. 4. The act entitled "An act relating to certain inspections and investigations in coal mines for the purpose of obtaining information relating to health and safety conditions, accidents, and occupational diseases therein, and for other purposes," approved May 7, 1941, is amended—

(1) By inserting immediately after the comma at the end of the enacting clause the following: "That this act may be cited as the 'Federal Coal Mine Safety Act.' "

(2) By inserting immediately below the matter inserted by paragraph (1) the following:

"TITLE I—ADVISORY POWERS RELATING TO HEALTH AND SAFETY CONDITIONS IN MINES"

(3) By striking out "this act" wherever appearing therein and inserting in lieu thereof "this title."

(4) By striking out "That the" at the beginning of the present first section and inserting in lieu thereof "SEC. 101. The."

(5) By redesignating the presently designated sections 2 to 12, inclusive, as sections 102 to 112, respectively.

(6) By striking out "section 1" in the presently designated section 2 and inserting in lieu thereof "section 101."

(7) By striking out "section 1 or section 2" in the presently designated sections 3 and 4 and inserting in lieu thereof "section 101 or section 102."

(8) By striking out "section 3" in the presently designated section 4 and inserting in lieu thereof "section 103."

(9) By striking out "section 6" in the presently designated section 7 and inserting in lieu thereof "section 106."

The SPEAKER. Is a second demanded?

Mr. WERDEL. Mr. Speaker, I demand a second.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, first of all I wish to compliment and pay tribute to my colleague, the gentleman from Pennsylvania [Mr. MCCONNELL], whose bill we are now considering. Mr. MCCONNELL drew up this measure and spent a great deal of time on it with the most worthy and commendable of motives. His purpose was out of consideration of the plight of the men who go underground to toil for the Nation. He has nothing to gain from this legislation except the knowledge that he is helping the miners. He has worked very hard, and diligently and intelligently. The gentleman from Pennsylvania [Mr. MCCONNELL], has been entirely unselfish in this matter.

Mine disasters, particularly explosions, have occurred with alarming regularity over the years. This is one reason that this legislation is before the House.

This bill interests itself in only five categories of disasters. It should be clearly understood that it does not cover causes of all accidents in mines. Ordinary accidents occur at the rate of about 40 to 50 thousand a year and are caused by an infinite number of reasons. Many of them can be attributed to the miner himself, through carelessness or lack of judgment. Management also has a share in many of the ordinary accidents; but in the case of disasters, which are so much different from the ordinary accidents, it is shown that the victims have no control over the basic causes of the disasters. They are victimized by an environment which they could not avoid and did not create.

It might be pointed out that all of the mine fires and explosions which have occurred in the past 10 years have been caused by one of the following: an excessive accumulation inside the mine of loose coal dust; lack of adequate rock dust; an accumulation of explosive gas in open old works; or inadequate ventilation. Practically all of these disastrous mine fires and explosions can be eliminated, since we are so well informed of the causes. The argument that the cost would be prohibitive is nonsense, because it would not be.

It is interesting to note the number of deaths by States that have resulted from the catastrophes as covered in this bill. For the years 1905 to 1951, inclusive, 9,478 men lost their lives, and included in this number were figures from every coal-mining State in the country.

The opponents of this legislation contend that the Federal Government is infringing on the police powers of the States. In my opinion adequate provision is made against that in this measure. I see no reason why there should be any more infringement here than in other activities in which the Federal Government participates.

The question has also arisen as to why State laws cannot make the necessary provisions for mine safety, rather than the Federal Government. There are several reasons for this. First of all, the States do not have the facilities for the experimental work or the vast information that has been accumulated by the Bureau of Mines on safety matters. The

Bureau of Mines has outlined what is probably the world's best program for prevention of accidents in coal mines. It has conducted research and experimental projects and accident-prevention courses for miners and supervisors. It has volumes of statistics on accident prevention. It is a technical and scientific bureau. As pointed out in the report of the Senate committee, "during these 40 years 29 coal-mining States have enacted an infinite and confusing variety of laws affecting the safety of coal miners. While some States have adequate enforcement of these State laws, in others they have often been carried out in an indifferent and haphazard manner." As long as this condition exists, catastrophes will occur in coal mines.

It might be pointed out, too, that the political pressure upon an inspection service in some States prevents adequate supervision, and the same thing might be said of enacting adequate legislation. Something might be said also of absentee landlordism. The manager of a mine is inclined to take chances in order to accomplish satisfactory production costs. He is constantly being urged by the mine owner to reduce costs. Hence, he is in a dilemma many times as to what he should do. This does not mean to imply that the owner does not wish safety, but safety does cost money and the manager is in a quandary.

The record of safety in the coal mines of the United States is appalling. Our record of slaughter is nearly three times as great as any other civilized coal-mining country. It might be said figuratively that the coal produced in the United States is saturated with the blood of its miners.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. KERSTEN].

Mr. KERSTEN of Wisconsin. Mr. Speaker, the House Committee on Education and Labor has before it H. R. 7408, known as the McConnell mine-safety bill. It is my hope that this great committee will vote this measure out speedily and that this Eighty-second Congress will pass it without opposition.

Mr. Speaker, I was a member of the Labor Committee in the Eightieth Congress, which held hearings on the original Neely-Price bill following the Centralia explosion. I became greatly interested in the problem. There was something totally different about it, from the usual matters that take the attention and study of the Labor Committee. After the hue and cry that usually follows a holocaust of the Centralia type died down and after the usual pleas for corrective legislation by the coal miners and their leaders became lost in the swamp of personal politics and public forgetfulness, I continued to interest myself in this problem. With several colleagues and representatives of the operators and miners, I spent several days in the Seventh Congressional District of Indiana, now so ably represented by my colleague [Mr. BRAY], who spoke so eloquently on this subject on May 27. I inspected many mines, interviewed many miners representing both the employees and the employers. I had no ax to grind, no politics to play. In my district there are no miners or coal operators, so I could look at this problem objectively, without prejudice, fear, or favor entering the picture. Some of the mines I entered were well kept, well conditioned, others dirty and with apparently no attempt being made to condition the works. Yet, all these mines were governed by the same laws, inspected by the same inspectors. I wondered that this could be. My questioning revealed that all of these mines had the same problems, particularly the major ones. Small differences existed, of course, because of the height of the coal, the texture of the roof, and the machinery in use, and so forth, but the problems that cover the major disasters were present in every mine.

I found operators in full support of mine safety legislation and others bitterly opposing it. I visited mines where employers and employees worked in complete harmony on every problem facing them. In other mines the hatred between these groups flared into the open at every meeting and they were constantly at cross purposes. Without exception where relations were amicable and cooperation existed, mine conditions were good. Where hate and suspicion were rampant, conditions were invariably bad. So I came to these conclusions. There should be one over-all law governing safety in coal mining. It should govern large and small mines alike. As I stood hundreds of feet underground and miles away from the only shafts that lead to safety, should an explosion occur, I thought: How ridiculous it is to say that an inspector, trained to his job, wise in the ways of mining, competent to meet the existent problems that beset this industry, must, upon finding dangerous conditions existing that may wipe out my life, the lives of my companions and every one of the several hundred employees in this mine, turn his back upon them, walk up to the management and recommend that they do something about it. How foolish can we get? Obviously, something should be done. Something must be done and I think the McConnell bill, H. R. 7408, is the complete answer to this vexing problem. I am well aware that it does not meet the desires of everyone concerned. I know the miners would like a much stronger, more encompassing bill. I am aware that certain coal operators in the South want no part of any safety bill. I know other operators, while agreeing to the general purposes of H. R. 7408, would like certain sections weakened or strengthened as suits their purpose. But this bill was prepared by members of an Education and Labor subcommittee after weeks of careful study of the subject of mine safety. Our colleagues, AUGUSTINE B. KELLEY, chairman of the subcommittee, and SAMUEL K. MCCONNELL, ranking Republican member, whose name the bill bears, spent many hours in conferences with coal operators, miners' representatives and Bureau of Mines experts. The members of this subcommittee are to be commended for their success in presenting a bill which fills the widespread public demand for sound Federal mine safety legislation. Federal intervention into mine safety enforcement is inevitable. Each session of Congress it has been set aside because of politics, opposition from certain operators or plain indifference. But each year as some States continue to shirk their responsibilities in mine safety enforcement, the cry for Congress to take action becomes more and more insistent. Put it off today, tomorrow the clamor will be louder.

With each new holocaust, and there will be others, a pressure will build that Congress will find irresistible. The mining States have demonstrated again and again that they cannot or will not take the steps necessary to halt the slaughter of the Nation's miners. To each Congress the States and certain segments of the coal industry come with the plea that the safety of the coal miner is their job and ask us not to interfere. Each year we yield to their arguments and the killing goes on without abatement. And each year the chorus of the public for the Federal Government to do something grows louder and increasingly insistent. I say the time has come for Congress to act, not hastily, not under public pressure, but calmly and judiciously as the subcommittee in charge of this legislation has acted. This is a good bill, a well-thought-out bill. The men who wrote it are not visionaries, or reformers. We should accept this well-planned, carefully conceived bill before we find ourselves farther down the road, faced with a hastily drawn, ill-conceived document that we dare not resist because of public indignation and insistence.

Let us look at this McConnell bill, H. R. 7408. I submit that any Congressman who will study it, without prejudice, will agree that it meets the major problem and deprives no person and no State of any responsibility that they cannot well afford to share with the Federal Government. Here is what it actually does. Study it and see if it is the terrible instrument that its enemies construe it to be:

The McConnell bill permits no governmental bureau or agency to make any regulations.

The McConnell bill contains all of the Federal coal-mine safety provisions which operators would be required to observe.

By the provisions of the McConnell bill Congress itself would enact into law the Federal coal-mine safety provisions which coal-mine operators would be required to observe in the operation of their mines. The McConnell bill would give to no governmental bureau or agency the power to make coal-mine safety regulations of any kind. Only Congress would exercise that power, and only Congress could change the coal-mine safety provisions which it enacts into law.

Under the McConnell bill Federal Government could enforce Federal coal-mine safety provisions covering only a small part of the field of coal-mine safety.

Under the McConnell bill, the jurisdiction of the Federal Government in con-

nection with coal-mine safety is limited to a small part of the whole field of coal-mine safety. The McConnell bill enacts into law only such coal-mine safety provisions as are designed to prevent the causes of major coal-mine disasters, namely, disasters caused by coal-mine explosions, coal-mine fires, coal-mine inundations, and man-trip and man-hoist accidents. The number of these provisions is small.

They require adequate support of roof and ribs in underground roadways and travelways for the purpose of protecting persons riding on man-trips in such roadways and travelways from falls of roof or ribs which might injure them.

They prescribe minimum standards of ventilation of underground areas in mines which must be maintained to provide currents of air sufficient to dilute and render harmless and to carry from the underground areas of a mine explosive or noxious gases which may collect therein.

They require that accumulations of coal dust in a mine must be covered with sufficient inert rock dust so that the combined coal dust and rock dust will not explode or burn. If a small fire or explosion does occur in a mine, adequate rock dusting will keep it from spreading throughout the whole mine or a large part thereof.

They prescribe the kinds of examinations which must be made in all underground mines at specified times to ascertain whether or not explosive gas may have accumulated in such mines and whether other hazards are present.

They require that electrical machinery, when used for certain purposes in underground mines in which explosive gas has been found to exist, shall be of a type which will not permit sparks from the machines to come into contact with the air in the mine, as a precaution against ignition of any explosive gas which may have collected unexpectedly.

They also require that when, in extending underground working areas in a mine, the walls of such areas approach within 200 feet of any abandoned mine workings which cannot be inspected and which might contain dangerous accumulations of water, boreholes shall be drilled at least 20 feet ahead of such advancing walls for the purpose of detecting such accumulations of water and preventing them from inundating the mine.

They also provide that hoists used to transport persons in a mine shall be equipped with adequate safety brakes and safety catches, and that such hoists shall be inspected daily to ascertain if they are in safe working condition.

They also contain a small number of other provisions prescribing simple fire-prevention precautions.

The McConnell bill provides for issuance of a mine-closing order by a Federal coal-mine inspector if, upon inspecting a mine, he finds danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur in such mine immediately or before the imminence of such danger can be eliminated.

The language of the provision here referred to is clear. The finding of danger will be made only by a Federal coal-mine inspector under the direction of the Bureau of Mines. The finding can only be based upon facts disclosed by an inspection of the mine. The danger which will justify the issuance of a mine-closing order must be danger that a mine explosion will occur immediately or before action which might avoid it be taken, or danger that a mine fire will occur immediately or before action which might avoid it could be taken, or danger that a man-trip or man-hoist accident will occur immediately or before action which might avoid it could be taken. These are definite requirements with reference to the kind of a finding which a coal-mine inspector must make before he may issue a mine-closing order. They are quite different than the finding merely of imminent danger to the safety of employees, which the Neely-Price bills would require as the basis of a mine-closing order.

The McConnell bill provides no criminal penalties for violation of the mine safety laws. It allows reasonable time for stopping violations, and requires issuance of mine-closing orders if violations are not stopped at the end of such time.

The McConnell bill provides that if a Federal coal-mine inspector, upon inspecting a mine, finds that any of the coal-mine safety provisions which the bill enacts into law, are being violated, and finds that such violation does not cause danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur immediately or before the imminence of such danger can be eliminated, he shall find what would be a reasonable period of time within which such violation should be totally abated. Notice of such finding must be given to the operator. Such period of time may be extended by the inspector upon making a special inspection of the mine if circumstances warrant such extension. If at the end of such period of time the violation has not been stopped, an order to close the mine, or the part of the mine affected by the violation, must be issued.

The McConnell bill provides for appeals from, and review of closing orders before, the Director, the Federal Mine Safety Board of Review, and the Federal courts.

The McConnell bill provides that a coal-mine operator ordered to close his mine, or a portion of it, on either of the two grounds specified in the bill—namely, the existence of imminent danger of a mine disaster, or unabated violation of a mine-safety provision contained in the bill—may apply for annulment or revision of the order either to the Director of the Bureau of Mines or to the Federal Coal-Mine Safety Board of Review. If the operator chooses to apply to the Director the latter must reinspect the mine or have such reinspection made by three Federal coal-mine inspectors, other than the inspector who originally made the closing order, who then report to him. The Director must then make findings, based upon his inspection or the report of the three inspectors, and issue an order annulling, revising, or affirming the original closing order.

The McConnell bill creates a Federal Coal Mine Safety Board of Review to hear appeals from orders of Federal coal-mine inspectors and the Director. This Board is an independent tribunal consisting of three members appointed by the President, with the advice and consent of the Senate. One of these members must be a person representing the viewpoint of coal-mine operators, one a person representing the viewpoint of coal-mine workers, and one, who must be a graduate engineer with experience in the coal-mining industry or have had 5 years' experience as a practical coal-mining engineer, and who is also the chairman. Immediately upon the filing of an application the Board must fix the time for a prompt hearing. Pending the hearing the applicant may ask the Board for temporary relief, which the Board may grant. The Board is not bound by any previous findings of fact made by the Director or by any coal-mine inspector. Evidence relating to the making of the order complained of or to the questions raised by the allegations of the pleadings or other questions pertinent in the proceeding may be offered by both parties. The burden of proof rests upon the Director or the inspector. Findings and orders of the Board must be in writing and must bear the signatures of the members who concur.

The bill further states that "In view of the urgent need for prompt decision of matters submitted" to the Director and to the Board, all actions which they are required to take "shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved."

The McConnell bill provides that any final order issued by the Board is subject to review by the United States court of appeals upon the filing of notice of appeal within 30 days after the date of the order. Pending the hearing the applicant may ask the court for temporary relief, which the court may grant. The court hears the appeal on the record made before the Board, and must permit argument, oral or written or both, by both parties. The decision of the court of appeals is final, subject only to review by the United States Supreme Court.

Any time during the pendency of an appeal to the Board or to the court of appeals or while the matter is before the Supreme Court the operator may apply to the Director of the Bureau for annulment or revision of an order.

The McConnell bill would reserve to the States a broad field of coal-mine safety legislation.

The provisions of the McConnell bill which are in conflict with State laws would supersede them. The mine safety provisions of the McConnell bill, however, are limited to coverage of the causes of coal-mine disasters. The McConnell bill provides that those State laws which provide greater safety than do similar measures of the McConnell bill would not be superseded by the Federal law. The McConnell bill further

specifically reserves to the States full power to legislate in all matters pertaining to coal-mine safety which are not covered by the McConnell bill. Thus the McConnell bill reserves to the States the right to legislate in the broad field of accidents involving human failure, and it is in this field that most accidents occur. There will remain in the States ample opportunities and responsibilities to warrant the continued activity of State coal-mine safety enforcement agencies.

In my opinion, Mr. Speaker, the only thing a State bureau has to do to preclude the Federal inspectors from interfering in any way with State enforcement and State law, is to have a good mining law and see that its provisions are strictly lived up to by management. I submit that the McConnell bill will hurt no honest, sincere coal operator or State bureau of mines. No coal operator, large or small, need fear its provisions, if they sincerely desire to protect the men in their employ and if they do not desire or intend to protect their employees, then, I submit, they should not be allowed in the industry.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. BARDEN], chairman of the Committee on Education and Labor.

Mr. BARDEN. Mr. Speaker, this is the mine-safety bill. A bill came from the Senate which was known as the Neely bill, and there was a companion bill, I believe, offered by the gentleman from Illinois [Mr. PRICE]. I appointed the gentleman from Pennsylvania [Mr. KELLEY] as chairman of a subcommittee to handle the bill. The gentleman from Pennsylvania [Mr. MCCONNELL] was the ranking minority member on that committee. They set about working out the problem dealing with the safety of mines. They found that they could not approve of the Neely bill or the Price bill. As a matter of fact, I do not think anyone on my committee would have approved of either of these bills. So they proceeded to work out a bill which was introduced by the gentleman from Pennsylvania [Mr. MCCONNELL]. The McConnell bill came to the committee for consideration and it was amended by the committee, putting in my amendments which, in my opinion, are not only proper but show the proper consideration for the States and the fine men who have conducted the State mine-safety programs, and reported out by the committee. Had these amendments not been adopted, I certainly would not be supporting this bill and I doubt if a majority of this House would support it.

I say to the House that if the House desires to enter this field—and I do not have to call to your attention the fact that it is a controversial question as to whether the Federal Government should enter any further into the field of mine inspection—but if the House determines that it is wise and necessary to enter this field further, then I say to you that this act, in my opinion, is as practical and as workable as I believe the committee could produce. It is not forceful entry into a State but it is a very graceful and courteous way to carry on the mine-inspection service which involves so many hundreds of thousands of men all over the country. I do not feel it necessary for me to again express my views on States' rights. They are well known by my colleagues. However, please bear in mind we are dealing here with the lives of human beings.

In this bill instead of the law providing for the Federal inspectors going into a State and brushing aside the State agency and bearing in mind that many of the States have spent a lot of money in their mine-inspection service in which they have considerable pride, and many of them have good workable mine inspection services, this bill provides that in order to promote the cooperation and success of the program, a State may file a State plan with the Federal Bureau, and in that State plan designate the department or State head who directs the mine inspection service and also shows that there is law for providing the service and that they will have available inspectors and that those inspectors will cooperate with the Federal Government. That plan when accepted by the mines simply means that in every case except where imminent disaster appears, the Federal inspector and the State inspector inspect together. If they cannot agree on their findings in the case of mine violations, then the Federal judge in the district may appoint a third person, a mining engineer, an experienced man, and two of three findings are accepted. If there is an appeal from that, it goes direct to the Board, which is set up in this bill for the settlement of those matters. If the Board's determination is not satisfactory, provision is made for a court review. I think every caution has been exercised in the drawing of this bill so as not to go into detailed accidents in mines, and therefore, it was set up so that about four major disaster causes would be given attention for the protection of the miners.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield one additional minute to the gentleman from North Carolina.

Mr. BARDEN. It stays within what you might say is the common-sense field. It deals with four causes: water, explosions, fire, and the mine-hoist and mantrip. The committee restricted it to that field so as to stay out of the complications and the troubles that you might have if you entered into the general field of accidents.

This act will not stop accidents or disasters, everybody knows that, but it is the hope of the committee and I think the hope of this House that it will provide a team of inspectors, both Federal and State, that will materially cut down and bring to a very minimum the accidents that have been so frequent in mines in the United States, and have taken so many lives of fine hard-working men to date.

Mr. WERDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, I concur most heartily in the statement made by my chairman when he said that this bill will not cut down mine accidents; it certainly will not. We cannot pass an act here in Congress which will stop mine accidents. It is unfortunate that there seems to have grown up over the land the delusion that by passing an act of Congress we can stop anything that is detrimental to the American people, and here we are trying it all over again.

I do not need in expressing my opposition to this bill to say to you that we all regret mine disasters. Those of us who oppose this legislation do not want to be considered opposed to safety measures in mines, or in any other industry, but we do want you to know and understand thoroughly that this is an unjustified intrusion into the rights of the States. It is a means by which the Federal Government is going to control the mines of the United States; make no mistake about that.

This is not a mine safety bill, as such; that is a misnomer; this is a mine regulation bill; it is a bill to regulate the mines of the United States, and it is the first step, I will have you know, toward the regulation of every industry in the land. Look at the record: The Committee on Education and Labor has before it a bill introduced by the gentleman from West Virginia [Mr. BAILEY], which has also been introduced by the Senator from Minnesota [Mr. HUMPHREY], providing for Federal safety inspection in all industries.

Mr. Speaker, 10 years ago we had a Federal inspection-of-mines bill pass the House. It did not carry compulsory powers. We are now operating under that act. Ten years later we come along and we give the Federal Government compulsory power to regulate mines, as this bill before us provides. We will have this bill passed to inspect and make safe all industries and all facilities in all factories, and 10 years later, or sconer, the Federal Government will be regulating every industry and every factory in the land. Then where will be our liberties?

That is the decision you have to make. Do you want the Federal Government to regulate not only the mines but to regulate every factory in the land? Your vote on this bill will be your decision.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Nebraska.

Mr. BUFFETT. Was there any evidence offered in committee that bureaucrats here in Washington can police these mines better than the officials of the various States which are right on the ground?

Mr. LUCAS. Of course not.

Mr. Speaker, this is a bill which is sponsored not only by the United Mine Workers but by the big mine operators. Why? This combination of great powers is seeking by this legislation to increase their power. John L. Lewis wants to cover into his organ ation every miner who does not now pay dues to his union. The big mine operators want to reduce competition by closing up marginal operations, by requiring that

all mines that are not now organized be organized so they will have to pay that 30-cents-a-ton tribute to John L. Lewis' welfare fund.

Mr. Speaker, this is another bill which is against the interests of the consumer. You people who live in the big cities might as well realize that all the small mines, all the marginal operations, will sooner or later be closed, and the big mines will be able to charge their own price for coal. You of the big cities are going to have to pay for this bill. This is against your interest, this is against the interest of all consumers.

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. LUCAS. I yield to the gentleman from Illinois.

Mr. VURSELL. We who passed the Hobbs bill a few years ago passed it in order to interfere in the enforcement of law in the States because the local people would not enforce the law.

Mr. LUCAS. That is true, but that cannot be made to apply here.

Mr. Speaker, I think there is a fundamental philosophy here which should not be disregarded by Members of the House. I have stated it as briefly as I can. We must beware that we do not enter into a field which would carry us into further centralization in Washington. We think that the basic philosophy of this bill is wrong, that the Federal Government can do something better than the States. The evidence has shown that the States are making tremendous strides in connection with the safety of mines. The gentleman from Pennsylvania [Mr. KELLEY] stated that there have been 9,000 deaths in mines since 1900. They are gradually being reduced.

Mr. Speaker, if we are interested in safety why do we not do something about the public highways? Thirty-seven thousand people lost their lives last year on the highways of the country. Can we here in the House of Representatives callously disregard the fact that the States are not enforcing their public safety laws on the highways? The Federal Government contributes to the construction of those highways. Have we not the power and duty to do something about the slaughter that is going on on the public highways today when 37,000 people lost their lives last year, while but 200 lost their lives in mine disasters?

Mr. Speaker, this bill should not be adopted by the House of Representatives. We should make every effort to encourage the States to protect their own citizens, and we in the House of Representatives should cause the Federal Government to remain out of such field. Let us vote down this resolution.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania [Mr. MCCONNELL].

Mr. McCONNELL. Mr. Speaker, this bill before you today has evolved slowly. I have usually opposed Federal coal-mine safety bills because I felt that all of them went too far into private operation and also into State regulation. We have had many serious mine disasters in this country, and after every one of them there comes a demand for a drastic piece of legislation. It was with that background that I listened to the hearings before the House Committee on Education and Labor. As certain operators testified, they said that they would be willing to accept a bill provided the Federal Code was written into the bill, so that they would know exactly what the Federal Government could do and could not do. They also brought out the fact that mine disasters can be reduced to a minimum, and they should be classified in a different category than ordinary accidents. Right there I felt I had the germ of an idea, and on the basis of that this bill has evolved.

I have strictly and continually called for a bill, as we have put it together, that would stay clear of the general mine accident field; also the field of health. I felt if those things were left out of the bill then there would be a reason for the State agencies to exist.

Mr. VELDE. Mr. Speaker, will the gentleman yield?

Mr. McCONNELL. I yield to the gentleman from Illinois.

Mr. VELDE. I want to compliment the gentleman from Pennsylvania as well as the gentleman from Pennsylvania [Mr. KELLEY] on the good bill that has been brought before this House. I felt, prior to bringing this bill before the House, that there was too much Federal control, but I think that has been eliminated in this bill by the amendment which was introduced by our distinguished chairman, the gentleman from North Carolina [Mr. BARDEN]. So I have no reluctance at all about voting for this legislation, and I hope the House adopts it.

Mr. McCONNELL. The McConnell bill is a bill to provide for the prevention of major disasters in coal mines. Such disasters are generally considered to be accidents in which five or more lives are lost.

There are two distinct classes of coal-mine accidents. There is the class of ordinary accidents which occur from day to day in mines, and which are the result of errors of judgment, inadvertence, defective perceptions, and the like, on the part of the individual mine worker; and there is the class of accidents the occurrence of which usually results in major mine disasters. Accidents in this latter class are mine explosions, mine fires, mine inundations, and man-trip and man-hoist accidents.

The basic causes of the latter class of accidents are well known. Persons who are killed or injured by the disasters which result from such accidents, generally have no control whatever over their causes. The practices and methods of coal-mine operation by which these causes can be eliminated are also well known and are practical. The cost of using them is not at all prohibitive. These basic causes are as follows:

(a) Excessive and unwarranted accumulations of loose coal, coal dust, and other combustible materials in underground areas of mines.

(b) Accumulations of explosive gases in such areas.

(c) Inadequate precautions to prevent inundation or flooding of underground mine workings.

(d) Improper equipment and improper maintenance of such equipment for transporting large numbers of workmen into and through underground workings in mines.

The McConnell bill is intended to prevent major disasters, and its provisions are limited to such as are designed to eliminate the cause of accidents which result in such disasters. It is not designed to protect the general health and welfare of miners. This large field of mine safety regulations is left to the States.

The McConnell bill specifically provides that it will not supersede or nullify State mine safety laws, unless such laws conflict with the provisions of the bill. It further provides that State laws which provide greater safety than the McConnell bill provides shall not be held to conflict with it, and that State laws pertaining to a phase of mine safety which is not provided for in the McConnell bill, shall not be held to be in conflict with it. These provisions leave to States control over the vast field of mine safety and health not related to major disasters and not covered by the McConnell bill.

The bill would enact into law coal-mine safety provisions which coal-mine operators would be required to observe in the operation of their mines. It would grant no authority or power to the United States Bureau of Mines to make coal-mine safety regulations of any kind. Only Congress would exercise that power, and only Congress could change the coal-mine safety provisions which it enacts into law. The number of these provisions is small.

They require adequate support of roof and ribs in underground roadways and travelways for the purpose of protecting persons riding on man-trips in such roadways and travelways from falls of roof or ribs which might injure them.

They provide for classifying a mine as a gassy mine and an appeal from such determination.

They prescribe minimum standards of ventilation of underground areas in mines which must be maintained to provide currents of air sufficient to dilute and render harmless, and to carry from the underground areas of a mine explosive or noxious gases which may collect therein.

They require that accumulations of coal dust in a mine must be covered with sufficient inert rock dust so that the combined coal dust and rock dust will not explode or burn. If an explosion does occur in a mine adequate rock dusting will keep it from spreading throughout the whole mine or a large part thereof.

They prescribe the kinds of examinations which must be made in all underground mines at specified times to ascertain whether or not explosive gas may have accumulated in such mines, and whether other hazards are present.

They require that electrical machinery, when used for certain purposes in underground mines which are gassy mines, shall be of a type which will not

permit electric sparks from the machines to come into contact with the air in the mine, as a precaution against ignition of any explosive gas which may have collected unexpectedly.

They also require that when, in extending underground working areas in a mine, the walls of such areas approach within 200 feet of any abandoned mine workings which cannot be inspected and which might contain dangerous accumulations of water, bore holes shall be drilled at least 20 feet ahead of such advancing walls for the purpose of detecting such accumulations of water and preventing them from inundating the mine.

They also provide that hoists used to transport persons in a mine shall be equipped with adequate safety brakes and safety catches, and that such hoists shall be inspected daily to ascertain if they are in safe working condition.

They also contain a small number of other provisions prescribing simple fire prevention precautions.

The bill specifically exempts from its provisions mines in which no more than 14 persons are regularly employed underground, and it also exempts all strip mines. The bill provides that at least once a year an inspector of the Bureau of Mines shall inspect each mine, the products of which regularly enter interstate or foreign commerce, or the operations of which substantially affect such commerce, and also provides for other special inspections as the Director of the Bureau of Mines deems necessary for the proper administration of the bill. The requirement of annual inspections is a minimum requirement and the bill recognizes the fact that some mines must be inspected more often than once a year.

The bill provides that if a Federal coal-mine inspector, upon inspecting a mine, finds that any of the coal-mine safety provisions, which the bill would enact into law, are being violated, and finds that such violation does not cause danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur immediately or before the imminence of such danger can be eliminated, he shall find what would be a reasonable period of time within which such violation should be totally abated. Notice of such finding must be given to the operator. Such period of time may be extended by the inspector upon making a special inspection of the mine if circumstances warrant such extension. If at the end of such period of time the violation has not been stopped, an order to close the mine or the part of the mine affected by the violation must be issued.

The bill also provides for issuance of a mine-closing order by a Federal coal-mine inspector if, upon inspecting a mine, he finds danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur in such mine immediately or before the imminence of such danger can be eliminated. The findings can only be based upon facts disclosed by an inspection of the mine. The danger which will justify the issuance of a mine-closing order must be danger that a mine explosion will occur immediately or before action which might avoid it could be taken, or danger that a mine fire will occur immediately or before action which might avoid it could be taken, or danger that the mine will be inundated immediately or before action which might avoid it could be taken, or danger that a man-trip or man-hoist accident will occur immediately or before action which might avoid it could be taken. These are definite requirements with reference to the kind of a finding which a coal-mine inspector must make before he may issue a mine-closing order.

The bill also contains provisions under which Federal and State activities within the field covered by the bill may be coordinated. It provides that any State desiring to cooperate in making the inspections required under the bill may do so my mutual agreement between its official mine inspection or safety agency and the United States Bureau of Mines. It further provides that in States in which such an agreement is in effect no Federal inspector shall make an inspection of a mine unless a State inspector participates in such inspection, and that no mine may be closed by a Federal mine inspector for a violation of a safety provision which does not create danger of an immediate mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident, without the concurrence of a State inspector or an independent inspector appointed by the Federal Court of the district in which the mine is located, who may be appointed when the Federal and State inspectors disagree. It further provides, however, that if in the Director's judgment an inspection is urgently needed to determine whether danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident may occur immediately or before such danger can be eliminated, such inspection may be made by a Federal inspector alone.

The bill provides that a coal-mine operator ordered to close his mine, or a portion of it, on either of the two grounds specified in the bill, namely, the existence of imminent danger of a mine disaster, or unabated violation of a mine safety provision contained in the bill, may apply for annulment or revision of the order either to the Director of the Bureau of Mines or to the Federal Coal Mine Safety Board of Review. If the operator chooses to apply to the Director the latter must reinspect the mine or have such reinspection made by three Federal coal-mine inspectors, other than the inspectors who originally made the closing order, who then report to him. The Director must then make findings, based upon his inspection or the report of the three inspectors, and issue an order annulling, revising, or affirming the original closing order. However, the bill provides that in States in which a cooperative agreement is in effect, appeals from mine closing orders to the Director, as herein provided, shall not be made, and that appeals from mine closing orders shall be made directly to the Federal Coal Mine Safety Board of Review.

The bill creates a Federal Coal Mine Safety Board of Review to hear appeals from orders of Federal coal-mine inspectors and the Director. This Board is an independent tribunal consisting of three members appointed by the President with the advice and consent of the Senate. One of these members must be a person representing the viewpoint of coal-mine operators, one a person representing the viewpoint of coal-mine workers, and one who must be a graduate engineer with experience in the coal-mining industry, or have had 5 years' experience as a practical coal-mining engineer, and who is also the chairman. Immediately upon the filing of an appeal the Board must fix the time for a prompt hearing. Pending the hearing the applicant may ask the Board for temporary relief, which the Board may grant. The Board is not bound by any previous findings of fact made by the Director or by any coal-mine inspector. Evidence relating to the making of the order complained of, or to the questions raised by the allegations of the pleadings or other questions pertinent in the proceeding, may be offered by both parties. The burden of proof rests upon the Director. Findings and orders of the Board must be in writing and must bear the signatures of the members who concur.

The bill further states that "in view of the urgent need for prompt decision of matters submitted" to the Director and to the Board, all actions which they are required to take "shall be taken as rapidly as practicable, consistent with adequate consideration of the issues involved."

The bill provides that any final order issued by the Board is subject to review by the United States court of appeals upon the filing of notice of appeal within 30 days after the date of the order. Pending the hearing the applicant may ask the court for temporary relief, which the court may grant. The court hears the appeal on the record made before the Board, and must permit argument, oral, or written, or both, by both parties. The decision of the court of appeals is final, subject only to review by the United States Supreme Court.

Any time during the pendency of an appeal to the Board or to the court of appeals or while the matter is before the Supreme Court, the operator may apply to the Director of the Bureau for annulment or revision of an order.

The McConnell bill provides criminal penalties for violations of mine-closing orders. It provides that mine operators, or agents of mine operators, or any other person, knowing of the making of a mine-closing order, who willfully violates such order, shall be fined not more than $2,000. It also provides that persons having control of a mine, who refuse to admit a duly authorized coal-mine inspector to such mine, shall be fined not more than $500.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. WERDEL. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania.

Mr. McCONNELL. I thank the gentleman and appreciate his yielding to me.

I can say in all sincerity that I am just as concerned as other Members of the House are about two things: First of all, the safety of miners, and, secondly, the preservation of our American Republic. On that basis, I have tried to provide for the safety of the miners, but have so hedged the provisions of the bill that we will preserve for the States a large area within which they can continue to operate. I ask your support for this bill.

Mr. WERDEL. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. SMITH].

Mr. SMITH of Kansas. Mr. Speaker, ever since I have been in Congress, a short time, I have heard from this side about the encroachment of the Federal executive power on States' rights. Today this bill is as fine an example as I know of as to how they dress things up in their Sunday clothes and come in here to tell you that this is not Federal control. They are coming in the back door to control the mines.

All over the world we read about plans, a 5-year plan in Czechoslovakia, a 5-year plan in Hungary or Rumania or some place else, but I call your attention to one thing: I believe this is the first time that in our legislation we have used the words "State plan." Before you can get any redress under this law, the States must make a plan. And who approves it? A Federal director.

If you want your States controlled, this is a good way to start it. It is a State plan. They talk about this as a disaster bill, but this is a mine regulatory bill.

Listen to the definition of what a mine is and what they can inspect:

> The term "mine" means an area of land including everything annexed to it by nature and all structures, machinery, tools, equipment, and other property, real or personal, placed upon, under, or above its surface by man, used in the work of extracting bituminous coal, lignite, or anthracite.

That is what they can do. They can inspect, and they have to have a State plan to get back and get the Federal control. And who approves your State plan? Your States have to come in here. Your mine inspector is wiped out, because he has to submit a plan to come to Washington and get the approval of a Federal mine director before he can start using any of the procedures that they require in this bill.

Mr. WERDEL. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I want to first concur in the statement made by the distinguished gentleman from North Carolina [Mr. BARDEN] that if you are going to enter into this field of Federal control of your local mines, that this is about as good a bill as can be devised to accomplish that purpose. I congratulate the committee, too, on the way in which they have approached this subject. However, I am opposed to the bill. I think the bill is going to pass. I see the skids greased on both sides of the aisle for the passage of this measure. But I cannot very well refrain from expressing my own views on a subject about which I feel so deeply, and that is the subject of States' rights; that is the subject of whether or not we are going to enter into another field where we are going to send a flock of bureaucrats from Washington to tell your State and your State authorities and your State people and your citizens in those States what they can do and what they cannot do. I think we should give that very serious consideration because when you take this initial step in Federal control of your mines, it naturally follows that you can take the same step with respect to every other industry in your State and in your home town. Then the first thing you know, we will have cause to take over the factories and the stores and other business in your States. If you want a little local home consumption and home control, may I point out to my Republican friends on the other side, do not forget that you are taking the first step to absolute Federal control of everything in your own State—a principle you have always opposed.

In the Committee on Rules, when this question was up, and the Committee on Rules listened patiently for 2 days to the advocates and proponents of this bill, I asked this question of every advocate of this bill who appeared before the committee. I said, "Do you have inspection laws in your State for coal mines?" The answer was "yes."

"Well, what kind of laws do you have?"

"We have good laws."

Then I said, "If you have good laws, why do you need more laws and more Federal control?" I asked the question, "Do you have good inspection?" And I could not get anyone to say that they did not trust their own people to make their own inspections. Now, if they have good laws and good inspections, will somebody say why you need to inject the Federal Government into this subject?

Mr. VURSELL. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. VURSELL. I would like to suggest to the gentleman that we have good laws in the State of Illinois, but we have had 232 people killed, and it was pointed out by the Federal inspectors, that, in 35 instances, in each mine there was danger of murder in those mines, and there was murder.

Mr. SMITH of Virginia. In other words, the gentleman is saying that in his State he does not have the kind of inspection which he feels he can trust. Because in the State of Illinois you do not have the proper kind of enforcement of your laws, do you think it is right that you should impose this kind of restriction upon the other 47 States which do have good laws and are ready to carry them out? Why should the other 47 States suffer because the State of Illinois does not see fit to employ people who will properly enforce the laws and make the proper inspections? As I say, I think the skids are all set on this bill. I hope everybody is happy with it. I think you are going to pass it, but I just want to express my own views and vote against this bill because the general principle involved here is a very, very important one. Let me remind you that under this bill, a Federal agent can go into your State and shut down any mine in your State over the protest and objection of your State officials.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. MASON. The reason why the laws of the State of Illinois have not been enforced, and they are good laws, is because of rottenness and collusion in the State administration—and I am not talking about the Democratic administration because it was true under the Republicans.

Mr. SMITH of Virginia. I do not deny that things are rotten in the State of Illinois, but I do say that they are pretty good in the other 47 States.

Mr. WERDEL. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. GWINN].

Mr. GWINN. Mr. Speaker, when are we going to consider returning to the constitutional limitations on this Federal Government? When are we going to quit this utter pretense that here in Washington is the center and the source of honesty, good inspection, lack of corruption, and that we can call on Washington, "Oh, Moloch, seat of goodness, come out and inspect us and our mines in Illinois and other places. We are more corrupt and incompetent in the States to inspect our own mines than the bureaucracy in Washington." What utter rot. What utter pretense.

The real politics in this thing is that the independent mines, the unorganized mines, are producing about one-quarter of the coal in some States. They are working 6 days a week, $12.50 a day, turning out coal. The organized mines are working 2.8 days a week, organized, $17.50 a day, and the people cannot buy their coal. Two-thirds of the inspectors under the mine inspection are exmembers of the United Mine Workers and carry their cards with pride. They are going to determine whether the liberty of the independent coal miner is preserved or whether their liberties are lost; their mines shut down. Coal mining is not an interstate commerce business any more than cotton milling, woolen milling, corn and wheat milling are interstate commerce. Will Congress vote to inspect them against accident? Seventy percent of coal mining is in three States. The State inspectors are against this business of interruption and interference by Federal inspectors. They want to proceed to mind their own business, protect their own people. The companies are not in the business of blowing up their own mines and killing people without regard to human life either. What is the Federal Government going to do that States and business will not do to save life? What mine safety does Washington want that the States themselves do not want and will not insist upon? Let us strike this thing at its heart, which is interference with our liberties in the States to mine coal and take care of their own people.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, representing the greatest anthracite-coal-mining district in the world, I wish to take this time to express my approval of the bill.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Speaker, representing a great majority of the coal-producing counties in Ohio, I wish to express my approval of this bill.

Mr. Speaker, as I said in getting permission to make these remarks, I represent the largest part of the coal-producing area of the State of Ohio, which is the fourth largest coal-producing State in the Union.

While I do not consider this bill to be a perfect mine-safety bill, I certainly consider it a step in the right direction, and I urge the Congress to approve it, because it does go forward in the field of protecting the lives of the men who work in the mines. As I said in this House on March 4, 1950:

> My first experience with death was one day when I was dismissed from school in the first grade to attend the funeral of the fathers of two classmates who were killed in a stone fall in a coal mine. In 1940 and 1941, in my county, Belmont County, Ohio, there were two major disasters which wiped out the lives of 72 people and 90 people, and in the adjacent county of Harrison, also in my district, another accident killed 38 people, all within seconds. Those people were all heads of families; they were fathers; they were husbands, and their lives were taken. Coal mining is not a pleasant occupation.

Neither is coal mining a safe occupation at best. There are accidents every day in the coal mines which take the lives of one or two men. This bill will not prevent those kinds of accidents, but it certainly will do something toward preventing the disaster-type accidents which occurred in Belmont County in 1940 and 1941 and last December in Centralia, Ill.

Mr. Speaker, many of my constituents make their living in the mines, and I have spent a good deal of my legislative life in trying to bring about safer working conditions for them. I was a member of the Ohio Senate and worked vigorously when the 1941 Ohio mine-safety law was passed. The fact that I have had something to do with the passing of this Federal mine-safety law I will consider another milestone in my career.

I expect to present a plank for the consideration of the Democratic platform committee, urging that the Democratic Party back all possible Federal research for the development of new uses of coal, and as we find new uses and mining employs more people, I will be proud to say that I did all possible to make coal mining as safe as it can be made.

Mr. Speaker, I do not see how a valid argument can be made that this is an intrusion of States' rights, when all we are trying to do is to protect the lives of the men who work in the pits.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. SITTLER].

Mr. SITTLER. Mr. Speaker, as the representative of from 30,000 to 35,000 of southwestern Pennsylvania's coal miners, their wives and children, I rise to support this very important bill designed to provide safe working conditions for miners all over America. Passage of this legislation will definitely bring about an improvement in the conditions of their work by reducing the number of disasters and guaranteeing that there will be fewer occasions when men will be taken from their wives and children as a result of indifferent law enforcement by State inspectors.

Mr. Speaker, I never worked in a coal mine but when it became my duty to represent a large number of miners I felt that it was my responsibility to learn something about the conditions under which they worked. Accordingly, since becoming a Member of the Eighty-second Congress, I have gone into five different coal mines. I have visited gassy mines and a nongassy mine; large mines and small mines; mechanized mines and nonmechanical mines where horses are used. I have seen the incredibly fast mechanical miner in operation and I have seen men digging out the coal with picks and shovels. I have always made it my business to go in with a man-trip early in the morning and I have visited the individual workmen "at the face," out where the job of making the day's production is actually done. In each case I have remained for almost the entire shift and have walked many miles underground.

Mr. Speaker, these men who mine the coal are among America's finest citizens. If you want a good lesson in Americanism and human understanding, and if you want a deeper appreciation of the different kinds of people who are in the ranks of labor, just go down into a coal mine and talk to the men. You will find the Poles and the Germans, the English and the Hungarians, the Czechs, the Negroes, the Syrians, the Serbs, and the Italians, and the Slavs, workers all; blackened and sweaty, producing this basic source of power for the defense of the free world.

There is one thing about a coal miner, Mr. Speaker, that sets him apart from many other kinds of laborers. He is a terrific worker. He is the kind of fellow who gets the job done. The average American miner produces 7 tons of coal per man-day. This is just seven times what the miners of England, our nearest European competitor, produce. This amazing production results from the fact that the American miner has always accepted every labor-saving device and every means of mechanical production that would increase his output of coal. He has been a true believer in and promoter of the American way in industry. He has realized that the American system of trying to get rich by producing as much coal as possible is the best way to work. He has, by accepting that system, rejected the old European plan of trying to get rich by producing as little as possible so as to make coal as scarce as possible and thereby keep prices as high as possible. His has been a philosophy of production for plenty and wealth, rather than scarcity and poverty.

Now this American miner has not produced this amount of coal that he does without paying a price, and that price is in the blood and bodily injury of the men who work in the mines, and the suffering and grief of bereaved families. Sadly—and for no good reason—the number of deaths in coal mines in America is almost as far above the number of deaths in European coal mines as our production is above theirs. We kill over 3 men per 1,000 man-years of exposure in our coal mines while Great Britain kills only 1. This is an unnecessary thing, Mr. Speaker, and the bill now before us is designed to eliminate the causes of some of these coal-mine deaths, thereby reducing the price in blood that we have to pay for our high coal production.

I think it should be perfectly plain that this bill will not do for a miner what he must do for himself. Nothing can take the place of individual safety precautions. Sixty-seven percent of the deaths in coal mines are caused by roof falls and cave-ins, and most of these are the responsibility of the individual man. This bill is designed to make sure that the operators are responsible for safe over-all conditions within the mines, and it is designed to prevent mine disasters which are caused by either flood or fire or explosion or man-trip or man-hoist accidents where large numbers of lives are imperiled.

As this point, Mr. Speaker, I quote a letter from Mr. George Gober, president of UMWA Local 6290, and chairman of the mine safety committee. He has some 26 years of mining experience. Mr. Gober has written the following:

> The widows weep and their children have become pathetic, mournful and hapless figures. There is public sorrow at the moment, but we know from harsh experience that it is only a momentary feeling of pity on the part of the public, and this sacrifice, like others before, will soon be forgotten. Shortly after the mine workers bury their dead, the feeling of sorrow will remain only in the breasts of the loved ones who survived; and the mine workers can look forward to the next catastrophe.
>
> Coal mine explosions can be prevented; there is absolutely no reason why any coal mine explosion should occur if all concerned apply known remedies for this matter.

And then Mr. Gober goes on to say:

> Accidents are not acts of God. Accidents are man-made through failure of someone to take proper safety precautions, and it is up to us as an organization, you and I and each of us, to bring into this industry the degree of safety necessary to stop such appalling records as are set out by the United States Bureau of Mines.

Then I think Mr. Gober must have been referring to the fine position of the State of Pennsylvania as far as mine safety is concerned when he said:

> There are many people in this industry especially among those who manage the operations, who believe that accidents cannot be prevented. There are others who know they can be prevented and don't take proper

steps to prevent them. In approaching a matter of this kind, we have all got to realize one thing—accidents in coal mines don't happen—they are caused either by someone failing to do something that should have been done or someone doing something that should not have been done. The Federal Mine Safety Code isn't a perfect instrument. But I say to you, if it was complied with in every respect, at least 90 percent of the accidents that now take place in coal mines (that is, disaster accidents) would cease to take place.

As you know, Mr. Speaker, the record of the mining industry in Pennsylvania makes our State a leader among all the States of the Union as far as mine safety is concerned. I believe it is a fair statement that, had all States a safety record and a mine inspection system like the State of Pennsylvania, the United Mine Workers of America would not have had reason to put up such a gallant fight for this legislation. Yet Pennsylvania's mines are not perfect, as is evidenced by the very recent disaster at Carpentertown, Pa., and one up in the hard-coal region only yesterday. It is really an interest in the fellow members of the union and their families all over the country that makes Mr. Gober's letter close with this paragraph. "We, the members of local union No. 6290, Nemacolin, Pa., who are privileged to speak for our dead, and for those pathetic widows and orphans, and for the future safety of our people, challenge this criminal and callous attitude. These killings must stop."

I am proud to represent miners like George Gober and his fellow members of the United Mine Workers of America, Mr. Speaker, and I hope this bill will pass the House at once and very speedily be enacted into law for the sake of all coal miners and their families. In closing, I want to pay a tribute to my two friends from Pennsylvania, Congressman SAM MCCONNELL, whose energy and diligence brought about the House version of the bill, and to Congressman AUGUSTINE KELLEY, also of Pennsylvania, who was the chairman of the subcommittee which was responsible for writing it. These men have worked long and hard in cooperation with the Bureau of Mines, the United Mine Workers, and the operators, and have produced sound, worth-while legislation which is the first step on the way to making America not only the greatest producer of coal but the safest producer of coal as well.

Mr. VURSELL. Mr. Speaker, I urge the Members to pass the McConnell bill, H. R. 1310, now before us for consideration, which removes objectionable language in the bills introduced by both Congressman PRICE and Senator NEELY.

This bill only allows the Federal Government to step in and cooperate with State inspectors when conditions in a mine are found to be such that unless they are corrected there is eminent danger of the loss of the lives of miners or great damage to the mines and mine property from floods, etc.

Since the tragic mine disaster in Centralia in 1947, which took the lives of 112 miners, which, in my judgment, would have been avoided if a bill like this had been on the statute books, I have urged that we must strengthen mine safety through the cooperation of Government inspection. This bill will do just that.

The Congress waited and failed to act until the terrible and tragic explosion December last at the Orient mine in West Frankfurt which caused the loss of the lives of 119 miners. Many of us Members then urged the Congress to pass mine safety legislation in this session in the hope of preventing similar disasters in the future and in the hope of giving greater protection every day to those who work in the mines.

I regret that this legislation could not be brought to the House before the closing days of the session and I think it is imperative that we pass it today and send it to the Senate as quickly as possible in order that that body will have a chance to act before adjournment, and I believe they will act favorably.

Mr. Speaker, having spoken a number of times in this session urging that this type of mine safety legislation should be passed, the Members of the House are well aware of my views and I shall not impose upon you today at any length.

We who have lived close to the coal mines in southern Illinois, who have seen the results of these two tragic disasters with such great loss of life and who know that those lives would probably not have been lost if we had had a bill like this on the statute book, believe that the Members of this House are willing and ready to approve this legislation which is long overdue, which, in my judgment, will save the lives in the future of possibly many thousands of miners.

I hope the Members of this House will approve this bill by a big majority.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. I want to go on record as favoring this Federal mine inspection bill because I believe it is needed for mine safety and to guarantee adequate inspections to protect our miners and their families from these recurring mine disasters. This bill will not hinder the operations of mines when they are well and safely run. It is an added protection against recent disasters that would have been prevented with adequate inspections, and by institution of proper remedies after warnings of dangerous conditions had been given. The community and the United States people demand safe working conditions for the miners who perform a basic and necessary task in our economy. My vote for this bill is to help obtain mine safety.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. DENNY].

Mr. DENNY. Mr. Speaker, I want to add my approval of this bill. I think it is a very fine one and that it should be passed.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, my congressional district is located in the heart of the great bituminous-coal fields of Pennsylvania, and, having in mind the safety of thousands of miners whom I represent in this body, H. R. 7408, a bill to prevent major disasters in coal mines, most certainly has my full support.

The following statement from the Central Pennsylvania Coal Producers' Association, with headquarters in Altoona, Pa., speaks not only for the coal producers of my congressional district but likewise the miners and their families, all of whom want the protection the provisions of this bill will provide when it becomes a law.

The statement follows:

The McConnell bill (H. R. 7408) will be brought to the floor of the House shortly. It is a mine-safety bill, but it is different from any other mine-safety bill which has heretofore been in Congress.

All mine-safety bills introduced in Congress prior to the introduction of the McConnell bill have been opposed by practically all coal-mine operators, but some of them have been strongly supported by coal miners and by the United States Bureau of Mines.

The McConnell bill is strongly supported by a large segment of coal-mine operators and also by the United Mine Workers of America and the United States Bureau of Mines.

The principal features of bills which coal-mine operators have heretofore found objectionable and have therefore opposed are: First, these bills would have given to a Federal administrative agency full power to make regulations governing every phase of coal-mine operation which such agency might deem necessary to eliminate accidents and diseases in coal mines. The agency would also have power to enforce its own regulations. Secondly, these bills would have given to the administrative agency power to close a mine if it found that a violation of a safety regulation created danger to the safety or health of employees. Thirdly, these bills failed to provide adequate appeal from, or judicial review of, mine-closing orders. Fourthly, State laws pertaining to coal-mine safety would have been superseded and nullified by regulations or orders made by the administrative agency in conflict with those State laws. The McConnell bill contains none of the objectionable features above referred to.

The McConnell bill does not permit any governmental administrative agency to make any regulations prescribing practices to be followed in the operation of mines.

The McConnell bill is not intended to permit the Federal Government to regulate the whole field of mine safety. It is specifically designed to prevent major mine disasters only. A major mine disaster is generally considered to be an accident in which five or more lives are lost. Such disasters usually result from mine explosions, mine fires, mine inundations, or man-trip or man-hoist accidents, all of which are known to be preventable. The McConnell bill specifically enacts into law a limited number of safety provisions, the observance of which will definitely reduce the number of such disasters. These provisions pertain to the ventilation and rock-dusting of underground mines to prevent the accumulation and ignition of explosive gases and coal dust. They also protect against inundation or flooding of underground mines and prescribe precautions to protect against accidents to persons traveling into or out of mines on man-trips or man-hoists.

The McConnell bill permits the United States Bureau of Mines to issue orders closing a mine, or a portion thereof, if a Federal mine inspector, upon inspecting a mine, finds danger that a mine explosion, mine

fires, mine inundation, or man-trip or man-hoist accident may occur before such danger can be eliminated, and it also permits the Bureau to issue orders closing a mine, or a portion thereof, if the operator fails to stop violating any of the safety provisions contained in the bill after he has been notified of such violation and has been given a reasonable period of time within which to correct the condition which constitutes a violation.

However, the McConnell bill also contains provisions under which Federal and State activities within the field covered by the bill may be coordinated. It provides that any State, desiring to cooperate in making the inspections required under the bill may do so by mutual agreement between its official mine inspection or safety agency and the United States Bureau of Mines. It further provides that in States in which such an agreement is in effect no Federal inspector shall make an inspection of a mine unless a State inspector participates in such inspection, and that no mine may be closed by a Federal mine inspector for a violation of a safety provision which does not create danger of an immediate mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident, without the concurrence of a State inspector or an independent inspector appointed by the Federal court of the district in which the mine is located, who may be appointed when the Federal and State inspectors disagree. It further provides, however, that if in the Director's judgment an inspection is urgently needed to determine whether danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident may occur immediately or before such danger can be eliminated, such inspection may be made by a Federal inspector alone.

The McConnell bill also provides adequate appeals from mine closing orders to the Coal Mine Safety Board of Review, an independent tribunal of three members created by the bill, and for judicial review of orders of the Board by United States Courts of Appeal.

The McConnell bill specifically provides that it will not supersede or nullify State mine safety laws, unless such laws conflict with the bill or orders issued pursuant to it. It further provides that State laws which provide greater safety than the McConnell bill shall not be held to conflict with it, and that State laws pertaining to a phase of mine safety which is not provided for in the McConnell bill, shall not be held to be in conflict with it. These provisions leave to the States control over the vast field of mine safety and health not covered by the McConnell bill.

The McConnell bill was introduced only after the subcommittee of the House Committee on Education and Labor had conducted full and complete hearings on the question of Federal coal-mine-safety legislation. Representatives of the United States Bureau of Mines, the United Mine Workers of America, and coal-mine operators of varying viewpoints gave to the subcommittee the benefit of their knowledge and experience. The McConnell bill was developed out of the information and advice thus obtained by the subcommittee.

The McConnell bill was introduced on April 4, 1952. The subcommittee, by a vote of 6 to 3, reported it favorably to the full House Committee on Education and Labor on May 3, 1952. The full Committee on Education and Labor, by a vote of 17 to 7, voted last Friday to recommend that it be passed by the House. The next day it was taken up at a special meeting of the Committee on Rules. That committee today adopted an open rule allowing two hours' debate on the bill.

If the bill is passed by the House there is ample reason to believe that it will be passed by the Senate before final adjournment.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD.

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

There was no objection.

Mr. EBERHARTER. Mr. Speaker, I am highly gratified that the House is today being given an opportunity to express itself on the bill commonly known as the mine safety inspection bill.

While this particular measure, as reported favorably by the Committee on Education and Labor, is not all that could be desired in the way of precautions against mine disasters, nevertheless it is a step in the right direction.

Personally, I had the hope that we would have an opportunity to consider the bill introduced by the gentleman from Illinois, Representative MELVIN PRICE, which in my opinion has provisions insuring much greater safety in every respect from the hazards now incidental to the work of the coal miners.

However, I am pleased to voice my approval of the measure now before us, and feel that it is a great and historic stride forward toward the protection from injury and death of the men who work in the pits, a purpose which I believe will appeal to every citizen as a laudable one.

Mr. BRAY. Mr. Speaker, I have already spoken at some length in favor of this mine-safety bill, so I will only take a few moments at this time. This is a good bill and is fair to all. It will save many lives in the mines. This bill has been bitterly fought. It has taken years to finally get this bill this far. In the name of humanity it must be passed. Unless we pass this bill today it may be years before this body again has the opportunity to pass on a mine-safety bill.

Mr. DENTON. Mr. Speaker, I want to commend the Committee on Education and Labor for bringing out this mine-safety bill, and I am heartily in favor of its passage.

Possibly, a stronger bill could have been enacted, but this legislation before us is at least a step forward in the right direction and is probably as much as could be accomplished under the circumstances.

Probably the principal argument against this bill, that I have heard, is that Federal enforcement of mine safety would be in violation of States' rights. But, for my part, I have no difficulty with that question.

When the Constitution was adopted, the individual States surrendered certain rights to the Federal Government, "in order to form a more perfect Union." One of those rights was that of regulating commerce "among the several States." And, under that interstate-commerce clause, it has been held that the Federal Government can act in cases where goods are produced to go into interstate commerce, or that legislation can be enacted on matters substantially affecting interstate commerce.

This legislation for mine safety clearly comes within that category. So, it becomes simply a question of policy, as to whether we should enact this particular bill. I can see no reason to doubt the right of Congress to legislate on the subject.

It seems to me that these hardy men who go down into the depths of the earth and bring out coal, so that the wheels of our industry may turn and our homes be kept warm, are entitled to have a place to work that is as safe as possible. Coal is often said to be the lifeblood of American industry. I see no reason, though, why it must cost such a price in the lives of men and anguish of their loved ones.

It has been testified that, during the last 20 years, more than 1,250,000 miners have been maimed, mangled, or killed in the coal mines. During the first 2 years of World War II, injuries and deaths in the mines were greater than the casualties in all our Armed Forces. In the mine explosion last December at West Frankfort, Ill., 119 men were killed—where Federal authorities had already reported in advance that conditions were dangerous. Eighty of these men had small children, and 111 left widows.

While it is true that most of the States already have mine-inspection laws—and, I feel, a very good law in my own State of Indiana—there are 48 States, with almost as many different laws on this subject.

I feel that mine inspectors in my own State are efficient, but in my State, as in the other States, these inspectors usually hold office for only 4 years. They are easily subject to replacement, and they can fall under pressure much more readily than would be the case with Federal inspectors.

The Federal Government has done extensive research work in mine-safety practices, and we already have Federal mine inspectors. This legislation would authorize the Federal Government to cooperate with the States in the enforcement of safety regulations, and mines could be closed down where there is immediate danger of explosion, fire, flooding, or injury from unsafe man-trip vehicles and man-hoist cages, in the event that satisfactory steps were not taken to correct these unsafe conditions.

The people of this country have great respect for the Federal Government, and I believe that, with this safety law on the statute books, there will be little difficulty in securing compliance with its provisions.

As I said before, while this mine-safety bill does not go as far as it might, still it is a step in the right direction, and I sincerely hope that it can be enacted.

Mr. CLEMENTE. Mr. Speaker, I do not have any coal mines in my district yet I have followed closely for the past 2 years the progress of the legislation which is before us for consideration this afternoon.

I remember the disasters in Illinois and I recall the many press dispatches in recent months telling of mine accidents in various sections of the country.

It seems evident that the States have failed to solve the problem of mine safety and in such circumstances I think it is the duty of the Congress to tighten existing mine-safety law by putting enforcement provisions in it.

I congratulate the House Committee on Education on bringing this important legislation to the floor and I want to pay particular credit to the gentleman from Illinois [Mr. PRICE] for his several years of tenacious support and work on mine safety. The legislation we now consider is an outgrowth of the bill the gentleman from Illinois [Mr. PRICE] introduced in the House in the present and the Eighty-first Congresses.

NEED FOR MINE SAFETY LEGISLATION NOW

Mr. STAGGERS. Mr. Speaker, today we are considering a mine-safety bill, and I am sure all of us are aware of the great number of mine tragedies which have occurred in recent months. Sympathy expressed by Members of Congress to the bereaved families of the dead is not enough. We must show our deep interest in the lives and welfare of these men and their families by a more tangible method—that is, by effective legislation for the elimination of the unsafe conditions and practices in the mines.

Needless to say, coal mining is the right arm of modern industry. Our fellow men work these mines, not only for the support of their families, but to keep our factories going and provide the necessities and luxuries of life.

Directly and indirectly, over 5,000,000 persons derive their living from the coal industry of America. In 1951, over 39,000 men were injured and killed in the bituminous and anthracite fields of our Nation. Can we afford to postpone any longer the strengthening and amending of our laws which affect such a great number of our citizens?

If, however, we want to save money instead of lives, we can go ahead as we are. But if it were your life you were trying to save, neither money nor effort would be spared.

And if we practice the "Golden Rule" we will see that this law is passed today to provide adequate safety rules in our coal mines. I am for it 100 percent.

Mr. RADWAN. Mr. Speaker, in my opinion, this legislation for the prevention of major disasters in the coal mines should have the overwhelming support of this House. I do not have any coal mines in my district nor do I have any constituents who are coal miners, but nevertheless, I am very happy to voice my approval in behalf of this worthy piece of legislation. I realize that no legislation is a guaranty against accidents, but such argument advanced by the opponents of this measure is utterly ridiculous, as is the argument of States' rights. This legislation is not an interference with the States' rights principle.

If this legislation is instrumental in saving but one life which might be lost through a possible mine disaster, then it is certainly worth our efforts here today. The importance of this legislation is made very apparent when we review a history and a background of the subject before us.

The hazardous nature of mining was recognized by the Federal Government as long ago as 1865, when a bill to create a Federal mining bureau was introduced in Congress. However, little was done until a series of serious coal-mine disasters after the turn of the century aroused the public to demand Federal action to stop such excessive loss of life. As a result, an act of Congress established a Bureau of Mines in the Department of the Interior on July 1, 1910, and the act made it clear that the Bureau's foremost activity would be the promotion of health and safety in the mineral industries.

Coal-mine safety laws were passed by most of the then coal-producing States before the year 1890, and the laws gave State inspectors varying powers for obtaining compliance. The earliest State coal-mining law was adopted by Pennsylvania in 1869 and applied to the State's anthracite mines. Inasmuch as little was known at that time about the causes of mine disasters, and the means of preventing them generally were unknown and unavailable, the original laws could not be expected to prevent such disasters.

Practices in the old days of mining were crude and extremely dangerous. Some of these were the use of coal-burning furnaces installed underground to induce movement of ventilating currents through the mine workings; the general use of open-flame lamps for illumination in all mines whether gas or nongassy; and the use of black powder or dynamite for all blasting purposes because no other type of explosive was manufactured. Coal dust was allowed to accumulate throughout the mines, and since it was not known to be explosive, nothing was done to render it inert. The number of fatalities from major coal-mine explosions in the United States from 1901 to 1910 was 3,912. During the same 10-year period, coal production increased from 270,000,000 to 500,000,000 tons, and the employment in the coal mines increased from 448,000 to 725,000.

The need for research into the causes and means of preventing coal-mine disasters, particularly explosion disasters, was acute but there was little official activity in this direction until the establishment of the United States Bureau of Mines in 1910.

One of the first endeavors of the Bureau of Mines was to determine the causes of coal-mine explosions and then find the means for their prevention. Among the first contributions of the Bureau technicians toward the solution of the disaster problem was the introduction in 1911 of permissible explosives, which, when used as recommended by the Bureau, will not ignite gas or coal dust.

The halting progress of the struggle to prevent coal-mine disasters after their causes and the means of preventing them were known and made available as indicated by the record which shows that from 1910 to date a total of 334 major disasters have occurred in the coal mines of the United States causing the death of 6,720 persons. A major disaster, as classified by the United States Bureau of Mines, is one in which five or more persons are killed. Whereas there were no major disasters in the Nation's coal mines in 1949 and 1950, 5 occurred in 1951 causing the death of 157 persons and indicates that what has been done up to now to prevent such holocausts is not enough.

In the act of May 7, 1941, Congress authorized inspection and investigation of coal mines by the Secretary of the Interior for the purpose of obtaining information and making recommendations relating to health and safety. But that act did not require compliance with the standards or recommendations of the Secretary.

Since that time, Congress has continued to appropriate substantial sums of money with which the Bureau of Mines has continued to develop efficient practical, scientific safety standards. If these standards were adhered to they would sharply reduce all major disasters and fatal and nonfatal injuries.

The legislation before us provides for the issuance of a mine-closing order by a Federal inspector if, upon inspecting a mine, he finds danger that a mine explosion, mine fire, mine gas, or manhoist accidents will occur in such mine immediately or before the imminence of such danger can be eliminated. It is legislation designed to guard the safety of human lives. It is progressive legislation and should be adopted.

Mr. O'NEILL. Mr. Speaker, I am most happy about the passing of the coal mine safety bill today, as Senate bill 1310. I hope that the White House can see its way clear to approve this measure promptly, as it can do immediate good for those men who must work underground.

The hearings on both sides of the Congress were long and thorough and all parties had an opportunity to be heard fully, and I am certain that the Congress has made a wise conclusion after hearing all of such evidence.

I am of the so-called coal regions, and my friends and neighbors have watched this bill and its progress carefully. Our papers and radio stations have reported its travels in detail and in support of its proposals. Those of us who have seen men come out of the mines hurt, dead or diseased by the hazards that can exist under the ground know that no safety can be too much or too great for those who must bring this basic material from its natural state into commerce.

If this bill can save lives, and I am sure that it will, everyone a Member of this Congress for this session can have a just reward and deep sense of satisfaction in recalling that he has helped his fellow man.

The men will never forget this session for this safety, and the Members who have helped this passage will live permanently in the activities and memories of the mines. They are appreciative people and they will know who have helped and will respond decently in appreciation.

Their families who must watch each working day for the safe return to surface will likewise know and demonstrate

thanks for this added lawful provision. Many of those families will pray in thanks, I know.

To those Members who are not from any coal community who served on the various committees and to those staff members of both sides of the Congress who have worked and aided in presenting the materials I as a member from a coal community herein extend my heartfelt thanks, and congratulations upon reaching a successful and proper conclusion.

This is decent progressive legislation and I trust that it can be decently administered without any regard for party or selfish interest.

Mr. FLOOD. Mr. Speaker, the basic fuel industry in the United States is coal. I have the privilege of representing the great anthracite coal center of Pennsylvania, and I use this time to emphasize to the House and the country the tragic and deplorable condition existing in both the hard and soft coal mines, which permits death, injury, and disaster to be worked upon the men who sweat and toil in the mines.

The roof is bad, the track is worse
The 15th North is on a "squeeze."
The South Old Works are full of gas
Coal dust on the main line to your knees
The air at the face is mighty slow
The loading machine is at its worst
The boss wants a 4-hundred ton today
Say, who in the hell said safety first?

The coal miner who wrote that verse was ridiculing the safety-first sign at the top of a Pennsylvania mine shaft. In Pennsylvania and in other coal-mining States of this country such signs abound. Some are more imaginative, having such bulletins as Think, Work, and Act Safely, Take Care and Be Careful, and so forth, grim reminders of the real, stark dangers that lurk in the earth's recesses, dangers which have reaped a ghastly toll of mining men over the years and which will continue to do so under our present system.

Many of this country's coal operators try to live up to the above-mentioned slogans, but just as many do not. In times of good work and prosperity, a great deal of attention is given this problem. In times of poor work and stress, it is the first program to go by the board. In the hunt for profits and to meet the terrific competition that is always present in the coal industry, the safety program is the first to suffer. Well-intentioned producers are forced to cut corners, and they do so wherever possible. Their greedy conscienceless competition, which is everywhere, then makes no pretense of a safety program, and weak enforcement or none at all, under our present inadequate system, soon leads to a Centralia, or a West Frankfort catastrophe. For a while the Nation gasps and demands the Congress take action. The Congress stirs, speeches are made, bills are introduced, hearings are held, each action coming with a slower and slower movement until suddenly it reaches a spot where it stops and remains on dead center, forgotten by all but a few Members of Congress, a small part of the public, the still-living coal miners, the widows and the orphans of Centralia, West Frankfort, Carpentertown, and all other mines where disaster overtook some of the Nation's coal miners. Not enough to attract attention, not enough to force the passage of legislation past the clutching hands of those who for one reason or another do not want to give the Federal inspectors the power to remove men from a mine when dangerous conditions prevail.

Mr. Speaker, I do not want to burden the RECORD with statistics. Over and over again have the tragic figures of the number of coal miners killed and injured each year been called to the attention of the Congress and the public. But I do want to call your attention to the heavy burden carried by the mining people of this country which is further shown in the report of Josephine Roche, administrator of the United Mine Workers welfare and retirement fund, who states that the average miner lives 8.4 years less than the average American. The average age at death of a miner is 55.8 years, as compared with 64.2 years for the country as a whole. The death ratio for the Nation is 10.3 per thousand. For the miners it is 15.1. While we have the most productive miners in the mining world, we also lead in the frequency of mine accidents.

It is time that something be done about this situation. America is stirring on the mine-safety problem in various ways. One of the most heartening developments is that parts of the industry itself are showing active leadership.

In many of the Nation's coal mines, safety first means what it says: careful, competent managers are present to lead and show the way to safer coal-mining methods. This progressive part of the industry believes it is more economical to have "safety first"—to conserve manpower, protect human lives, create better public relations, develop happier customers, raise employees' morale and production, assure lower insurance rates; in brief, safety in the mines is sound economy. Safety first means something to the Union Pacific's Reliance mine No. 7, Reliance, Wyo., whose 575 miners have worked three consecutive years without a single lost-time accident. This, I believe, is a world record in coal mining, and the reassuring part of this example is that it is happening in our time—now. This is an example of real safety first.

By "safety first" we mean what the term implies; first in over-all consideration, first in specific application, first in expense. It means the acceptance of the inescapable factor that safety costs money and that it should have preference and priority over all other costs in the production of coal.

Another example of safety first is the rescue of 240 miners at Peabody mine No. 59, just on the outskirts of Springfield, Ill., on August 16, 1949. Some of you will recall the fire that broke out in that mine. The men were trapped from the normal routes of escape. The fire raged beyond control. In 1946—or 3 years before the fire—Federal mine inspectors had warned the company of the great distance that existed between the men and the air shaft, and they recommended an extra air shaft be constructed close to the functional area of the mine to assure better ventilation and to be used in case of emergencies. The company complied. This proved to be one of the best investments the Peabody Coal Co. ever made. This new air shaft formed the means for 163 of the trapped miners to escape. There were no cages or elevators; no stairs or ladders for the miners to use. A movable hoist was rushed from a Taylorville, Ill., mine—some 30 miles distant—and used to lift the miners out of the pit in a bucket, three men at a time. While the rescue operations were going on, more than 100,000 people, unaware of the near disaster, were enjoying themselves at the Illinois State Fair adjacent to the stricken mine. All the men were saved with only six slight smoke injuries, but no fatalities. This is what we mean by safety first—safety by being prepared for eventualities.

The West Frankfort mine disaster of December 21, 1951, which destroyed the lives of 120 miners, is an example of safety last. It followed the Centralia mine disaster of 1947, which killed 111 miners, and the Old Ben explosion, which cost the lives of 28 men in the same year. According to the report of the United States Bureau of Mines, the catastrophe at Orient No. 2 was caused by a large accumulation of methane which oozed or was forced out of old works into the functional part of the mine. A nonpermissible machine—which means a machine without proper safeguards against fire, heat, and sparks—ignited the gas. The initial blast gained momentum as it fed on pulverized coal dust; it wrecked the operation and the men were doomed. One hundred and twenty men perished, and it could only have been worse if the blast had occurred just a few hours before when the day shift of over 1,000 men had been in the mine.

The C. W. & F. Coal Co. erred in three fundamental things:

First. It permitted large quantities of methane to accumulate and concentrate.

Second. It used nonpermissible mining machines.

Third. It failed to adequately rock dust the roadways so as to smother or localize a gas explosion.

All are in violation of the mining code.

The reports of J. J. Forbes, Director of the Bureau of Mines; Secretary of the Interior Chapman; and John L. Lewis clearly and unmistakably show that the managers of the New Orient mine were flagrantly negligent. The Governor of Illinois has said the company was at fault and so was the Illinois Department of Mines and Minerals. Congressman C. W. (RUNT) BISHOP, whose district includes the stricken mine, told us, his colleagues in Congress, that he was gravely concerned with the large amount of gas that had been permitted to accumulate in Orient No. 2. How the gas was set off was of minor significance, he said. Mine examiners have testified the gas conditions in this mine were a major subject of controversy months before the blast occurred.

The company was warned of the specific dangers. The Bureau of Mines had recommended the old works be sealed off, air driven into the old works, the gas diluted and driven out of the mine and in the process not to pass the lethal current into the functional part of the mine where fire and men could be exposed to it. The Bureau of Mines says it has documentary proof that this specific warning was made at least six different times—months, even years, before the explosion.

But I do not want to dilate on the failure of Illinois to protect its miners or to enforce its mining laws. Illinois is not the only mining State that is negligent in the performance of its duties. Every State in the Union where coal is being mined can tell the same story as Illinois. Poor enforcement of their mining laws, politics in their mining departments, inadequate laws or none at all, can be charged to every mining State in America. And the charges can be documented and proven.

I am a Pennsylvanian and proud of it. We frequently boast of the adequate and progressive laws of our great State. And they are adequate, they are progressive. But they are not the ultimate. They can be improved. And the knowledge that an experienced Federal inspector would be making a check of the condition of their mines would act as a deterrent to any State inspector who might be inclined to shirk his duty or overlook a law violation. Of course, it might hurt his pride, but I prefer the injury to an inspector's pride to a mine explosion or mine injury. Were the Pennsylvania mining laws what some people claim them to be, we would not have had the Carpentertown explosion. Here the State inspection service claimed no gas existed, while the Federal inspectors claimed there was gas in explosive quantities. The death of six miners proved who was right, but the proof was poor recompense for the widows and orphans of these men. Another so-called nongassy mine blew up on March 24 at Gray, Pa., burning two miners severely. This was a "safe" mine operated as nongassy under our adequate Pennsylvania law without preshift examination and with open-type electrical equipment. Another good example that our laws are not perfect was the flooding of a so-called independent or bootleg mine, which drowned five miners near Forestville, Pa. Here was a small mine, one of the many which some of our colleagues are demanding be exempted from any Federal mine-safety law. These men should have been protected, in their ignorance and in their shoestring, substandard operation, by the Pennsylvania inspection service. They should have been warned of the presence of that body of water and forced to drill holes ahead of the face for their own protection. But they were not protected and they died, and I want to say right here that I am opposed to the exemption of small mines as such, from the Federal Inspection Service. Because a man works in a small mine is no reason to declare open season on him. He is entitled to every protection we can give him and I submit that any operator who will not or cannot work his mine safely with every effort being made to protect his employees, should not be allowed to operate in any State in the Union.

In January 1952, Mr. Joseph J. Walsh, deputy secretary of the Pennsylvania Department of Mines, labeled the hard-coal industry's fatality rate per million man-hours of exposure for the year 1951 as 18 percent higher than the 1950 rate and bad. Ninety-one lives were lost in 1951, five more than in 1950. He further stated that—

> While the 1951 fatality rate for the anthracite industry is bad, nevertheless, notwithstanding the physical dangers that confront you—dangers not found in other coal fields—your record is much better than the bituminous-coal industry of the Nation. * * *
>
> There must always be people better than others in the essentials respecting safety in coal mines—people more competent, more hopeful, more kind, and more disposed to service and to duty. So, likewise, it is with coal companies, as the record reveals year after year.
>
> No denying it, there is one practical remedy beckoning all of you, the good and the not so good. As I have said many times, ample and practical supervision on the part of the officials and the miners at the working face is the pivot on which our whole safety movement rests. It is the most powerful weapon that we have in our warfare against the 20,000 or 30,000 dangers which come into being each working day as a result of the orderly operation of the mines in the anthracite field.
>
> Meanwhile, let it be understood that practical supervision is the one indispensable element in a sound and efficient safety program.

I agree with Mr. Walsh. Ample and practical supervision on the part of the officials and the miners at the working face is the whole answer and upon which an adequate safety movement depends. So I am for a Federal mine safety bill. It means more supervision. It means more education. It provides a necessary check upon those States which do not or will not provide adequate protection for their miners. It can harm no one but can do a world of good. Over the years the States and the coal industry have proven either their inadequacy or unwillingness to provide safety for their coal miners. They have had every chance to prove their good faith and the Congress of the United States should at long last step into the picture they have been so reluctant to enter over these disaster-laden years. There is now before the House Education and Labor Committee, H. R. 7408, bearing the name of our colleague, SAM MCCONNELL. This bill written by a subcommittee of the Labor Committee, was prepared under the careful supervision of Congressman MCCONNELL and Congressman KELLEY of Pennsylvania. It has the complete support of United Mine Workers of America, the Bureau of Mines and a majority of the coal industry. It is a good bill, a carefully prepared document which provides Federal protection only against five causes of major disasters. It leaves for the States the fertile field of fatalities and injuries that comprise 60 percent of all these. State inspection service is not interfered with except to a minor degree and this bill in no way would cause State inspection services to be eliminated. Personally, I would support a stronger bill.

Mr. SHELLEY. Mr. Speaker, I had not intended to take the floor on the coal mine safety bill since the bill has the approval of both the industry and the unions and there should be no question about its passage. However, when I listen to the arguments in opposition to the bill raised on the floor today, and note who the Members are who raise the opposition, I cannot refrain from making a few statements.

Those Members who oppose this humanitarian measure say that it is a violation of the Constitution; that it is an unwarranted invasion of States' rights; that Congress has no business legislating in this field—even to protect human lives. I do not question the motives of any of these individual Members. But, it is very interesting to me to note that those who are arguing against the mine safety bill always oppose any legislation to benefit the working people of this country. They raise the same old cry, "It's unconstitutional—it is an invasion of States' rights." It seems a little peculiar that we can enact any number of laws to put the Federal Government to work for business without hearing that cry, but the minute we take up a bill to protect human life or to extend it, or to protect the rights of the workingman, it becomes an invasion of States' rights and a violation of the Constitution.

Mr. Speaker, the Constitution of the United States is not dead. It carries within itself the food for growth and continued life. Its provisions are elastic and the founding fathers made it so deliberately. Perhaps they were more alive 165 years ago to the inevitable growth of human institutions and to social progress than are the hide-bound persons who try to thwart every social advance we make today.

I do not and cannot subscribe to the theories of those who try to limit strictly the areas within which the Federal Government may operate. I am not a strict States' righter. Our modern economic and social development has broken down the artificial geographic boundaries of the States to a large extent. Human needs go far beyond little black lines on a map. That fact has been recognized for many years in the adoption of hundreds of Federal laws benefiting both business and labor—the industrial economy and the social economy. There are some, of course, who profess to recognize the fact only where the industrial or agricultural economy is concerned.

Time after time we have set up Federal standards with which the States are required to conform—minimum standards beyond which the State may exercise their individual rights. Any attempt to separate the coal mine safety bill from these previous acts of Congress is completely superficial, and can only be used by destitute minds anxiously casting about for plausible excuses for opposing social progress.

The argument has been made that the mining of coal is a matter completely within the jurisdiction of the State in

which the mine is located, and that it cannot be defined as part of interstate commerce. Raising cattle is strictly a State business if we want to think along those lines. But those who oppose this bill have never raised their voices against the Federal meat inspection laws or the yearly appropriations for control of diseases of cattle. Coal moves across State lines just as fast and to just as great an extent as do cattle. It is a little hard for me to see why in the one case interstate commerce is involved and in the other it is not—perhaps I should ask the opponents of this bill to explain the subtle distinction to me. Any Member of this House can think of a thousand things upon which we have legislated and which are no more, or even less, involved in interstate commerce than mining coal.

The point has been raised that all of the coal mining States have enacted mine safety laws—and that those laws are more or less satisfactory. But it is equally a fact that the enforcement of the law is far from satisfactory in many States—and hundreds of men have lost their lives as proof of that fact. Human life always is and always must be the concern of the Federal Government. When the State fails in its duty there is no reason, constitutional or otherwise, why the United States Government should not assume its responsibility and say to the coal mine operators, "This, at least, you must do."

A good deal of furor has been aroused here on the floor over the fact that the Federal mine inspectors who will enforce this law are all former coal miners and members of the mine unions. I am aware that hatred of labor unions and labor's right to organize blinds a few misguided individuals to almost anything else. But who, in the name of common sense, is better qualified to make an inspection of a mine for unsafe conditions than the men who have worked in the game and know their way around a mine and its machinery?

Mr. Speaker, in the field of international relations we have broken down barrier after barrier as a result of the development of modern communications and transportation and a growing awareness of the common interests of mankind. It is only the Soviet Union and its satellites who persist in keeping an iron curtain between themselves and the rest of the world. That iron curtain is the greatest threat to humanity that modern civilization has ever seen. For us to support the principle of little iron curtains around each and every one of our States is as anachronistic and as threatening to the unity of this country as is the Communist iron curtain to the Western World. I admit and I support the rights of States to control absolutely matters involving only their own special interests. But where there is a common human denominator at stake the Federal Government cannot afford to look away. The lives of coal miners are as precious to the United States as they are to the States in which they live and work. The States have had every opportunity to protect those lives and some have failed. For that reason, if for no other, I shall vote for H. R. 7408, and I ask every socially conscious Member of this House to do the same. The battle cry of the late President Roosevelt, "Human rights or property rights," rallied people in this country before, as it is sounded in this bill it will rally them again.

Mr. CARRIGG. Mr. Speaker, I sincerely hope that the House of Representatives will adopt H. R. 7408, which has been introduced by my distinguished colleague from Pennsylvania [Mr. McCONNELL].

Because many coal mines are located within my district, I have long been concerned with a mine-safety program. I realize that in the past several attempts have been made by the Government to regulate mine-safety, but considerable opposition was generated not only by the operators, but at times by the miners as well.

Mr. McCONNELL's diligent and painstaking efforts in the preparation of his bill have eliminated practically every objectionable feature both to the operator and to the miner. The only objection we hear at the present is that the Government is attempting to regulate the whole field of mine-safety.

I certainly subscribe to the theory that the power of the Government should be decentralized as much as possible, and in the present case if all of the States in which mines are located had been as foresighted as Pennsylvania, there would be no need now for the mine safety bill.

The purpose of this bill is to prevent mine disasters. If we can prevent the death of a single miner, then we have accomplished our goal.

I wish to congratulate Mr. McCONNELL on the splendid contribution he has made to the cause of mine-safety. I am sure that the day will come when both the coal-mine operator and the miner will rise up and call him "blessed."

Mr. SPRINGER. Mr. Speaker, as a small boy in Indiana, I can recall vividly standing at the door of a mine while the bodies of 51 coal miners were removed. That experience will remain with me all of my life. The shock and grief which was visited upon that community left an impression which was not forgotten for a decade.

Only 4 years ago I drove from Champaign, Ill., to Centralia, Ill., within a few hours after the lives of 112 coal miners had been snuffed out in one of the worst mine disasters in the history of this country. Again I saw what a major disaster can do to an entire community.

Within the last few months Illinois has had another mine disaster visited upon it, which took the lives of 120 men. This occurred at West Frankfort, Ill., during this last January.

I shall not enter into the controversial matters as to who was at fault for these accidents. It is, however, my considered opinion that we should never allow such a disaster to occur again if it is humanly possible to avoid it.

I believe that the present bill, S. 1310, with the House amendment thereto, is a good bill, which should receive our every consideration today and should be passed before we adjourn here this year. This bill is not the result of hasty and ill-advised opinions of anyone. Committees have been considering this and have heard evidence on it for more than 3 months. It is a thoughtful bill, worked out in our quieter moments, with an earnest desire to correct a serious situation.

I am happy to report that the bill does not rush in with the thought that the Federal Government has a cure-all for everything that can possibly happen in a coal mine. It is legislation which supplements and implements State laws. The finding of danger will be made only by a Federal coal-mine inspector under the direction of the Bureau of Mines. Where the mine laws of the State are stronger than this law, the State law will apply. If a State fails to pass legislation meeting the standards of this law, then the Federal law will prevail. This places a positive duty upon the State to provide good mine laws and see that its provisions are lived up to. However, if the State fails in its duty to the employees of coal mines, then the Federal Government will step in to see that the mines shall be equipped with adequate safety devices to protect mine personnel.

The bill provides that at least once a year an inspector of the Bureau of Mines shall inspect each mine and provides for such other special inspectors as the Director of the Bureau of Mines deems necessary for the proper administration of the bill. The requirement of annual inspection recognizes the fact that some mines must be inspected several times a year. If any State desires to cooperate in making the inspections required under the bill it may do so by agreement between the State mine-inspection service and the United States Bureau of Mines.

This bill likewise provides for the issuance of a mine close order by a Federal coal-mine inspector if he finds there is present danger that a mine explosion, mine fire, mine inundation, or a man-trap or man-hoist will occur in such mine immediately, or before the imminence of such danger can be eliminated. This is a positive step which the Director of the Bureau of Mines can take immediately to avoid situations such as existed at Centralia and West Frankfort.

One of the most progressive features of this bill creates a Federal coal-mine safety board of review. This board is an independent tribunal consisting of three members appointed by the President with the advice and consent of the Senate. One of these members will be a person representing the viewpoint of coal-mine operators, one a person representing the viewpoint of coal-mine workers, and the third must be a graduate engineer with practical experience in the coal-mine industry or have had 5 years' experience as a coal-mining engineer, and who is also chairman of the board. When any matter is requested to be heard the board must fix the time for a prompt hearing. Pending the hearing an applicant may ask the board for temporary relief which the board may grant. This board is not bound by any previous findings made by anyone. Evidence relating to the order com-

plained of will be presented by both parties.

The bill further provides that all final orders of the board are subject to review by the United States court of appeals within 30 days after the date of the order. These are common requirements which protect the rights of both parties in judicial tribunals of the country. I am happy to add my voice to the approval of this measure. To me it is a progressive and historic step forward toward protecting men who work in an unbelievably dangerous occupation. It is a fair bill which in my opinion will save many lives in the mines. During the last 20 years more than 1,250,000 coal miners have been injured or killed in coal mines. During the first 2 years of World War II injuries and deaths in the mines were greater than the casualties in all our Armed Forces. This bill will do a job in correcting a serious situation which has existed for a long time.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky [Mr. PERKINS].

Mr. PERKINS. Mr. Speaker, H. R. 7408 deserves the support of all the membership of this House. The States will not lose any of their sovereignty through the enactment of this legislation. On the other hand, the enactment of this legislation may save many lives. I firmly believe that this legislation which provides for the prevention of major disasters in coal mines will bring about greater cooperation between the States and the Federal Bureau of Mines, and will serve as a stepping stone for better mining departments in the various States. Neither will this legislation close down mines or put operators out of business.

In 1941 Congress enacted a law giving the Federal inspector the authority to inspect mines and make recommendations. The evidence is conclusive that much progress has been made in the field of mine safety since the enactment of that law. Last December at West Frankfort, Ill., a mine explosion took 119 lives. The first Federal inspection of that mine was made in 1942. Thereafter and up until a couple of weeks before the explosion 15 inspections had been made by the Bureau of Mines. Thirteen of the inspection reports pointed out that the mine was dry and dusty, and that there was an excessive amount of coal dust accumulated, that the ventilation system was poor, and that the electrical equipment was dangerous. Copies of the reports were forwarded to the State Bureau of Mines in Illinois and to the operator of the mine, but still nothing was done about the explosive condition of this mine.

The record shows that about 10 percent of the total fatalities in the coal mines result from explosions and mine fires. This bill is only designed to save lives and keep miners from being killed in mine fires, mine explosions, mine inundations, and man-trip accidents. We owe the duty to the coal miner to provide legislation that will protect him in his working place from these major disasters, especially since we know how to protect him.

Mr. Speaker, I sincerely hope that this measure will receive the necessary votes for passage.

Mr. WERDEL. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER. The gentleman from California is recognized for 4 minutes.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. WERDEL. I yield.

Mr. JENKINS. I just want to say that my district is a coal-mining district. I am somewhat familiar with the coal-mining industry and the conditions that obtain in coal-mining communities. I remember on one occasion when we had a terrible accident in one of the larger and well-managed mines. As a result of that accident, I saw 82 dead bodies that had been taken out of the mine. That left a great and lasting impression on me. As I remember the facts, the mine had just been inspected and some of the inspecting force had not left the mine when the accident happened and one of the inspectors was killed.

I hope this bill will do what its proponents say it will do.

I am fearful of Government control but since every State where coal is mined to any great extent have good and sufficient mine inspection laws, I feel that Federal inspection and State inspection can work together. If they do they will complement each other so that each will have the advantage of the experience of the other, on the other hand, if they do not work together this fact will manifest itself quickly and the State legislatures and this Congress can amend the law. I shall vote for this bill in the hope that it may prevent some of the terrible mine disasters that are always threatening. Mining is beyond any doubt the most hazardous of all occupations. Many thousands of men are employed in mining and it is our duty to give them every reasonable protection.

Mr. WERDEL. Mr. Speaker, I demanded a second on our side of the aisle at the suggestion of the ranking minority member of our committee, the gentleman from Pennsylvania [Mr. MCCONNELL] because he could not qualify. I am opposed to the bill.

We are again being lashed around and around a vicious circle of occasional argument and temporary expedient. If it could accomplish the expressed purpose I would be for the bill. I do not think we will accomplish that purpose. I do not think we should take the principle that we used in the minimum wage and hour law to justify this subject as being interstate commerce. This is a purely intrastate field in which you are entering. You are saying that no longer can people go to their city councils, their boards of supervisors, or to their State governments and find relief for corruption in the supervision of hazardous conditions which should be controlled at the local level. If they find those dangerous conditions there now they can go to their governor. If they do not like the governor's reaction they can elect another governor from some little community that produces coal. If we say this is the constitutional field of Federal Government then we say—and you know it as well as I—that no longer is that within the field of State government. If it is decided there is corruption in the examination of coal mines after that then the little counties in West Virginia must elect a President and not a new State governor.

Mr. Speaker, I point out to you that the proponents of this bill said in the committee that the only reason for the law was that there is either a failure to enact good local laws or there is a failure to enforce local law through corruption. When pressed for their reasons they have said there was too much influence either by the operators or the unions over local officials. It was the representatives of these same operators and unions that furnished most of the evidence in favor of the bill. That is the fact. Those who improperly influence and corrupt local law enforcement now ask us to completely destroy that authority.

They admitted that if there were local officials with lifetime appointments, their problems would probably be solved. But the men who are inspecting the mines at the local level are taken from a mine for a 4-year term in Government service and expect to go back to some operator for work after the 4-year term. That condition is claimed to affect their murderous decisions.

I say to the gentleman from Illinois that all of the evidence indicates that they would have good inspection at the local level, if they would get their mine inspectors at the local level from Pennsylvania. If Pennsylvania got them from Illinois there would be an improvement. I cannot believe such testimony.

That is all the evidence that supports this bill. They cannot do it at home or they will not do it at home. Every Congressman I have talked to in support of this bill has not indicated to me that they have ever written their local officials about Federal reports of dangerous conditions in mines that have exploded. They never issued a news release in that regard. I say to you it is against the interests of the miner to adopt this program because it moves inspection too far away from their homes.

As we go around this circle we find that now we are on the last lap where the proponents of the bill have decided they will take it up under suspension of the rules and limit debate. The very distinguished gentleman from Illinois [Mr. VURSELL] wanted time, other gentlemen wanted time, but they cannot get it. The leadership will not take it up under the rule which would allow 2 hours general debate so that you would understand the subject. No. They choose the method of suspension of the rules. They thus shut off debate and prohibit amendment.

Like the atom and the juice of the grape, there is great legislative power in coal.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield such time as he may desire to the gentleman from Virginia [Mr. FUGATE].

Mr. FUGATE. Mr. Speaker, in 1941 through the Federal Coal Mine Inspection and Investigation Act, the Bureau of Mines was granted the authority, by

the Congress, to make inspections and recommendations regarding mine safety. It was hoped that by advising and cooperating with the States that accidents and deaths in the coal mines of our Nation would be reduced. Such has not been the case.

The fact is that during the fiscal year 1950–51, there were 121,614 violations of the Federal Mine Safety Code. A total of 8,971 mine inspections revealed the presence of serious hazards in 4,380 mines. The owners and operators were notified in each case of the dangerous conditions in their mines, but 89 percent of them did not reply to the letters that were sent by the Bureau of Mines.

These violations included inadequate and hazardous ventilation, dangerous use of permissible and nonpermissible explosives, faulty electrical equipment, failure either to remove or render inert combustible coal dust, and many other dangerous and extra-hazardous practices.

I believe that this condition exists because of the system of inspection and enforcement now in effect. The present 29 coal-mining States have an infinite and confusing variety of laws. It is true that some of the State laws are adequately enforced, but in others it would appear that they have been carried out in an indifferent manner. This statement is substantiated by the fact that during the past 50 years 93,000 lives were lost in the coal mines. Add to this the untold numbers who have been injured and maimed for life, and we can see clearly the problem with which we are faced.

Since December 21, 1951, there have been 100 men killed in the mines. We are all too conscious that on that day, December 21, at Orient No. 2 in southern Illinois, 119 men were killed. They left 109 widows, 175 children, and 17 other family dependents.

These men, these widows, these children are not here today to be heard but their present plight certainly touches the heart and the great humanitarian pulse that beats within this body. Certainly we all agree that these people deserve a better chance to live, to work, and to serve their fellow man.

This bill, however, is not the product of emotion—it has had careful and painstaking consideration by able men. It has been approached from the standpoint of what is best for the entire industry, the worker, and the operator alike. Furthermore, the rights and responsibilities of the several States have been protected. The bill provides for State cooperation in carrying out the Federal law. It expressly provides that no State or Territorial law, effective from the date of the bill or which may become effective thereafter, should be superseded except insofar as the law is not in conflict with the bill, and expressly provides that any provision under such a law which provides for greater safety of persons than do the provisions of this act should not be construed or held to be in conflict. It is also important to note that the enactment of this bill would not permit promulgation of rules and regulations but rather enacts into law those provisions which are designed to prevent disasters only.

The bill also requires that due and proper notice be given the operator when it is found that his mine is unsafe and it spells out what type of notice this should be. It creates a Board of Review and provides that the Board shall not be bound by previous findings of facts by the Director or by any other representative of the Bureau, but provides that it should take evidence on the issues from both sides. If the parties are dissatisfied with the findings of the Board, then such findings are made subject to review by the United States court of appeals for the circuit for which the mine affected is located. The court decision is final, subject only to review by the Supreme Court. It would seem, therefore, that this bill contains ample safeguards to protect both the worker and the operator. There is one other provision in the bill which I think is worthy of notice. That is, that the bill specifically exempts any mine in which not more than 14 persons are regularly employed underground. This means that 4,200 of the 8,100 mines within our country will be exempt by this provision. It is right that these small family-sized mines should be exempt. I think that this provision of the law is fair and equitable. The reasons which support the need for this legislation are not often found in the small mine and to require that they comply with this law which seeks to curb major mine disasters would be oppressive and of little value.

Taken all together, this is a safe, sound, and deserving bill and it behooves this body to enact it into law.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, I am supporting the mine safety bill now before us. I am convinced that it is our duty as representatives of the people of America to do what we can to stop the slaughter of human lives connected with major mine disasters throughout the country.

The progress toward greater safety for all human beings throughout America is a problem close to all of us. The question of greater safety in the coal mines has been debated back and forth for years, and though we have made some progress, yet disasters which claim human lives continue to occur. These disasters are not necessarily a part and parcel of the coal industry. It is estimated that at least two-thirds of them can be prevented by the application of modern safety laws.

The bill before us is a genuine attempt to get at and eliminate those conditions which cause or lead to major disasters. Major disasters customarily occur as a result of mine explosions, wherein the gas near the top of the coal mine becomes ignited and explodes, stirring up the dust in the mines, which in turn explodes, oftentimes causing the death of every person within the area of the mine explosion. Major disasters are also customarily caused by mine fires, mine floods, man-trip and man-hoist accidents.

This bill does not attempt to cover those many accidents, which occur in the mines as an incident to day-to-day operation, in which fewer than five persons are ordinarily killed. Thus this bill continues to leave to State laws, and to mine operation regulations, and to agreements between employers and employees with reference to safety regulations, all that class of accidents not considered as major disasters.

Let us examine some of the arguments of the opponents of this bill:

First, there are those who say that the Federal Government has no business concerning itself with mine safety, and that for it to do so is a direct encroachment of the Federal Government upon the rights of the States. This argument is fallacious. When the Representatives of the 13 sovereign States met in Philadelphia during the hot summer of 1787 they wrote a constitution providing for a union of the States, thus giving birth to our great country, the United States of America. They stated in the preamble to the Constitution their purposes, which were, among others, to "form a more perfect union, establish justice, promote the general welfare." The articles of the Constitution written under that preamble provided, among other things, that "the Congress shall have power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

In other words, the framers of the Constitution surrendered to the Federal Government the power to regulate interstate commerce.

Now today, under that power, in the exercise of the power to regulate interstate commerce, the Congress proposes to pass the bill before us in an attempt to regulate those conditions within the coal mines of America, which conditions, if left unregulated, customarily lead to explosions and other disasters which take human lives.

As an over-all proposition it cannot be disputed that during the first half of the twentieth century, during the past 50 years, we have made great strides in the promotion of safety in our mines. Today in the coal mines of America we have only about one-third of the disasters that we had in the period of years from 1900 to 1910. That is real progress, for which progressive mine operators, well-trained employees, and State mine inspection and safety departments are entitled to much credit.

However, we still have major disasters in our coal mines. In 1947, 111 people were killed in a mine explosion at Centralia, Ill. On December 21, 1951, 119 people were killed in an explosion at Orient No. 2 at West Frankfort, Ill.

In 1941, this Congress passed a law—Public Law 49—giving the United States Bureau of Mines the right to inspect the coal mines of America for health and safety hazards, and inspections have now been made for a period of 10 years. In practically every disaster in the last 10 years, the record will reveal that in Federal inspections made prior to the disaster, safety recommendations were made which, if complied with by the coal mines involved, would have pre-

vented the occurrence of the mine disaster.

Let us take Orient No. 2 mine at West Frankfort, Ill.: Before the great tragedy occurred in that mine on December 21, 1951, the Federal Government had made 16 inspections of the mine. Thirteen of the reports issued by the Federal inspectors, following these 16 inspections, had pointed out that the mine was dry and dusty, that excessive accumulation of coal dust was present in the working sections and along the haulage ways, and had recommended that these accumulations be removed. Some of these inspection reports had pointed out that the ventilation system of the mine was hazardous and that the electrical equipment used in the mine was dangerous and that the coal dust in the mine was inadequately treated, and that these conditions created serious hazards, similar to those that had caused heavy loss of lives and destruction of property in other coal mines.

The State of Alabama, which produces 2½ percent of the coal mined in America and which produced last year about 13,000,000 tons of coal, and which has one of the better coal-mine inspection laws to be found in the various coal-producing States, has been fortunate in recent years that it has not had serious disasters comparable to Centralia and Orient No. 2 mines. In the last 10 years, we have had only 5 disasters in the Alabama coal mines and, thank goodness, we have had none since July 30, 1948, when an explosion at Edgewater, near Birmingham, snuffed out 11 lives. However, taking the record of loss of lives in coal-mine disasters throughout the State of Alabama, over the period of the past 46 years, our record has not been too good. Nine hundred and thirty-eight coal miners have been killed in mine disasters in Alabama since 1905, and this figure does not, of course, include those killed in accidents in which fewer than five people were killed. During the same period of time—46 years—Illinois, which produces about three times the amount of coal produced in Alabama, has had the exact number of deaths as a result of disasters we, in Alabama, have had.

There is no doubt in my mind, but that the Federal Government has the constitutional right to make coal mine inspections and enforce the bill before us, when it becomes law, if we pass the bill here today.

I happen to be one of those who does not believe because something emanates from Washington it is necessarily good, and I hope very much that we will continue to leave those functions of government which can best be performed by the States and local subdivisions in their hands. However, I have no hesitation in voting for this bill, or any other constitutional enactment, whereby in so doing the chance to preserve human lives is greater than it would otherwise be. In committee, I helped write into this bill its States rights provisions, which provisions provide for cooperation between State and Federal mine inspection services in making inspections, and in enforcing this law.

There should be no conflict, and under this bill, I believe, there will be none, between State and Federal mine inspectors, but their joint actions will have the effect of making the coal mines of America safer than they now are.

Another objection that has been voiced here on the floor to the bill is that it will destroy small coal mine operations. That argument is wholly erroneous. In the first place, the bill exempts all coal mines with 14 or fewer employees underground.

We all realize that coal mining in many areas, and such is certainly true in the Seventh Congressional District of Alabama, which I represent, is a business frequently carried on by small numbers of peoples, some times family groups, some times by people who engage in coal mining for only a few months in the year, and oftentimes by people who have been excluded from employment in the larger mines, because of advancing age, or for some other reason. These little operations are not the coal mines in which disasters customarily occur. For the most part, these mines are shallow, and the ventilation problems are not great. They are most often wet mines and the problem of dust is not great. They are usually nongassy mines. Very few of them have much machinery inside. There are about 8,000 coal mines in the United States and approximately half of these are small mines. It would be a tremendous burden on the Bureau of Mines to make inspections of all of them and would cost a tremendously larger sum than will the bill now before us. These mines are eliminated from the operation of this law, because major accidents, which we have been referring to as disasters, seldom or never occur in them. This bill also exempts from the operation of this law all strip coal mines. They likewise are not mining operations in which disasters customarily occur. As one of those who has worked long and faithfully on this bill, I can say to you that it was certainly not the intention of the framers of the bill to work any undue hardship upon any segment of coal mines, but instead it is a bill aimed at attempting to save human lives.

The coal mines of America are now producing about the same amount of coal they produced in 1910, that is, slightly over 500,000,000 tons a year. The average age of those who work in the mines is between 50 and 55 years of age. Younger men are not going into the mines at the same rate which they formerly did. Many sons of coal miners in the Seventh Congressional District of Alabama have told me that they would not work in the mines because of the danger involved.

I am one of those who does not believe that the coal industry is dying. I believe that the production of coal is going to begin rising shortly. The majority of the hydroelectric power inherent in the Nation's rivers has been captured. Our use of electric power is growing by leaps and bounds. Throughout the foreseeable future, a great portion of the power demand must be satisfied through generation of electric power by the use of coal. There are predictions that within the next 5 years our production of coal to satisfy this new use must go up from 500,000,000 tons to about 700,000,000 tons. When we make a genuine attempt to eliminate disasters from their operations, we make the coal mines more attractive as places of employment. Safe coal mines will attract younger people to them as suitable places in which to earn a livelihood.

Of course, this law will not do the job of providing increased safety, just because we put it on the books. The success depends upon reasonable and prudent administration of it by Federal and State mine inspection groups, and more than that, it will depend upon the cooperation of mine operators and mine employees throughout the Nation. I believe it is a reasonable law and I believe it will meet with the cooperation of all concerned. I believe that those of us who help to pass this law will reap the reward in a few years of seeing disasters and deaths in coal mines cut down to a great degree.

This is a chance to make one of the great industries of America safer.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I rise in support of H. R. 7408, the mine-safety bill. This measure is designed to bring about the enactment and enforcement of rules and regulations to protect the health and lives of employees in the great coal mines of our country. The United Mine Workers of America has been seeking legislation of this kind since the enactment of the first Federal Mining Code in 1941. They were opposed by some coal operators, coal associations, officials of the various States department of mines and Members of Congress who cried "Federal encroachment" in the field of private enterprise and interference with States rights.

Under the present Federal Mining Code, the Bureau of Mines may only call unsafe conditions in the mines to the attention of the owners. The Bureau has no enforcement authority, and in many instances the mine owners refuse to cooperate with the Federal inspectors. A typical example of this was the recent Orient mine disaster in Illinois. There the Federal inspector reported numerous violations of the Federal and State codes, but once again a coal company put economic value above the value they placed on human life and as a result 119 men made the supreme sacrifice.

There is a variance between the mine-safety bill passed by the Senate and the bill which is presently being considered. Under the Senate bill an operator is permitted to reopen a closed mine 5 days after he has notified Federal officials that criticized defects have been corrected. This would make for expeditious repairs and reopening of a closed mine with a minimum of time lost for the operator and his workers. The Senate also wrote into its bill a provision for reexamination in the event a mine owner charged a particular inspector with bias or incompetency. The House bill would

protect owners from biased or other improper inspection by creating a Federal Mine Safety Review Board to which operators could appeal with final review in the courts. It provides for issuance of a mine-closing order by a Federal coal-mine inspector if, upon inspecting a mine, he finds danger that a mine explosion, mine fire, mine inundation, or man-trip or man-hoist accident will occur in such mine immediately or before the imminence of such danger can be eliminated. The bill would enact into law Federal coal-mine safety provisions which coal-mine operators would be required to observe in the operation of their mines. The bill contains such coal-mine safety provisions as are designed to prevent the causes of major coal-mine disasters, namely, adequate support of roof and ribs in underground roadways and travelways, classification of a mine as a gassy mine, standards of ventilation, coverage of accumulations of coal dust with sufficient inert rock dust so as to prevent explosion or burning, type of examinations to be made to ascertain whether or not explosive gas may have accumulated in such mines and whether other hazards are present.

The bill provides for coordination of Federal and State activities in the field of coal-mine safety. It provides that at least once a year an inspector of the Bureau of Mines shall inspect each mine. This is a minimum requirement and it is recognized that some mines should be inspected more often than once a year. The bill requires that electrical machinery when used for certain purposes in underground mines in which explosive gas has been found to exist, shall be of a type which will not permit sparks from the machines to come into contact with the air in the mine. These are among the main provisions. However, the bill also contains a number of other provisions prescribing simple fire-prevention precautions.

I attended most of the hearings on this bill and heard the testimony presented by the mine owners and the State officials. It is their claim that mine safety is the responsibility of the industry and the States, but in watching the record of the killed and maimed in our mines, the fact remains that neither of these parties has measured up to his responsibilities. It is time for the Federal Government to step in with enforcement powers to see that the job is done. I hope this bill will pass the House today and the Senate and House conferees will quickly agree so that the coal miners of this country will have the same protection afforded to the men working in other industries.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I yield the balance of the time to the gentleman from Illinois [Mr. PRICE].

Mr. PRICE. Mr. Speaker, referring to the remarks of the gentleman from California, for the life of me I fail to understand how legislation enacted to safeguard the lives of men or of coal miners is not in his interest. This legislation is to safeguard the lives of the men who dig the Nation's coal.

No one claims that this is a cure-all or that it will prevent all accidents. I had occasion to visit the scene of the mine disasters in southern Illinois, in Centralia, and West Frankfort. I followed through the complete survey and investigation after those accidents, and I can assure this House that had this legislation been on our statute books, those two disasters that claimed almost 300 lives would not have occurred. This legislation certainly is in the interest of the coal miner. Of course there is opposition to it; there is always opposition to good legislation. This House was greatly disturbed at the time of these disasters, but it quickly forgets. How many Members have been watching the ticker tape in the Speaker's lobby during the past week? Almost every day there has been a report of a mine disaster.

On the first day of the Eighty-second Congress, January 3, 1951, I introduced a bill, H. R. 268, calling upon the Congress to enact mine safety legislation such as we are considering here today.

Following the terrible disaster at West Frankfort, Ill., in December of 1951, H. R. 268 became the basis for hearings held by the House Committee on Education and Labor to write legislation which would give enforcement power to the Federal Bureau of Mines. The legislation we have before us resulted from those hearings.

While I naturally feel that the bill I proposed, which was identical to the Neely measure passed in the Senate, provided greater safeguards for the protection of coal miners because it left a leeway for the mine inspection service to define and cope with new types of hazards which might arise in the future but are not now known to exist, I believe we have a good bill before us and I wholeheartedly support it. I urge my colleagues in the House to do likewise.

As I have said we know it is not possible to enact a law that will be an absolute cure-all or will prevent all accidents in the future, but I think I can say without fear of successful contradiction that had this legislation been on the statute books the Centralia, Ill., explosion, March 25, 1947, which took 111 miners' lives and West Frankfort, which took 119 lives, would have been prevented. I can say the same about Carpentertown, Pa., a short time ago and many, many others which did not make the headlines but systematically added to the toll of miners killed and injured because of laxity in enforcement of safety regulations—laxity which in many cases amounted to criminal negligence.

A few days ago I placed in the RECORD a compilation of safety code violations, repeat violations, and safety improvements in the mining industry. This compilation revealed that in a group of mines owned by operators who have voiced disapproval of Federal mine-safety enforcement powers, Federal inspection shows 12,171 violations of the Federal Mine Safety Code were found by the inspectors; 7,435 of these violations had been repeated from one or more previous inspections, which means that these dangerous conditions, any or all of which might have contributed to the injury or death of one or more coal miners, and may have caused a major disaster, have been allowed to remain uncorrected for a period of months or years.

The compilation also shows that 4,915 safety improvements were made, which is about one-third of the total violations found by the inspectors and known to be present by the coal operators.

In addition to their failure to correct these known hazardous conditions and the failure of the States to use their authority to have them corrected, 185 men were killed in the mines of these associations opposing this bill during the year 1951 and up to May 1, 1952.

Every Member of Congress quickly recalls the major disasters such as Centralia and West Frankfort, but already escaped from their memory are the hundreds of disasters claiming lesser number of lives in each explosion. Those of you who follow the news teletype in the Speaker's lobby have seen almost a daily press dispatch on mine disasters for the past week—one in West Virginia, two in Pennsylvania, claiming several lives. January took a toll of 54 miners' lives; February, 37; and March, over 20. Each month takes its toll.

I am supporting this bill today because I believe that by putting teeth into the Federal law we can improve greatly safety conditions in our mines. I am interested in mine safety—as every Member of Congress should be. The mining of coal is important to the economy of our country. It is the duty of Congress to provide adequate safeguard for the lives of those courageous men who dig the Nation's coal.

No segment in America's industrial life has or does contribute more to our industrial progress. And no group of American workers have or do face the hazards in their occupation as the coal miners.

Certainly this legislation deserves approval.

Let us not forget Centralia, West Frankfort, and the hundreds of other mine disasters which since 1883 have taken 100,000 lives and since 1930 have resulted in injuries to 1,305,925 coal miners.

I appeal to my colleagues to act today. Putting teeth into the Federal mine safety law is essential as the most adequate safeguard for the lives of our Nation's coal miners.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. LUCAS) there were—ayes 185, noes 37.

Mr. FULTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Pennsylvania: Amend the title so as to read: "To amend Public Law 49, Seventy-seventh Congress, so as to provide for the prevention of major disasters in coal mines."

The amendment was agreed to.

A similar House bill (H. R. 7408) was laid on the table.

House Resolution 720 was laid on the table.

SPECIAL ORDER GRANTED

Mr. EBERHARTER asked and was given permission to address the House for 15 minutes today, following the legislative program and any special orders heretofore entered.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT

Mr. MURRAY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2963) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended.

The Clerk read as follows:

Be it enacted, etc., "That section 8 of the Civil Service Retirement Act of May 29, 1930, as amended (5 U. S. C. 736c), is amended by adding at the end thereof the following:

"'(c) (1) The annuity of any employee or survivor of a deceased employee who, before the date of enactment of this amendment, was receiving or entitled to receive an annuity from the fund, shall be increased, effective on the first day of the second month following enactment of this amendment, by $36 for each full 6-month period elapsed between the commencing date of annuity and October 1, 1952: *Provided*, That such increase in annuity shall not exceed the lesser of $324 or 25 percent of the present annuity: *Provided further*, That no annuity shall be increased to an amount in excess of $2,000 by reason of the enactment of this amendment.

"'(2) The increases in annuity provided by this subsection shall be paid from the civil-service retirement and disability fund, and shall terminate, without subsequent resumption, on June 30, 1955, or on an earlier date under any one of the following conditions, whichever may first occur:

"'(A) At the end of the second month following the third consecutive month for which the Consumers' Price Index of the Bureau of Labor Statistics is less than 169.9, the index for the month of April 1948. In the event that the Bureau of Labor Statistics revises the basis of calculating the Consumers' Price Index, it shall immediately furnish to the Commission a conversion factor designed to adjust to the new basis the index figure of 169.9 described herein, and such adjusted index shall be used for the purposes of this subsection.

"'(B) On June 30, 1953, unless an appropriation is made to the civil-service retirement and disability fund in the applicable annual appropriation act, for the fiscal year 1954, or in any prior appropriation act, for the specific purpose of compensating said fund for the cost, as determined by the Commission, of increases provided by this subsection during the fiscal years 1953 and 1954.

"'(C) On June 30, 1954, unless an appropriation is made to the civil-service retirement and disability fund, in the applicable annual appropriation act, for the fiscal year 1955, or in any prior appropriation act for the specific purpose of compensating said fund for the cost, as determined by the Commission, of increases provided by this subsection during the fiscal year 1955.'

"SEC. 2. (a) There is hereby created a body to be known as the Committee on Retirement Policy for Federal Personnel, which shall be composed of a chairman appointed by the President and, ex officio, the Secretary of the Treasury, the Chairman of the Board of Governors of the Federal Reserve System, the Director of the Bureau of the Budget, and the Chairman of the Civil Service Commission.

"(b) The Committee shall make a comparative study of all retirement systems for all Federal personnel and report to the Congress not later than December 31, 1953. Its report, including findings and recommendations, shall include the following:

"(1) the types and amounts of retirement and other related benefits provided to Federal personnel, including their role in the compensation system as a whole;

"(2) the necessity for special benefit provisions for selected employee groups, including overseas personnel and employees in hazardous occupations;

"(3) the relationships of these retirement systems to one another, to the Federal employees' compensation system, and to such general systems as old-age and survivors insurance; and

"(4) the current financial status of the several systems, the most desirable methods of cost determination and funding, the division of costs between the Government and the members of the systems, and the policies that should be followed in meeting the Government's portion of the cost of the various systems.

"(c) The Chairman of said Committee, under such rules and regulations as the President may prescribe, is authorized to procure services pursuant to section 15 of the act of August 2, 1946 (5 U. S. C. 55a), and subject to the civil-service laws and the Classification Act of 1949, as amended, to appoint and fix the compensation of such attorneys and other personnel as may be necessary to carry out the provisions of this section. There is hereby authorized to be appropriated to the President such sums as may be necessary to carry out the provisions of this section.

"SEC. 3. Section 13 of the Civil Service Retirement Act of May 29, 1930, as amended (5 U. S. C. 716), is amended by adding at the end thereof the following paragraph:

"'Any person entitled to annuity from the civil-service retirement and disability fund may decline to accept all or any part of such annuity by a waiver signed and filed with the Commission. Such waiver may be revoked in writing at any time, but no payment of the annuity waived shall be made covering the period during which such waiver was in effect.'"

The SPEAKER. Is a second demanded?

Mr. REES of Kansas. Mr. Speaker, I demand a second.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. MURRAY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the bill now under consideration strikes out all after the enacting clause of the bill, S. 2968, and provides that the Lesinski bill, H. R. 8373, which has been reported out by our committee, be substituted therefor. It also provides that no annuity will be increased in an amount of more than $2,000.

The bill, S. 2968, which has already passed the other body, provides that for every 6 months an annuitant has been on the retirement rolls up to October 1, 1952, he shall receive an increase of $36, with a maximum increase of $324, or 25 percent of his present annuity, whichever is the lesser amount.

An employee who retired prior to April 1, 1948, when the new Retirement Act was passed by Congress, would receive the maximum increase of $324, provided his present annuity is $1,296 or more. If his annuity is less than $1,296 per year, then he would receive an increase of 25 percent of the annuity. For instance, if the present annuity of an annuitant is $1,000, he would receive a 25 percent increase, which would be $250 or if his annuity is $1,200 per year, he would receive a $300 increase. Employees who have retired since April 1, 1948, would get $36 for each 6 months of retirement prior to October 1, 1952. For example, if an employee retired on April 1, 1952, he would get a $36 increase only. If he retired on October 1, 1951, he would get a $72 increase, since he would have been retired for two 6-month periods prior to October 1, 1952. Only those retired for at least 54 months before October 1, 1952, are eligible to receive the maximum of $324.

The bill, S. 2968, made no provision for any increase to widows or dependent children of deceased annuitants. It provided that the increase would be charged to the retirement fund but would terminate on June 30, 1954, or on June 30 of any subsequent year unless Congress appropriated the necessary funds with which to pay the increase for the preceding fiscal year.

The bill, S. 2968, also sets up a committee on fiscal policy for Federal civilian retirement systems with the Secretary of the Treasury, Chairman of the Board of Governors, and the Federal Reserve System, and the Director of the Budget as members. For some reason the Senate bill, S. 2968, left off the Chairman of the Civil Service Commission as a member of this committee. Our former colleague, and chairman of the House Committee on Civil Service for many years, Hon. Robert Ramspeck, who is now Chairman of the Civil Service Commission, vigorously opposed the enactment of Senate bill 2968 upon the ground that the retirement fund at the present time is not financially or actuarily sound, and that it would not be fair or right to charge any further increase to the retirement fund when it was in such bad financial condition. The Bureau of the Budget supported Senate bill 2968 provided four amendments, suggested and approved by the Bureau, were adopted. These amendments were as follows:

First. To provide increases in benefits to survivors now on the rolls of the Civil Service Retirement system. In other words, to provide increases to widows and minor children as well as to the retired annuitants.

Second. To permit the trust fund to advance funds to pay the increases in benefits for the fiscal year 1953, but to require those advances to be paid from general appropriations made by the Congress of the United States, and also to require appropriations in advance by Congress to pay the increases for each of the fiscal years 1954 and 1955.

Third. To terminate the increases entirely on June 30, 1955.

Fourth. To authorize a thorough study of the nature and cost as well as the financing of benefits under all retirement systems for Federal personnel in order to provide a basis for the consideration of present policies in keeping with this broadened assignment. The suggested amendment renames the proposed study group, the Committee on Retirement Policy for Federal personnel, and enlarges its membership to six, and makes the Chairman of the Civil Service Commission a member of the committee. It also provides that the other additional member shall be named by the President, and shall be made chairman of this survey committee.

After Mr. Elmer Staats, Assistant Director of the Bureau of the Budget, testified before our committee and suggested these amendments, urging the great importance and need for these four amendments, the gentleman from Michigan [Mr. LESINSKI] who is a valuable and conscientious member of the Committee on Post Office and Civil Service introduced the bill, H. R. 8373, which incorporates the same benefit provisions and increases for retired annuitants exactly as set forth in Senate bill 2968 and also includes the four amendments or changes suggested by the Bureau of the Budget.

The Committee on Post Office and Civil Service in executive session voted to report out favorably to the House both the Senate bill 2968 and the Lesinski bill, H. R. 8373. All members of the committee voted to report out these two bills except myself.

My amendment, which will be considered alone since it strikes out all of the Senate bill after the enacting clause, is identical to the provisions of the Lesinski bill, H. R. 8373, with the exception that it provides that no increases in any annuity shall cause the annuity to exceed $2,000. The chairman of the Civil Service Commission recommended that the limitation be $1,800 but upon reflection I decided to make the amount $2,000 in my amendment; so that those who are now drawing $2,000 annuity or more will not get any increase under my amendment. It means that those who are drawing annuities of $1,800 today would be eligible to get only $200 increase and those receiving $1,900 annuity would be eligible to get only a $100 increase.

There are over 21,000 annuitants today who are drawing an annuity of more than $1,800 per year. This limitation will save about $4,000,000 per year.

My position on all this legislation is the same as that of Hon. Robert Ramspeck of the Civil Service Commission. Personally, I think it is unwise and dangerous to be tampering with our retirement funds by any legislation liberalizing this fund until we know whether this fund is in a safe and sound financial condition.

I said at the opening of these hearings that I opposed any legislation that would liberalize in any way the retirement system until a comprehensive survey was made as to the actuarial soundness of the retirement fund.

The SPEAKER pro tempore (Mr. COLMER). The gentleman has consumed 10 minutes.

Mr. MURRAY. Mr. Speaker, I yield myself five additional minutes.

Mr. Speaker, I stated my position clearly and plainly at the opening of the hearings that I opposed any legislation that would further liberalize the retirement system at this time. However, after a month of hearings and after the committee considered about 15 bills liberalizing annuities, the committee did not see eye to eye with me. The committee members were strongly in favor of liberalizing our retirement system. When the vote was taken on S. 2968 and H. R. 8373, I was the only member of the committee to oppose their being reported out favorably by the committee.

Mr. Speaker, it devolved upon me to determine what course I should pursue, whether I should request you to recognize me as chairman for the suspension of the rules on this legislation. My personal wishes are that this legislation should be postponed, but in view of the fact that I am the only member of the committee who takes a position in opposition to this legislation, should I attempt to thwart the will of the great majority of the committee by not requesting the Speaker to recognize me for this suspension of the rules? My duties as chairman of the committee sometimes conflict with my personal views and opinions as an individual Member of Congress. So in fairness and with due regard for the opinion and wishes of the other members of the committee I decided to request this suspension of the rules. I can assure you that the official life of the chairman of the Committee on Post Office and Civil Service is not a "bed of roses." My views often do not agree with the majority of our committee. The pressure that is brought upon our committee by these various employee groups is terrific and it is getting worse all the time. I, for one, am not afraid, and I will not yield to their pressure when I think they are being too selfish, or when I think they are advocating legislation that is not in the best interests of the economy of our country.

What is the condition of the retirement fund today? At the present time, according to Chairman Robert Ramspeck of the Civil Service Commission, the retirement fund lacks $4,875,000,000 of meeting its liabilities. At this time the retirement fund has to its credit a little over $4,400,000,000 and the liabilities of the fund are over $9,200,000,000. During the past 4 years, according to Chairman Robert Ramspeck, there has been a deficit in this fund each year of approximately $450,000,000.

That is a total deficit in the retirement fund for the past 4 years of $1,800,000,000. So with the fund in this condition it is high time that we pause before we further impair the soundness of this fund.

I feel that it is my duty and my responsibility as chairman since the committee with only one vote against it, which was mine, voted to report out both S. 2968 and H. R. 8373, to make this motion to suspend the rules with an amendment; and I will say that my amendment is much better than either the Senate bill 2968 which is before us or the Lesinski bill, H. R. 8373, because my amendment provides that no increases in any annuity shall cause the annuity to exceed $2,000.

Let us see what we have done already for these annuitants who retired before April 1, 1948: These annuitants contributed $240,000,000 to this fund. So far they have received $947,000,000; and according to the life expectancy tables, they will receive $2,186,000,000 ultimately, making a total that these annuitants will receive of over $3,000,000,000 for the $240,000,000 they contributed. In other words, they are getting $12 back for every $1 they put into the retirement fund.

In April 1948 when the new retirement bill was passed Congress gave these annuitants an increase of $300, or 25 percent, whichever is the lesser.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MURRAY. Mr. Speaker, I yield myself five additional minutes.

Mr. WITHROW. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. No; not right now; I will when I conclude.

Congress also provided for those annuitants who retired prior to April 1, 1948, a free annuity of $600 to their widows. We have a fine, liberal retirement system; I do not want to see it wrecked by undue liberalization. The trouble is that many people who are drawing their annuities look only at the $4,400,000,000 in cash in the fund and shut their eyes to the other side of the balance sheet which shows total liabilities of nearly $10,000,000,000, or a deficit of nearly $5,000,000,000.

According to the Bureau of Labor Statistics it is reported that there are 4,000,000 families with a smaller annual income than $1,000; that one in every four families headed by a person 65 years of age or over had an annual income of less than $1,000 per year.

Tell me why this Congress should dish out the taxpayers' money, or the money of the retirement funds to annuitants who are getting $2,000 or more today in annuities.

There is one annuitant on the rolls today who is getting $12,500; there are others getting five, six, seven, and eight thousand dollars in annuities.

If there is any justification under the sun for this increase it should be on the basis of need and want; and only those who are really suffering financial distress should be entitled to this increase. That is why I put the $2,000 limitation in my amendment.

I am concerned over the attitude of so many people today that the Federal Government owes them "security or financial protection from the cradle to the grave." Unfortunately today many persons who are Federal employees have the idea that our Government owes them a living after they retire and that it is up to our Government to keep them up

the rest of their lives. Mr. Speaker, we never hear any more about thrift, economy, or "saving for the rainy day"; the only thought today is to just retire and let the Federal Government take care of you.

It is time that we get back on a sound basis in this country and practice thrift and economy. I have offered an amendment which I think is good, it is much better than the bill S. 2968 and I think under the circumstances my amendment is the best that can be worked out. It is my own compromise with my own conscience.

I thought a long time as to whether or not I should ask the Speaker for permission to bring this bill up under suspension of the rules when personally I did not want to do so, but then I thought about my duty and my obligation as chairman of the committee. I was the only one who opposed this legislation. Finally I decided to bring the bill up under suspension of the rules with my amendment, which I hope will be adopted by the House. If this legislation is not considered under suspension of the rules then it is too late at this session to consider same otherwise.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from California.

Mr. McDONOUGH. How much more than $2,000 did the original bill provide as a maximum for an employee?

Mr. MURRAY. The original bill has no maximum. The annuitant who is now drawing $12,500 would get $324 of an increase under Senate bill 2968.

Mr. McDONOUGH. The gentleman says that $2,000 is the maximum in his bill.

Mr. MURRAY. Yes.

Mr. McDONOUGH. What do you mean by the $2,000?

Mr. MURRAY. My amendment provides for no increase if it brings the annuitant to more than $2,000. In other words, if the annuitant is drawing $1,900 he would be entitled to $2,000. If he is drawing $2,000 or more he would be entitled to nothing in the way of an increase under my amendment.

Mr. McDONOUGH. Under the original bill there was no maximum?

Mr. MURRAY. That is correct.

Mr. McDONOUGH. The original bill provided for 2 years for this temporary set-up. The gentleman's bill provides for 1 year?

Mr. MURRAY. For 10 months, until June 30, 1953, unless Congress appropriates the money.

Mr. McDONOUGH. The gentleman's bill is for 10 months?

Mr. MURRAY. Yes; unless Congress sees fit to make the necessary appropriations for future years after June 30, 1953.

Mr. McDONOUGH. The original bill was for 2 years?

Mr. MURRAY. That is correct.

Mr. HERLONG. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield to the gentleman from Florida.

Mr. HERLONG. The gentleman stated it would not affect any annuity above $2,000.

Mr. MURRAY. Yes.

Mr. HERLONG. A man who gets a $12,000 annuity today will not be cut down to $2,000, will he?

Mr. MURRAY. Oh, no, since no present annuity will be reduced in any amount.

Mr. HERLONG. I just wanted to get that straight.

Mr. MURRAY. It provides an increase if it will not bring the total up to beyond $2,000. Those now receiving annuities of $2,000 or more today will get no increase under my amendment, but will continue to receive the amount of their present annuities.

Mr. Speaker, the thorough, comprehensive survey of the retirement system is badly needed. I here quote the testimony by Mr. Elmer Staats, the Assistant Director of the Bureau of the Budget, in its need and importance:

> There is need for a thorough reevaluation of basic policy for the provision and financing of retirement and other types of similar benefits for all categories of Federal personnel. This involves also the clarification of the relationships among the various staff pension systems as well as between such systems and the basic old-age and survivors insurance system. The Bureau of the Budget, the Civil Service Commission, and the Federal Security Agency are now carrying on jointly a fact-finding study of existing problems in the relationships between the civil service retirement and the old-age and survivors insurance systems. However, this covers but a small part of this Government-wide problem.
>
> * * * * *
>
> We base this view in part on a preliminary study. The report covered 13 different retirement systems maintained for Federal personnel, with many widely differing plans and provisions. We estimate that obligations to pay benefits are now accruing for all these systems at a yearly rate of over $2,000,000,000.

Mr. REES of Kansas. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill approved by the committee is what is known as the Lesinski bill. I believe there is only one change. That is the amendment of the chairman of the committee which he has just announced to the House. The amendment placing a limitation whereby anyone presently receiving annuities of $2,000 or more will not be included under the measure. I am also informed that with the exception mentioned, this bill is in line with the recommendations of the Bureau of the Budget.

This bill, as amended, will provide for an increase in civil-service retirement and disability annuities paid to employees or survivors of deceased employees receiving or entitled to receive an annuity on or before April 1, 1952. This increase will amount to $36 for each full 6 months elapsed between the commencing date of the annuity and October 1, 1952, with a limitation of $324 or 25 percent of the present rate, whichever is lesser. No annuity will be increased to an amount in excess of $2,000 by reason of this legislation. The increase will be effective the first day of the second month after the enactment of the bill.

The increased annuities provided in this legislation will terminate on June 30, 1955, or at an earlier date in the event (a) the Consumers' Price Index of the Bureau of Labor Statistics for three consecutive months is lower than for April 1948, (b) on June 30, 1953, unless an appropriation is made in the appropriation act for the fiscal year 1954 to reimburse the Civil Service Retirement Fund for the cost of the increases provided during the fiscal years 1953 and 1954, or (c) on June 30, 1954, unless an appropriation is made in the appropriation act for the fiscal year 1955 to reimburse the Civil Service Retirement Fund for the cost of the increases to be provided for the fiscal year 1955.

The bill creates a Committee on Retirement Policy for Federal Personnel to make a comparative study of all retirement systems for all Federal personnel and report to Congress.

Annuitants will be permitted to waive increases under a provision designed to protect veterans receiving non-service-connected pensions which would be denied if their annuities exceeded certain amounts.

Our committee heard extensive testimony at which it developed there was a critical need to increase annuities for retired Federal employees. Our committee recommended two bills. One would have increased only the annuities of retired employees. The proposal which we are considering at this time contains the provisions of the two bills recommended by our committee and provides annuities for retired employees and for widows and children of deceased Federal employees.

There are approximately 166,000 Federal employees and 30,000 widows and children of deceased Federal employees who will receive increases under this bill. The cost of the bill for the first year is approximately the same as the cost of the bill as it was approved by the Senate. The difference is made up by the ceiling provision whereby annuities will not be increased so that they will be more than $2,000 per year as a result of the increases provided in this bill.

In my judgment there is considerably more merit in providing increases for widows and children whose annuities in general run only 50 percent of the annuities of Federal employees than there is in paying the increases to persons who are receiving annuities that are admittedly more than the amount necessary to sustain an adequate standard of living even in relatively high-cost areas.

Although the hour is late and the plea has been made that we should accept legislation without amendment, there is no more reason that we should take this action with this legislation than with other legislation which we are presently considering that is equally, if not more important, to the vital interests of this country. No problem is so complex that it cannot be resolved in a proper manner by conference. In my opinion, of course, we have accepted the major portion of the bill passed by the other body and I believe they will not turn against our

amendments on which there is general agreement as to their desirability.

Mr. Speaker, we are hearing from various quarters a slogan "We, or they, have never had it so good." Here is a group of good citizens numbering approximately 200,000 who are not "having it so good." They are being required to get along on 50-cent dollars. They are people who, when they went on retirement, had a right to believe their dollars would be worth face value. They lost out through no fault of their own. This is just a small lift for these people. It is an effort to help provide some help, though small, to a fine group of American citizens.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. There are a good many widows of Federal employees who are not getting any pension, and they are not having it so good. Has the gentleman's committee given any consideration to providing some relief for them?

Mr. REES of Kansas. I will say the gentleman has made an important observation. Unfortunately not, but the original bill that was submitted on this question did not even give any additional relief to the widows and orphans of these retired employees. We are at least doing that much under the legislation that we have before us today. I think there is a whole lot more merit in providing increases for widows and children whose annuities in general run about 50 percent of the annuities of Federal employees than in paying increases to persons who are presently receiving annuities amounting to $4,000, $5,000, $6,000, or more. It should be observed that funds under this bill must come from either directly or indirectly from the Federal Treasury.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Do I understand the gentleman to say then that the sole purpose of this bill is to assist the recipients by reason of the inflationary forces that are now operating against them?

Mr. REES of Kansas. The gentleman has stated it correctly.

Mr. CRAWFORD. May I ask one other question? Referring to the large civil-service retirement schedule which has been made available, in the gentleman's opinion will this increase, if granted, unduly burden the reserve fund?

Mr. REES of Kansas. Oh, I will say to the gentleman that that is a problem. The reserve fund now, according to the Civil Service Commission—and they are disputed—would require an additional $4 billion to make the fund what is described as actuarily sound. That means putting the fund in line with insurance companies' funds.

Mr. CRAWFORD. Will the gentleman give us his opinion as to whose fault or failure that is?

Mr. REES of Kansas. Well, I would say the Congress, through the years, has not appropriated the funds to do what it was expected to do under the original law.

Mr. CRAWFORD. Would the gentleman say that the Congress has not appropriated the funds, or we did not deduct enough from the workers?

Mr. REES of Kansas. Of course, there may be one other position to take. When the fund was created, these additional charges were not contemplated. The right thing to do is to appropriate money to pay for it as you go along rather than charge it up against a fund that was not intended to take care of these extra charges.

Mr. RHODES. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I am glad to yield to the gentleman from Pennsylvania, a member of our Committee.

Mr. RHODES. I believe the members of the committee are all in favor of this amendment, but we voted out the Senate bill mainly because we felt that an amendment would delay the legislation and kill all chances of passage at this session. We wanted to do something for the annuitants this year.

Mr. REES of Kansas. I believe the gentleman will agree that this bill is better than the Senate bill.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Does the gentleman think that on June 30, 1953, this will terminate?

Mr. REES of Kansas. The gentleman's judgment is just as good as mine in respect to that question, but unless Congress takes action in respect to it, the law will terminate. That is about the best I can tell the gentleman. It is my personal opinion the act should remain in effect for a longer period, but this is the way the bill is written. The only change in the bill as originally introduced is the limitation of $2,000.

In view of all the circumstances, I think this legislation should be approved by this House and go to the other body, and I am hopeful and feel quite sure there is sufficient time to have it enacted into law before this session terminates. Of course I have no voice with regard to the matter of recess or adjournment. I think this legislation is of sufficient importance that it should be approved during this session. I hope the other body will act accordingly.

Mr. Speaker, I yield 4 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I rise in support of this amendment. I believe it is the best thing we can get at this time. I think it is most essential for the annuitants who are now on the rolls that something be done at once for their relief.

I am particularly glad that in this amendment are included the survivors of the deceased employees who before the date of the enactment of this amendment were entitled to be on the rolls. This is very important.

What I should like to address myself to particularly, though, Mr. Speaker, is the question of the fund which we have heard so much about as being actuarially unsound. This is the picture as I see it in the brief time that is allotted to me.

We have in that fund, according to the figures submitted by the Civil Service Commission, over $4,500,000,000. In fact, as of today, I believe it is safe to say it is $5,000,000,000 that is in the fund. This year, with the proposed amendment, we will be spending a little under $190,000,000.

Mr. Speaker, it seems to me that if I were in business and an insurance company informed me they had $5,000,000,000 salted down and they were going to spend $190,000,000, I would certainly tell them that they ought to have their heads examined. In other words, I would say, "What are you doing with that money? Why aren't you putting it out to some good use?" For that reason, I do not think it is fair or just to say that this fund is actuarially unsound.

Of course, if every annuitant tomorrow were to collect his or her money, the fund would blow up. What do you suppose would happen if we all went to our banks tomorrow and tried to collect our deposits? It would be the end of the banking system of the United States.

So I believe we are perfectly safe in passing this legislation, and I hope that a study, which this amendment calls for, will be made in the next 10 months and that we will come back with a realistic, businesslike approach to this whole problem, and will also take in the military on the retirement rolls as well in our study.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Is it not a fact that this $4,500,000,000 that is in the reserves is drawing interest to help pay for the $190,000,000 in annuities?

Mrs. ST. GEORGE. Of course; the gentleman is entirely correct. That is why I said my figure was $4,500,000,000. It probably now is up to $5,000,000,000.

Mr. WITHROW. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield to the gentleman from Wisconsin.

Mr. WITHROW. Right at this point it might be interesting to know that the interest this fund earned during 1951 was one-hundred-and-sixty-four-million-dollars-plus. The amount that was paid out to annuitants during 1951 was $185,000,000. It was only $21,000,000 short of the entire amount that was paid out to the annuitants during 1951.

Mrs. ST. GEORGE. I thank the gentleman for his contribution.

Mr. McDONOUGH. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. McDONOUGH. A moment ago, reference was made to the deficit or the amount of money necessary to make the fund liquid. As a matter of fact, that is not the fault of the Federal Government for not making its annual contribution to the retirement fund and is definitely not the fault of the Federal employees who have made their contribution regularly.

Mrs. ST. GEORGE. I thank the gentleman. He is eminently correct.

So far as the social-security fund is concerned, they have absolutely no reserve and no funds. We know that that fund is absolutely filled with Government I O U's.

Mr. McDONOUGH. Should not the same argument apply to any large insurance company, if it is called upon to pay all of its claims at one time?

Mrs. ST. GEORGE. Why, of course. Not only that it would mean that we would all simply have to go on a cash-and-carry basis and have no credit setup at all.

The SPEAKER pro tempore (Mr. COLMER). The time of the gentlewoman from New York has expired.

Mr. REES of Kansas. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin [Mr. WITHROW].

Mr. WITHROW. Mr. Speaker, we all want to provide relief to the retired employees, not as gratuity but as a matter of right. This bill is not just exactly what I would like, but it is the only bill we have a chance of passing at this time under the procedure we have gone through. However, I do believe there is only one question which presents itself at the present time, and that is whether this fund is sound or not. A great deal has been said about it, but I do want to say just a word or two in regard to it. First of all, I do believe the fund is sound, and if the fund is not sound, then the responsibility for it not being sound, or at least part of that responsibility, rests with the Federal Government because, from the years 1921 to 1929, they did not contribute one single solitary cent toward the fund while the employees were contributing all the time. Since the Civil Service Retirement Act went into effect the Federal Government has gone short in its contributions as compared to contributions of the employees, by more than $600 million. So, if there is any unsoundness the Federal Government must take a large portion of the responsibility for it.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. WITHROW. I yield.

Mr. AUGUST H. ANDRESEN. Is it not a fact that the fund is as sound as the Government itself, because when we pay the money out you have to tax the people in order to pay for the bonds and securities that the fund holds?

Mr. WITHROW. Absolutely; there is no question about it.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. WITHROW. I yield.

Mr. MILLER of California. If they want to talk about soundness of funds, I think the gentleman should point out that we have an obligation toward the retired Army and Navy officers and enlisted personnel, which costs us over $345,000,000 a year, where they do not contribute 1 cent to the fund.

Mr. WITHROW. That is exactly so.

Mr. Speaker, the interest this fund has earned over the period 32 years, which is the time that it has been in existence, has amounted to over $1,000,000,000. The amount of money that has been disbursed out of this fund only amounts to a little over $2,500,000,000 for this same period. So the interest ratio and the earning power of this fund to the entire expenditures of the fund is 2½ to 1. The Federal Government has contributed $2,689,000,000 to the fund, which is more than the entire disbursements from the fund over its entire life. The amount of money that the employees have contributed to the fund plus the interest is the balance in this fund at the present time, and that is over $4,419,000,000. If you would look at the 1951 report of the Civil Service Committee on the retirement fund, you would see that if there is any trend, it is the trend toward a sounder fund, and you must take into consideration it has only been for the last 23 years that the Federal Government has been making a substantial contribution to the fund.

Mention has been made of the railroad retirement fund. It has been held up as a model. But this fund is much sounder than the railroad retirement fund and no one questions the soundness of the railroad retirement fund. The assumption that all Federal employees will force the fund to meet all its responsibilities on a given date is just an unrealistic approach and not worthy of mention. As a matter of fact, if over a period of years this fund had been so unsound, why was it that the Federal Government did not meet its responsibilities and make its contributions to the fund? The answer is obvious—the fund is sound.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. REES of Kansas. Mr. Speaker, I yield 3½ minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from California.

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the remarks of the gentleman from Pennsylvania [Mr. CORBETT].

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

There was no objection.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from New York.

Mr. JAVITS. Mr. Speaker, I believe this legislation is vitally necessary. The cost of living has far outstripped retirement pensions. A material increase is a matter of elementary justice to those who have given their working years to the service of the United States. Also, it is a very important element in the morale of all civil-service workers to note that justice is served in increasing the retirement payments. I believe it will be compromised and liberalized in the conference with the Senate. As it stands now it is inadequate for the urgent needs of those under retirement in the civil-service system. I am impressed with the fact that most of the House conferees see the problem and are anxious to meet and solve it. I am for the bill, and I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. LANTAFF. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Florida.

Mr. LANTAFF. Mr. Speaker, I wish to take this opportunity to commend the chairman of our committee, the gentleman from Tennessee [Mr. MURRAY]. I think the House realizes that he has very violent feelings about this particular bit of legislation, but notwithstanding those convictions he, with the magnanimous spirit he has, has brought this bill to the floor for the Members to consider.

Mr. CORBETT. Mr. Speaker, I cannot yield further.

Mr. Speaker, I want to say to the Members of the House that many persons representing many of the retired employees of the Federal Government appeared before our committee or sent in statements which proved beyond any doubt that there was great need for some remedy for the mounting cost of living, the resulting lack of purchasing power of the dollar, and the consequent lowering of the standand of living for our retired individuals. These victims of our policies, our policies which over the years have fallen most heavily on annuitants, pensioners, people living on fixed incomes and off savings, are in great need. To meet this great need we come here to consider a bill which will take care of only a small portion of it. It is a little like binding up part of a wound. I am satisfied in my own mind that this legislation has fallen so far short of meeting the needs that we will certainly have to consider similar legislation next year. Possibly some day we will have to go into the matter of establishing escalator clauses in measures of this kind unless we quit the policy of destroying the value of the savings of the people of the United States.

I want to say on behalf of the fund that in every year of its existence the disbursements under the plan have been less than the employees' contributions. Likewise figures worked out on the basis of the Senate bill show that if this bill is passed and the number of employees remain constant and the payments remain constant, it will be the year 2000 or later before the disbursements will be greater than the employees' contributions alone. Therefore, I believe that no Member of this House should feel any hesitancy in supporting this bit of a remedy.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. McDONOUGH. Mr. Speaker, I rise in support of an increase in the pension for retired Federal employees, and although I would prefer the original bill, S. 2968, it becomes necessary under the circumstances because we are considering this under suspension of the rules to support the amendment to the bill which is before the House.

I think we should make it plain that it is the fault of the Federal Government, not the Federal employees, that the retirement fund is not actuarily sound, because the Federal Government has not made the necessary contribution to that fund for a number of years.

There is a question in my mind as to whether the fund has to be actuarily sound, that is any more financially sound than the social-security fund which is certainly not on that basis, or the reserve fund of any of the major insurance companies which would find it very difficult to pay off all claims at one time.

We certainly know that all Federal employees are not going to retire at the same time, and we should have funds on hand to meet all of the necessary obligations to pay an adequate annuity to these Federal employees who do retire, and in my opinion we have sufficient money in the fund at the present time to do this and to allow for the increase which this amendment will provide.

The Federal employees, and especially the postal employees who are among those in the lower-paid brackets, should not be penalized for any fault of the Federal Government for not contributing its share to this fund over the years.

Although this bill will partially correct that fault, it appears very necessary that a thorough, comprehensive and searching investigation and study should be made by the Committee on Retirement for Federal Personnel which this bill creates in order to bring to the Congress all of the facts so that we can act more intelligently on permanent legislation providing for increases for annuity payments to retired Federal employees.

At the present time there are in the United States approximately 172,000 annuitants, many of them residing in my own State of California. Fifty-two percent of them receive less than $1,200 per annum. Forty-one percent receive over $1,200 but less than $2,000. Only 7 percent receive over $2,000 per year.

In view of the tremendous increase in the cost of living and the steady devaluation of the dollar which has resulted in the diminishing buying power of the dollar, the plight of the retired civil service and postal employees who must depend upon inadequate annuities to provide shelter, necessary clothing, food, and medical care has become serious.

Many retirees who have devoted most of their lives to the service of the Government cannot afford adequate medicine, hospital, and other necessities attendant upon advanced age. Many others have been forced to lower their standard of living below the level which would provide them with the necessities of life.

There can be no doubt that the retired Federal and postal employees are certainly in need of this increase in the annuity they now receive, and that their long service entitles them to it, especially in view of the continued increase in living costs.

I urge that the amendment now before the House be adopted.

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. WOLVERTON. Mr. Speaker, I am in favor of the adoption of the pending bill to increase the annuities of retired Federal employees. The bill does not go as far as it should in this respect. Unfortunately, the bill has been brought up under a procedure that prevents any amendments being made. It should have been brought up under a rule that would permit amendments that would further remedy the inadequacy of present annuities.

Under the conditions that exist today the retired workers living on pensions or retirement benefits are hard pressed to meet the steadily-increasing cost of living. Prices are going up and the purchasing power of the dollar is going down. Retired workers of all classes, cut off from earning capacity, cannot meet the rising cost of living by increased wages. Their income is frozen. It was fixed when prices were lower and the dollar of greater purchasing value. The only way we can help these retired workers and their dependents is to increase their annuities.

It is not the fault of the retired worker that we are in a period of rising costs and decreasing value of the dollar. This is the result of economic conditions and the weakness and insufficiency of Government fiscal policies. The duty is upon us to recognize the situation that exists. It is our duty to provide annuities that will enable these elderly retired workers to live in some degree of comfort. They have worked faithfully and long and are entitled to more generous treatment. A Nation that gives so lavishly throughout the world, as does this Nation, certainly should be able to care for its own retired workers.

I shall vote for the bill, although I am disappointed that it does not go further than it does in providing relief for all retired workers.

Mr. REES of Kansas. Mr. Speaker, I yield the remainder of my time to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Speaker, I appreciate the opportunity afforded me by my distinguished friend from Kansas [Mr. REES], to use the remaining time allotted him under the rules and permit me to conclude the debate on the annuitants measure. I had attended many of the hearings on the matter under consideration and the vital importance of action was indicated by the overcrowded spectator attendance throughout these meetings. No other hearings by our great Committee on the Post Office and Civil Service had such capacity audiences or more attentive visitors as the many outbursts of applause or manifestation of displeasure at remarks made by witnesses which required admonishment from the chairman who was ready to give every witness his or her full time for testimony.

The time element and the suspension of rules procedure, added to the fact that two pertinent bills were reported simultaneously by the committee on Friday past, gave the chairman of the committee [Mr. MURRAY] a choice of bill to present today when recognized to call up a measure providing aid for Federal annuitants. In his opening remarks, the gentleman from Tennessee outlined his reasons for presenting the bill, as amended, and we have a choice of no bill at all or to take the amended version as presented. The House will accept the bill as presented desiring to take action providing a cost-of-living increase in annuities to former civil service workers who have been caught in the inflationary squeeze between rising prices and fixed income.

Mr. Speaker, against the contention of the Chairman of the Civil Service who questioned the soundness of dipping into the retirement fund for whatever increase might be allowed, was the insistence of those who believe that the Federal retirement fund is not required to be solvent at all times and suggested that it was inconceivable that a situation could arise requiring immediate payment of the entire sum. Actuarial soundness of the fund is questioned and this should be inquired into and thoroughly explored in order that necessary corrective action by the next Congress can be taken to protect the fund for those who are now receiving the benefits and to prevent an injustice to those who are contributing each payday believing that their full annuities will be forthcoming when eligible. I shall vote for passage and hope for a satisfactory conclusion in conference in order that a bill might be agreed upon before adjournment of this session.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks at this point in the RECORD.

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

There was no objection.

COST-OF-LIVING INCREASES FOR FEDERAL ANNUITANTS

Mr. RIEHLMAN. Mr. Speaker, I am very pleased to join my colleagues in the passage of S. 2968, the bill providing cost-of-living increases for retired Federal employees receiving annuities from the civil-service retirement and disability fund. As pointed out by the committees recommending this legislation, the facts are well recognized that the cost of living has materially increased during the past several years, and that persons, such as the great majority of our Federal annuitants whose chief livelihood is dependent upon a fixed income, are hardest hit by this inflationary spiral. An increase in annuities of those already retired from Federal service is justified as a partial offset to the continually decreasing purchasing power of the dollar.

Congress recognized the plight of many of our people living on fixed incomes when it adopted amendments to the Social Security and Railroad Retirement Acts, increasing the amount of the bene-

fits payable under those systems. As long as the inflationary spiral continues, it is only just that we should attempt to alleviate as much as possible this inflationary pressure upon those people now retired from Federal service.

Mr. HOLIFIELD. Mr Speaker, we have before us a bill which is in the nature of a substitute for S. 2968 to increase the annuities of retired Federal employees or their survivors.

While this bill is not 100-percent satisfactory, I believe it should be passed in order that it may go to conference with the Senate bill. I am sure that the conference report will be a great improvement over the present law, and while it may not give all the benefits that the recipients would like, it will give them a substantial increase which will go far toward compensating them for the increased cost of living since their last annuity adjustment.

I am confident that the bill will be approved unanimously by the House.

Mr. SPRINGER. Mr. Speaker, there is not a Member of this House who has not become acquainted within the last 18 months with the plight of retired Government employees. There is no group in the country which has been caught more severely in the cost-of-living squeeze than retired personnel. This bill will provide relief to retired Government employees, not as a gratuity but as a matter of right.

This increase will amount to 25 percent of the present rate with a limitation of $324, whichever is the lesser. The increase will be effective the first day of the second month after the enactment of this bill.

The committee heard a great deal of testimony of the critical need to increase annuities for retired Federal employees. This proposal which we are considering at this time provides annuities for retired employees and for widows and minor children of deceased Federal employees. There is considerable merit in providing increases for widows and children whose annuities in general run only 50 percent of the annuities of Federal employees. It is admitted that the amount for these dependents is now necessary to sustain an adequate standard of living even in relatively low-cost areas.

No annuity will be increased to an amount in excess of $2,000 by reason of this legislation.

This bill does not exactly meet all of the requirements that I would like. But it is the only bill which we have a chance of passing at this time.

Every Federal employee who is now paying upon his annuity will wonder whether the annuity fund is sound or not by reason of this increase. I want to say just a word or two about that. In my opinion the fund is sound. If the fund is sound then the responsibility is upon us to see that this adequate increase is given to the retired employees.

Interest in this fund over a period of 32 years has amounted to over one billion dollars. There has been only a little over $2,500,000,000 disbursed out of this fund for the same period. The Federal Government has contributed $2,689,000,000 to the fund which is more than the entire disbursements from the fund over its entire lifetime. After examining the 1951 report of the Civil Service Committee I have come to the conclusion that the fund is much more sound than social security.

I have compared this fund with the Railroad Retirement Fund which has often been set up as a model. Without any fear of contradiction I can say that this fund is more sound than the Railroad Retirement Fund. For that reason we are not in any way by this action endangering the fund of those Federal employees who are now paying on their own annuities.

This bill creates a body which I have been advocating for the past 18 months. By the provisions of this bill a committee for retirement policy for Federal personnel is brought into existence to make a study of all retirement systems for all Federal personnel. That committee at the completion of its studies will make a report back to Congress with its recommendations. This will eliminate the haphazard manner in which annuities have been handled in the past. It will also have a duty to report periodically on trends in the cost of living and make comparative studies of this fund with other retirement funds throughout the country. One of the duties of this Congress should be to provide a sound dollar of purchasing power. For the plight of these retired people Congress has some responsibility. Many of these people are the victims of our own policy here in Congress. The rise in the cost of living has fallen most heavily on those who live on fixed incomes. Unless we can in some way stop the policy of destroying the value of the dollar we will be faced with the possibility of establishing escalator clauses in funds of this kind.

At least in this bill we are recognizing the situation of these people and are attempting to make provision as best we can and at the same time keep a sound fund which will be just as active 50 or 100 years from now as it is today.

It has come particularly to my attention the situation with reference to retired postal employees in my district. This bill will cover those who have spent so many years of their life carrying the mail for people since the horse and buggy days.

I am happy to support this bill which I believe is not only good for the retired employees but is sound Americanism in the kind of a democracy we live in.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken, and two-thirds having voted in favor thereof; the rules were suspended and the bill was passed.

By unanimous consent, the bill H. R. 8373 was laid on the table.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following resignation from a committee, which was read by the Clerk:

HOUSE OF REPRESENTATIVES,
Washington, D. C.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Ways and Means Committee, effective as of this date.

Sincerely,

ROY O. WOODRUFF.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

The SPEAKER laid before the House the following resignation from a committee, which was read by the Clerk:

HOUSE OF REPRESENTATIVES,
Washington, D. C., July 2, 1952.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR SPEAKER RAYBURN: I herewith tender my resignation from the Committee on the Judiciary.

Most respectfully yours,

ANGIER L. GOODWIN,
Member of Congress.

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 privileged resolution (H. Res. 727) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That Hon. ANGIER L. GOODWIN, of Massachusetts, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Ways and Means.

The resolution was agreed to.

HOUSING ACT OF 1952

The SPEAKER. The Chair recognizes the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3068) to amend defense housing laws, and for other purposes, with committee amendments.

The Clerk read as follows:

Be it enacted, etc., That this act be cited as the "Housing Act of 1952."

SEC. 2. Section 217 of the National Housing Act, as amended, is hereby amended to read as follows:

"SEC. 217. Notwithstanding limitations contained in any other section of this act on the aggregate amount of principal obligations of mortgages or loans which may be insured (or insured and outstanding at any one time) and on the aggregate amount of contingent liabilities which may be outstanding at any one time under insurance contracts, or commitments to insure, pursuant to any section or title of this act, any such aggregate amount shall, with respect to any section or title of this act (except section 2), be prescribed by the President from time to time taking into consideration the needs of national defense and the effect of

additional insurance authorizations upon conditions in the building industry and upon the national economy: *Provided,* That the dollar amount of the insurance authorization prescribed by the President at any time with respect to any provision of title VI shall not be greater than authorized by provisions of that title: *And provided further,* That, at any time, the aggregate dollar amount of the mortgage insurance authorization prescribed by the President with respect to title IX of this act, plus the aggregate dollar amount of all increases in insurance authorizations under other titles of this act prescribed by the President pursuant to authority contained in this section, less the aggregate dollar amount of all decreases in insurance authorizations under this act prescribed by the President pursuant to authority contained in this section shall not exceed $1,900,000,000: *And provided further,* That $400,000,000 of said sum shall be available only for the insurance of mortgages for which no insurance contract or commitment to insure under this act was outstanding on June 30, 1952, and which mortgages (1) cover defense housing programed by the Housing and Home Finance Agency in an area determined by the President or his designee to be a critical defense housing area, or (2) are insured under title VIII of this act, or (3) cover housing intended to be made available primarily for families who are victims of a catastrophe which the President has determined to be a major disaster."

SEC. 3. (a) Section 301 (a) (1) of said act, as amended, is hereby amended—

(1) by striking the words beginning with "insured after April 30, 1948" and ending with the colon at the end of the first proviso thereof and inserting the words: "insured under this act, as amended, or insured or guaranteed under the Servicemen's Readjustment Act of 1944, as amended: *Provided,* That no such mortgage, except defense or disaster mortgages as defined in subparagraph (G) hereof, shall be purchased by the association unless insured or guaranteed after February 29, 1952, or purchased pursuant to a commitment made by the association:";

(2) by striking from subparagraph (E) "pursuant to authority contained herein, exceeds 50 percent of the original principal amount of all mortgages made by such mortgagee" and inserting "after February 29, 1952, pursuant to authority contained herein, exceeds 50 percent of the original principal amount of all mortgage loans made by such mortgagee that are insured or guaranteed after February 29, 1952";

(3) by striking the proviso in subparagraph (E) and inserting "*Provided,* That this clause (2) shall not apply to (nor shall any terms therein include) any defense or disaster mortgages as defined in subparagraph (G)"; and

(4) by striking from the proviso in subparagraph (G) "which do not exceed $252,000,000 outstanding at any one time, if applications for such commitments were received by the Association prior to December 28, 1951, or, in the case of title VIII mortgages, if the Federal Housing Commissioner issued his commitment to insure prior to December 31, 1951, but subsequent to December 27, 1951, and if such commitments of the Association relate to" and inserting "and prior to July 1, 1953, which do not exceed $1,152,000,000 outstanding at any one time, if such commitments of the Association relate to defense or disaster mortgages. As used in this title III, 'defense or distaster mortgages' means."

(b) Section 302 of said act, as amended, is hereby amended (1) by striking "$2,750,000,000" and inserting "$3,650,000,000"; and (2) by adding before the period at the end of the first sentence of said section ": *Provided,* That not more than $2,750,000,000 of such total amount outstanding at any one time shall relate to mortgages other than defense or disaster mortgages as defined in section 301 (a) (1) (G)."

SEC. 4. Section 313 of the Defense Housing and Community Facilities and Services Act of 1951 is hereby amended by striking out "$60,000,000" in paragraph (a) thereof and substituting "$100,000,000" and by striking out "$50,000,000" in paragraph (b) thereof and substituting "$100,000,000."

SEC. 5. The first sentence of section 302 (b) of the Defense Housing and Community Facilities and Services Act of 1951 is hereby amended by adding after the words "for reuse at other locations" the words "or existing housing built or acquired by the United States under authority of other law."

SEC. 6. Section 611 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes", approved October 14, 1940, as amended, is hereby amended by inserting "or section 313 of this act" immediately preceding the parenthetical clause, and by striking out "to this title" at the end of the parenthetical clause and inserting in lieu thereof "thereto."

SEC. 7. The first sentence of section 3 (b) and the first sentence of section 3 (d) of the Alaska Housing Act, approved April 23, 1949, as amended, are hereby amended by striking "$15,000,000" and inserting "$20,000,000."

SEC. 8. Title II of the National Housing Act, as amended, is hereby amended by adding the following new section:

"SEC. 218. In any case where an application for mortgage insurance under section 608 of this Act was received by the Federal Housing Commissioner on or before March 1, 1950, and a commitment to insure was issued by said Commissioner in accordance therewith any mortgagee who, prior to the expiration of such commitment, applied for insurance of a mortgage under section 207 of this Act with respect to the same property or project shall receive credit for all application fees paid in connection with the prior application: *Provided,* That nothing therein shall constitute a waiver of any requirements otherwise applicable to the insurance of mortgages under section 207 of this Act."

SEC. 9. The Secretary of the Treasury is hereby authorized and directed from time to time to credit and cancel the note or notes of the Housing and Home Finance Administrator executed and delivered in connection with loans transferred from the Reconstruction Finance Corporation to the Housing and Home Finance Agency pursuant to Reorganization Plan No. 23 of 1950 (64 Stat. 1279), to the extent of the net loss, as determined by the Secretary of the Treasury, sustained by said Agency in the liquidation of defaulted loans. The net loss shall be the sum of the unpaid principal and advances for care and preservation of collateral, together with accrued and unpaid interest on said principal and advances, and all expenses and costs (other than those subject to administrative expense limitations) in connection with the liquidation of defaulted loans, less the amount actually realized by the Housing and Home Finance Agency on account of such defaulted loans.

SEC. 10. (a) The National Housing Act, as amended, is hereby amended—

(1) by adding at the end of section 8 the following new section 9:

"SEC. 9. The provisions of sections 2 and 8 shall be applicable in the several States and Alaska, Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands.";

(2) by adding "Guam," after the words "District of Columbia," in each place where they appear in sections 201 (d), 207 (a) (7), 301 (c) (4), 601 (d), and 801 (f);

(3) by inserting in section 214—

(A) the words "or in Guam" after the word "Alaska" in each place where it appears in said section,

(B) the words "or maxima" after the word "maximum", and

(C) the words "or the Government of Guam or any agency or instrumentality thereof" after the words "Alaska Housing Authority" in each place where they appear in said section;

(4) by adding at the end of section 713 the following new subsection (q):

"(q) 'State' shall include the several States and Alaska, Hawaii, Puerto Rico, the District of Columbia, Guam, and the Virgin Islands"; and

(5) by deleting the words "or Territory" in section 403 (a) and inserting in lieu thereof the words "Territory, or possession."

(b) The Home Owners' Loan Act of 1933, as amended, is hereby amended by adding a comma and "Guam," after the words "Puerto Rico" in section 7 thereof.

(c) The Federal Home Loan Bank Act, as amended, is hereby amended by adding "Guam," after "District of Columbia," in section 2 (3) and after "Virgin Islands," in section 3 thereof.

(d) The Defense Housing and Community Facilities and Services Act of 1951 is hereby amended by adding at the end of section 401 the following: "This title shall be applicable in the several States, the District of Columbia, and the Territories and possessions of the United States."

(e) Section 102b of the Housing Act of 1948, as amended, is hereby amended by adding at the end thereof the following: "Such powers, functions, and duties may be exercised in the several States, the District of Columbia, and the Territories and possessions of the United States."

SEC. 11. Title V of the Housing Act of 1949, as amended, is hereby amended as follows:

(a) In the first sentence of section 511 immediately following the phrase "July 1, 1951" strike the word "and" and insert at the end of the sentence just before the period a comma and the language "and an additional $100,000,000 on and after July 1, 1953."

(b) In section 512, (i) strike "and 1952" and insert "1952, and 1953", and (ii) strike "and $2,000,000" and insert "$2,000,000 and $2,000,000."

(c) In section 513, strike "and $10,000,000 on July 1 of each of the years 1950, 1951, and 1952" and insert "$10,000,000, and $10,000,000 on July 1 of each of the years 1950, 1951, 1952, and 1953."

SEC. 12. Section 903 (c) of the National Housing Act, as amended, is hereby amended by adding at the end thereof the following new sentence: "Upon application of the mortgagee with the consent of the mortgagor of a mortgage for which a commitment to insure has been issued pursuant to section 203 of this act covering property on which the construction of the dwellings thereon was begun prior to the enactment of this title and the determination of prevailing wages in the locality in accordance with section 212, the Commissioner is authorized, notwithstanding such beginning of construction, to convert such commitment to a commitment under section 908; any charges or fees paid to the Commissioner with respect to such insurance under section 203 shall be credited to charges or fees due the Commissioner with respect to such insurance under section 908; and the determination of prevailing wages in the locality for purposes of section 212 may be made by the Secretary of Labor at any time prior to the insurance under section 908: *Provided,* That such mortgage, or the mortgage covering the same property executed in substitution therefor, is otherwise eligible for insurance under section 908."

SEC. 13. Section 610 of the National Housing Act, as amended, is amended by adding at the end thereof the following new paragraph:

"The Commissioner is further authorized to insure or to make commitments to insure under section 608 of this title in accordance with the provisions of this section any mortgage executed in connection with the sale by a State or municipality, or an agency, instrumentality, or body politic of either, of any permanent housing (including any property acquired, held, or constructed in connection therewith or to serve the inhabitants thereof), constructed by or on behalf of such State, municipality, agency, instrumentality, or body politic, for the occupancy of veterans of World War II, their families, and others: *Provided*, That the principal obligation of any such mortgage does not exceed either 85 percent of the appraised value of the mortgage property as determined by the Commissioner or $8,100 per family unit for such part of such property as may be attributable to dwelling use."

Mr. SPENCE (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that further reading of the bill be dispensed with and that the bill be printed in the RECORD as amended.

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

There was no objection.

The SPEAKER. Is a second demanded?

Mr. GAMBLE. Mr. Speaker, I demand a second.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

The SPEAKER. The gentleman from Kentucky will be recognized for 20 minutes and the gentleman from New York for 20 minutes.

The gentleman from Kentucky is recognized.

Mr. SPENCE. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this bill extends the provisions of the Housing Act with reference to the Federal National Mortgage Association. It provides that the purchasing authority of the Federal National Mortgage Association with respect to defense and disaster mortgages shall be increased by $900,000,000. This will release $360,000,000, which is now frozen, for the purchase of GI and FHA nondefense mortgages.

It also increases the insurance authority of FHA by $400,000,000, and provides that the existing unused authorizations may be transfered to titles other than those for which it was originally authorized. It also makes other necessary amendments to general housing statutes.

The bill has been generally demanded by those who are interested in housing. It will furnish a secondary market for housing securities, which is so badly needed to support the defense housing program.

I hope the bill will be passed as reported by the committee.

Mr. GAMBLE. Mr. Speaker, I yield 8 minutes to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Speaker, I want to call the attention of the House to a part of this bill which I think is very important. The Federal National Mortgage Association, which we commonly call Fanny May, is to be expanded under one of the sections of this bill.

The Federal National Mortgage Association was established a number of years ago as an emergency agency to assist the people of the country in buying houses and homes. When it was established the idea was that Fanny May would provide a secondary market for mortgages on homes throughout the country when there was not money available in the locality for this purpose.

Fanny May has continued year after year with billions of dollars being appropriated and authorized for this secondary market. I realize that under certain emergency conditions the Government must help the people. But, Mr. Speaker, I could not possibly permit the passage of this bill without raising a protest, without saying to the House that we must stop, that we must reexamine this program, and that we must, when we have an opportunity, say that there will be an end to this emergency program. Frankly, if I had my way about it there would be an end to it today.

The parliamentary situation is such that we cannot offer any amendments either to curtail or to eliminate the operations of Fanny May. I am taking this time to state to the House that when the membership returns, whether it be in special session or next year, we must reexamine this program of indirect direct Government loans, because, after all, Fanny May is a method of direct Government loans.

Mr. Speaker, let me say this about the program: There are those who say that when private enterprise cannot do a job then the Government must step in and accomplish that job for the people of the country. But what occurs too frequently is that when private enterprise is beginning to walk, beginning to go forward, along comes the Government with its big stick and knocks private industry down and, therefore, private industry does not have an opportunity to do the job. That is exactly what is happening in connection with the present Fanny May program

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. COLE of Kansas. I yield to the gentleman from Nebraska.

Mr. BUFFETT. Will the gentleman tell me whether the annual statement of this Federal National Mortgage Association was brought into the committee and discussed?

Mr. COLE of Kansas. No, it was not.

Mr. BUFFETT. Can the gentleman tell us what is the total amount of their assets, their liabilities, their income, and their outgo?

Mr. COLE of Kansas. I do not have the figures before me, but I shall ask unanimous consent to include that as a part of my remarks because it is really important that we examine the whole program.

Mr. BUFFETT. Here is a program running into the hundreds of millions of dollars. Was there a fair discussion of it in the committee?

Mr. COLE of Kansas. I would say there was little, if any, discussion.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. COLE of Kansas. I yield to the gentleman from Michigan.

Mr. CRAWFORD. With this proposal becoming involved, what is the total authorization of Fannie May?

Mr. COLE of Kansas. Two and three-quarters billion total.

Mr. CRAWFORD. In other words, this Federal Mortgage concern then will be authorized to go into the market and pick up $2,750,000,000 worth of securities.

Mr. COLE of Kansas. That is right. The point is, as I say, that this was to be an emergency program, one which was designed to assist the people, but as it continues to snowball, roll up, with billions and billions of dollars, finally it becomes not a secondary market but a direct Government loan.

Mr. DEANE. Mr. Speaker, will the gentleman yield?

Mr. COLE of Kansas. I yield to the gentleman from North Carolina.

Mr. DEANE. I want to commend the gentleman from Kansas for his statement. As he knows, in committee I was inclined to offer an amendment to reduce this figure.

Mr. COLE of Kansas. The gentleman is correct.

Mr. DEANE. But due to the legislative jam we are in, I withdrew the amendment. But I wish to go on record, being a member of the housing subcommittee, as saying that we need to come to grips with this subject and either increase interest rates or do something to take the Government out of direct financing, for that is what it actually is.

Mr. COLE of Kansas. I thank the gentleman for his comment, because I know he is very much interested in this program. Throughout the country many veterans are attempting to buy homes. They are finding that the GI-loan program does not furnish them the needed funds. It is my judgment that the reason the veteran is not able to find enough funds to furnish his home is because the Government has arbitrarily held down the interest rate below the going market rate for money. Now that is an illustration of what I mean when I say that the Government on the one side says that we will do what we can to assist private enterprise and then on the other hand use a large club to beat it down.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. COLE of Kansas. I yield to the gentleman from Illinois.

Mr. SPRINGER. As I understand this bill, it does do a great deal to relieve this situation, does it not, so far as the veterans are concerned, in getting loans?

Mr. COLE of Kansas. I think the veteran will be able to get loans through the secondary market of Fannie May, but let me say to the gentleman that we do not want to cheapen the dollar which the veteran is spending and, in turn, cost the veteran more money per house. It may be more detrimental than it is good.

Mr. SPRINGER. May I just follow up this very quickly? I have a telegram with reference to 300 veterans at Rantoul, Ill., which is right near Chanute Field, and I would like to get the facts as best I can because, as I understand, it does increase the possibility of their getting loans to relieve this situation; is that true or is it not?

Mr. COLE of Kansas. It does that particular thing.

Mr. CRAWFORD. Mr. Speaker, if the gentleman will yield further, Did the organization or the corporation make available to the Committee on Banking and Currency the balance sheets and operating statements of these performances?

Mr. COLE of Kansas. No; they did not. That information is in the hands of the committee, and I will include it in my statement, if it is immediately available.

Mr. SPENCE. Mr. Speaker, I yield such time as he may desire to, the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Speaker, as House author of the original bill which established the farm housing loan program, I am particularly happy and proud today to urge the continuation of this worth-while legislation. Since 1949, thousands of farm families have been able to improve their farms, live better, enjoy better health, and obtain better production because of the farm housing loan program.

These improvements were made possible by the Housing Act of 1949 which authorized the Farmers Home Administration to extend financial assistance to the farm owners throughout the country for the purpose of constructing, remodeling, or repairing farm dwellings or other farm buildings. The act is on the statute books as Public Law 171, Eighty-first Congress, and its farm housing authorities extend only until June 30, 1953, or through a 4-year tryout period. It was anticipated that during these 4 years, Congress would be able to appraise the effectiveness of the program and to decide whether the act should be amended to provide necessary basic authority for an appropriation for one more year.

Let us take a look at what has been accomplished.

Through May 31, 1952, farm housing loans have been used to finance the construction, repair, or remodeling of 11,625 farm dwellings. Over 10,200 other farm buildings, including barns, sheds, poultry houses, milk houses, and other buildings needed for good farming have been built or repaired.

In the time prior to May 31, approximately 13,600 farm owners had received a total of $62,669,300 in housing credit. The report from my State of Alabama is that 721 loans have been made for a total of $3,608,500.

These figures do not represent a great volume of loans. We have proceeded on a very conservative basis. But each loan represents a better home or a better set of income-producing farms for a worthy American farm family. Thirteen thousand farm families are better off today than they were 3 years ago because of this program.

Although the program is intended only for those farm owners who cannot obtain adequate financing from banks or other lenders, it is being operated on a strictly business basis. Repayments are being made on schedule by most of the borrowers. In Alabama the report is that 98 percent of the farmers there who have obtained these loans have met their payments on time. The other 2 percent are less than $200 in arrears, on an average. Interest rates are 4 percent per annum on unpaid balances.

I believe that fact alone is ample evidence of the soundness of this program. If there ever was any question in our minds about the wisdom of making these loans, that doubt has now been erased.

There is really, I believe, only one more question to be answered, so far as any fair appraisal is concerned. Does the need still exist? The recent census gives us the facts we need to settle that point. According to the 1950 census, more than one-fifth of America's 6,500,000 farm dwellings are in a dilapidated condition. More than three-fourths of all farmhouses do not have hot water, private bath, and toilet facilities.

More evidence of the real need for improved farm housing facilities is contained in a recent Bureau of Agricultural Economics report. This report is on the structural level and condition of farmhouses. It showed that 36 percent of the Nation's farmhouses were rated low in 1950, 25 percent were rated intermediate, and 39 percent were rated high. It is significant that nearly two-thirds of the houses with the lowest rating were located on farms that produced in 1949, or were expected to produce in 1950, less than $1,950 each from crops, livestock, and livestock products.

You can find these houses in every agricultural county in the United States. Great improvements in rural living conditions have been made in recent years. But we still have a long way to go before all of our farm families have decent, safe, and sanitary housing.

We, as a Nation, must continue to help our farm families get better homes to live in, and better farm buildings to work in. We are calling upon our farmers to produce more food and more fiber than ever before. They are responding, and are accomplishing the production goals through better use of land, improved utilization of available farm labor, and through intelligent planning and management.

These very improvements in production call for efficient farm plants, and efficient farm plants are not complete without good sets of buildings. The farm housing program thus far has been a boon to greater production, because it offers an opportunity for farm owners to finance the building and necessary repairs or alterations of required service buildings. Farm buildings are production facilities, and must be adapted to the changing requirements of modern agriculture. Building improvements go hand in hand with shifts in production patterns made necessary by the defense effort.

Production and storage facilities on our farms are of great importance in these days when farmers are asked to furnish a tremendous volume of farm products for the markets and for industry. Good farm buildings help farmers utilize efficiently the labor and land resources—and without the type of credit this legislation affords, countless small farmers with limited credit sources would be unable to construct or maintain the buildings they need. Bear in mind that the loans have only been made to erect or repair essential farm buildings.

Among the points to consider in the continuation of this program are these:

First. It offers the opportunity for farmers to build up the values of their properties, to make their farm homes community assets, to safeguard their families' health. Without the program their opportunities to do these things are minimized, for these loans are made only to families who cannot get credit from other sources.

Second. It gives the farmer with limited means the advantage of using his own and his family's skills and labor. He can purchase his materials from the dealer or dealers of his choice, and can employ the labor he chooses. Yet, with help from Farmers Home Administration engineers and other technical assistance, he can and does make his construction meet minimum structural requirements. The money is not thrown away on poor construction or substandard materials.

Third. Like all other lending programs administered by the Farmers Home Administration, the farm housing activities are under the watchful eyes of the county committee of three leading local citizens. This is another safeguard against waste and unwise construction.

Fourth. For the first time this program has offered farmers the housing credit advantages somewhat similar to those that have been enjoyed by urban people for many years.

Fifth. It is administered by an agency that has established a Nation-wide reputation of carrying on a good program in agriculture.

Sixth. Farmers Home Administration will continue to use this program, as it has used its other supervised credit programs, to make a maximum contribution to the mobilization effort to which American agriculture is committed.

Seventh. By having good and adequate dwellings, taking good care of production through storage facilities, being able to care for livestock efficiently with better service buildings, and increasing the value of their farms, farmers increase their taxable assets—and better earn the money with which to pay those taxes.

Eighth. The money is loaned to farm owners and is returned, with interest, to the United States Treasury.

As one who has worked conscientiously for the legislation that has made the farm housing program possible, and as one who has watched the progress the farm owners have made during the limited time the program has been in effect, I have felt that it is one of the best of our farm credit programs. It certainly is legislation that Congress can be proud of. I am sure that if greater

loan authorizations had been made over the past couple of years, the entire amount would have been used wisely and would have contributed just that much more to the strength of this country.

I sincerely hope we will see fit to pass the legislation now before this body that will enable the Farmers Home Administration to continue the good work it has carried on so well up to this point.

I believe we are in accord in the belief that the program is in good and capable hands. I believe it is an essential program, and I am sure its continuance is desired by our citizenry throughout the length and breadth of this country.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I think the membership of the House should know that this so-called Fannie May, the euphonious title for this corporation, files reports as required by law with the Congress every 6 months. The entire history and operation of this organization is always open to the inspection of Members of Congress. I agree with the gentleman from Kansas [Mr. COLE] that this entire situation should be reexamined between now and the time the new Congress meets. He is a member of the Subcommittee on Housing of the Committee on Banking and Currency. That committee is doing a good job. I hope they will finish their job and bring in a report on which we can act at the next Congress.

I, too, agree that this corporation is one of the few that are making money for the Government. It borrows money at 2 percent and lends it at 4 percent. It has sustained no losses. It has been earning about $50,000,000 per year profit for the Government. Nevertheless, I think this is an instance where the Government should get out of private business as soon as possible. I voted for the present bill in committee on the representation that this would produce more defense, military, and disaster housing. I hope it is going to do that. On that basis, I think we should pass this bill.

Mr. GAMBLE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, first I should like to concur heartily in the remarks made by the gentleman from Kansas [Mr. COLE], and the gentleman from North Carolina [Mr. DEANE]. Second, my remarks are going to be addressed to an amendment numbered section 13 to section 610 of the National Housing Act. This amendment embodies the full content of the bill S. 3295, sponsored by Senator HENDRICKSON, of New Jersey, and passed in the Senate, which attempts to make available financing for the sale to veterans of permanent veterans' housing constructed by the State of New Jersey and some of its municipalities after World War II. We had quite an extensive program in our State that was very successful. At the present time it is impossible to obtain FHA mortgage loan guaranties in order to permit veterans to take over this housing cooperatively and purchase it from the State and the various municipalities. It will give the same authority now available for purchase of Federal emergency housing. The legislation is supported by the veterans organizations of our State. It affects approximately 3,300 units of housing, and it will provide the means for the individual to become a home owner and get the State and its municipalities out of the housing business.

I yield back the balance of my time.

Mr. GAMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, I do not like to disagree with the gentleman from Kansas, but I believe this bill is necessary for several reasons. To begin with, I think if we do not pass it we will be limiting the number of residential housing starts that could be financed during the next fiscal year which we badly need. It has been estimated that 112,500 residential housing starts will be denied if this bill is not adopted. On the other hand, I do not like to see the Government enter into the financial market to establish the rate of interest on mortgages. As long as we have need for housing, and there is certainly a great need for residential housing in the lower-cost brackets, this bill provides for financing residential housing units not to exceed $8,100. I believe this bill is essential to the interest and welfare of the Nation, and I urge its adoption.

Mr. SPENCE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 3066, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING SPEAKER TO DECLARE RECESSES

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare recesses at any time during the balance of the week, subject to the call of the Chair.

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

There was no objection.

FURTHER CALL OF BILLS ON PRIVATE CALENDAR ON FRIDAY NEXT

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent that it be in order on Friday next to have a further call of the bills on the Private Calendar. Some bills were just reported out yesterday, and I believe that some of them are bills from the other body.

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

There was no objection.

SUPPLEMENTAL APPROPRIATIONS, LEGISLATIVE BRANCH, 1953

Mr. MAHON. Mr. Speaker, I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 493) making supplemental appropriations for the legislative branch for the fiscal year 1953, and for other purposes.

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, 1953, the following sum:

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

For an additional amount for salaries and expenses, studies and examinations of executive agencies, by the Committee on Appropriations, including the purposes of Committee on Appropriations Resolution No. 11, adopted by the committee on July 2, 1952, $500,000.

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

Mr. TABER. Mr. Speaker, reserving the right to object, this resolution provides the Committee on Appropriations with funds which, in its opinion, are absolutely necessary to make the proper study and examination of the budget so that we can be prepared when the next session begins to hold the hearings in a satisfactory manner; is that not correct?

Mr. MAHON. The gentleman is correct; it is for the purpose of implementing the staff on the Committee on Appropriations, and enable the Congress to do a better job in scrutinizing the budgets and investigating expenses of the Government.

Mr. TABER. And is it not also provided in the resolution No. 11 that these investigatorial reports, except where matters of national security are involved, shall be made available at a proper time to the membership of the House and before the bills are brought to the floor?

Mr. MAHON. The gentleman is correct, and it provides for a minimum of an additional staff of 20 members.

Mr. TABER. Is it not 25?

Mr. MAHON. I believe it is 20. Of course, that is a minimum rather than a maximum.

Mr. TABER. There is no maximum?

Mr. MAHON. There is no maximum.

Mr. TABER It is provided also that each subcommittee may have the right to have its investigations and to supervise the investigations that are made?

Mr MAHON. Within the jurisdiction of the subcommittee.

Mr. TABER. Yes.

Mr. MAHON. The gentleman is correct

Mr. SMITH of Virginia. Mr. Speaker, reserving the right to object; is this resolution which was just passed on today by the Committee on Appropriations, as I understand, designed to take the place of the Colmer bill, which was scheduled to come up today and which was expected to come up within the next few minutes?

Mr. MAHON. May I say to the gentleman this resolution should not greatly affect the Colmer resolution one way or the other because this provides for a staff to work with the subcommittees in studying the budgets and making

investigations of the executive branch of the Government in connection with the regular work of the committee.

Mr. SMITH of Virginia. It seems to me it has the same purpose, and, of course, I would not like to suggest that that was the purpose in coming out at this particular critical moment, it seems to me the gentleman might well withhold that very recent piece of legislation until the legislation, which has been given consideration, has an opportunity to be heard. I wonder if the gentleman would not withhold his request.

Mr. NORRELL. Mr. Speaker, if the gentleman will yield, there is no doubt but that this is a move to block the McClellan-Colmer resolution. I think this is a step in the right direction, but I think we should dispose of the McClellan-Colmer bills and then take up this resolution.

Mr. SMITH of Virginia. Does the gentleman object to the present consideration of the resolution?

Mr. NORRELL. No; I do not.

Mr. MAHON. Mr. Speaker, members of the committee are busily engaged on conference reports working toward the closing of the session. This has been selected as the time to consider this matter, and I hope the gentleman will not object, because it does not run contrary to his own views. I know we should have additional funds and additional personnel for the Appropriations Committee, regardless of any other pending legislation, including the Colmer bill.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Illinois.

Mr. YATES. Even though the Colmer bill is passed, the Committee on Appropriations will nevertheless need a staff to assist it in its study of the budget.

Mr. MAHON. The gentleman is correct.

I hope the gentleman will not object, because I know he is not opposed to the legislation.

Mr. SMITH of Virginia. The gentleman from Mississippi [Mr. COLMER] is not present. It has been understood that his bill would have priority today. I regret deeply to object, and I hope the gentleman will not force me to do so but will defer it until a little later time and we can take up the Colmer bill and dispose of it.

The SPEAKER. Permit the Chair to say that there is a strong probability we will not reach the Colmer resolution today for the simple reason that we have two more suspensions and we have nine conference reports, five of them on appropriation bills.

Mr. SMITH of Virginia. I was relying on the assurance we had from the majority leader. I understand we are in a bad fix. I am not quarreling with anybody.

The SPEAKER. The only thing is the Chair wants the gentleman to understand that the conference reports will take precedence over everything.

Mr. SMITH of Virginia. I am not quarreling with anybody, Mr. Speaker.

Mr. MAHON. This is legislation that we should have at this time.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Minnesota.

Mr. JUDD. May I ask whether, if this resolution is passed, the Appropriations Committee will then agree to support the Colmer resolution when it comes before us?

Mr. SMITH of Virginia. I would not like to put them on any terms, but in the absence of the gentleman from Mississippi [Mr. COLMER] for the moment I will have to object.

MERGER OF TWO OR MORE NATIONAL BANK ASSOCIATIONS AND MERGER OF STATE BANKS WITH NATIONAL BANK ASSOCIATIONS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2128) to provide for the merger of two or more national banking associations and for the merger of State banks with national banking associations, and for other purposes.

The Clerk read the title of the bill.

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

Mr. SIMPSON of Pennsylvania. Mr. Speaker, reserving the right to object, may I suggest to the chairman of the committee that the importance of this bill requires considerable time for discussion, and I am disposed to object to the consideration of the bill by unanimous consent.

The SPEAKER. Does the gentleman from Kentucky have some other bills that are not controversial?

Mr. SPENCE. This is not controversial, Mr. Speaker. This was passed by the committee without a dissenting vote, and everybody on the committee was in favor of it.

Mr. SIMPSON of Pennsylvania. In view of the fact that it is not controversial, I renew my objection, Mr. Speaker.

Mr. SPENCE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2128) to provide for the merger of two or more national banking associations and for the merger of State banks with national banking associations, and for other purposes.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918, as amended (U. S. C., title 12, secs. 33, 34, and 34a), is hereby amended by adding at the end thereof new sections 4 and 5 to read as follows:

"SEC. 4. (a) One or more national banking associations or one or more State banks, with the approval of the Comptroller, under an agreement not inconsistent with this act, may merge into a national banking association located within the same State, under the charter of the receiving association.

"(b) The merger agreement shall—

"(1) be agreed upon in writing by a majority of the board of directors of each association or State bank participating in the plan of merger;

"(2) be ratified and confirmed by the affirmative vote of the shareholders of each association or State bank owning at least two-thirds of the capital stock outstanding, at a meeting to be held on the call of the directors, after publishing notice of the time, place, and object of the meeting for four consecutive weeks in a newspaper with general circulation in the place where the association or State bank is located, and after sending such notice to each shareholder of record by registered mail at least 10 days prior to the meeting, except to those shareholders who specifically waive notice;

"(3) specify the amount of the capital stock of the receiving association which will be outstanding upon completion of the merger, the amount of stock (if any) to be allocated, and cash (if any) to be paid to the shareholders of the association or State bank being merged into the receiving association; and

"(4) provide the manner of disposing of any shares of the receiving association not taken by the shareholders of the association or State bank merged into the receiving association.

"If a merger shall be voted for at the called meetings by the necessary majorities of the shareholders of each association or State bank participating in the plan of merger, any shareholder of any association or State bank to be merged into the receiving association who has voted against the merger at the meeting of the shareholders, or has given notice in writing at or prior to the meeting to the presiding officer that he dissents from the plan of merger, shall be entitled to receive the value of the shares held by him if and when the merger shall be approved by the Comptroller. The value of the shares shall be ascertained, as of the date of the meeting of the shareholders of the association or State bank approving the merger, by an appraisal made by a committee of three persons, composed of (i) one selected by the vote of the holders of a majority of the stock, the owners of which are entitled to payment in cash; (ii) one selected by the directors of the receiving association; and (iii) one selected by the two so selected. The valuation agreed upon by any two of the three appraisers shall govern. If the value so fixed shall not be satisfactory to any dissenting shareholder who has requested payment, that shareholder may, within 5 days after being notified of the appraised value of his shares, appeal to the Comptroller, who shall cause a reappraisal to be made which shall be final and binding as to value of the shares of the appellant. If, within 90 days from the date of consummation of the merger, for any reason, one or more of the appraisers have not been selected, or the appraisers have failed to determine the value of the shares, the Comptroller, upon written request of any interested party, shall cause an appraisal to be made which shall be final and binding on all parties. The expenses of the Comptroller in making the reappraisal or the appraisal, as the case may be, shall be paid by the receiving association. The value of the shares ascertained shall be promptly paid to the shareholders by the receiving association, and the shares so paid for shall be surrendered to and canceled by the receiving association. The provisions of this paragraph shall apply only to shareholders of and stock owned by them in a bank or association being merged into the receiving association.

"(c) The corporate existence of the merging association or State bank shall be merged into that of the receiving association. All rights, franchise, and interests of the merging association or State bank in and to every type of property (real, personal, and mixed) and choses in action shall be transferred to and vested in the receiving association by virtue of such merger without any deed or other transfer. The receiving association, upon the merger and without any order or other action on the part of any court or otherwise, shall hold and enjoy all rights

of property, franchises, and interests, including appointments, designations, and nominations, and all other rights and interests as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics, and in every other fiduciary capacity, in the same manner and to the same extent as such rights, franchises, and interests were held or enjoyed by any merging association or State bank at the time of the merger, subject to the conditions hereinafter provided.

"Where any merging association or State bank, at the time of the merger, was acting under appointment of any court as trustee, executor, administrator, registrar of stocks and bonds, guardian of estates, assignee, receiver, committee of estates of lunatics, or in any other fiduciary capacity, the receiving association shall be subject to removal by a court of competent jurisdiction in the same manner and to the same extent as was the merging association or State bank prior to the merger. Nothing contained in this section shall be considered to impair in any manner the right of any court to remove a receiving association and to appoint in lieu thereof a substitute trustee, executor, or other fiduciary, except that such right shall not be exercised in such a manner as to discriminate against national banking associations, nor shall any receiving association be removed solely because of the fact that it is a national banking association.

"(d) Any national banking association which is a receiving association may issue stock, with the approval of the Comptroller and in accordance with law, to be delivered to the shareholders of a merging State bank or national banking association as provided for by a merger agreement, free from any preemptive rights of the shareholders of the receiving association.

"SEC. 5. As used in this act the term—

"(1) 'State bank' means any bank, banking association, trust company, savings bank (other than a mutual savings bank), or other banking institution which is engaged in the business of receiving deposits and which is incorporated under the laws of any State, or which is operating under the Code of Law for the District of Columbia (except a national banking association located in the District of Columbia);

"(2) 'State' means the several States, the several Territories, Puerto Rico, the Virgin Islands, and the District of Columbia;

"(3) 'Comptroller' means the Comptroller of the Currency; and

"(4) 'Receiving association' means the national banking association into which one or more national banking associations or one or more State banks, located within the same State, merge."

SEC. 2. Section 3 of the act of November 7, 1918, as amended (U. S. C., title 12, sec. 34a), is amended by deleting the second paragraph thereof, which reads as follows:

"The words 'State bank', 'State banks', 'bank', or 'banks', as used in this section, shall be held to include trust companies, savings banks, or other such corporations or institutions carrying on the banking business under the authority of State laws."

Mr. CRAWFORD (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that further reading of the bill be dispensed with and that it be printed in the RECORD.

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

There was no objection.

The SPEAKER. Is a second demanded?

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I demand a second.

Mr. SPENCE. Mr. Speaker, I ask that a second be considered as ordered.

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

There was no objection.

The SPEAKER. The gentleman from Kentucky will be recognized for such portion of 20 minutes as he may consume, and the gentleman from Pennsylvania will be recognized for such portion of 20 minutes as he may require.

The gentleman from Pennsylvania is recognized.

Mr. SPENCE. Mr. Speaker, this bill was reported unanimously by the committee. It was requested by the Secretary of the Treasury and the Comptroller of the Currency. It merely provides a method for the merger of a national bank with another national bank as with a State bank. I do not think it has the opposition of any bank official in any State. It is generally requested by the banks of the country. The bill passed the Senate unanimously, and was reported from the Committee on Banking and Currency unanimously.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this is a bill dealing with the merger of banks.

The controversy, which does exist, deals with the question of the combining of banks of different classifications; namely, those described as national banks and those known as State banks.

The two-way street to which the distinguished chairman of the Committee on Banking and Currency has referred means that in a combination of national and State banks there should be under law no advantage accruing to either of those two groups so that by the operation of law in a merger no preference should favor the national bank or the State bank. It is a two-way street, working both ways. That is not the result of this legislation, S. 2128, now before you. Under the operation of this law in conjunction with the law which now exists in certain States, including Pennsylvania, which do now have the two-way street, there would be a change, and an incentive on the part of the banks to combine and create national banks as distinguished from a tendency to continue as a State bank. It is that to which I object.

Under S. 2128 the Comptroller of the Currency would be permitted to decide, in his discretion, whether the continuation of two or more national and State banks should be effected under the consolidation provisions or the proposed new merger provisions. Now, listen to this, please: If the Comptroller should decide to place the combination under the old consolidation provisions, the shareholders of all the merging institutions would be given the right to dissent; they would be protected, and that is what I want and what you want.

Here is the important point: If, however, the Comptroller of the Currency should place the combination under the proposed merger provisions of S. 2128, the bill now before us, the Comptroller would then deny the right to dissent to shareholders of the receiving or continuing national bank.

Mr. SPENCE. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the chairman.

Mr. SPENCE. I think the gentleman is in error when he says that the stockholder could not dissent.

Mr. SIMPSON of Pennsylvania. Shareholder is what I said.

Mr. SPENCE. The original provision was that the stockholders could dissent, but it requires two-thirds for ratification.

Mr. SIMPSON of Pennsylvania. I am speaking of the minority shareholder, the dissenting shareholder. I say that he would not be protected under this bill if the Comptroller determined that the merger should be decided and operated under this bill. If it were handled under the old 1918 law, he would be fully protected. Over in Pennsylvania today the banks can combine and do combine. They make their choice freely as to whether they wish to be a national bank or a State bank and we should do nothing to disturb that right of choice on the part of combining banks as to what they want. I am, therefore, opposed to this bill.

Mr. SPENCE. It is provided in the bill that the merger must be ratified by two-thirds of the stockholders who hold two-thirds of the stock of each company by a two-thirds vote.

Mr. SIMPSON of Pennsylvania. I understand, but there is a third who do not approve. Why should they not be protected in their investment in the bank? They are protected today.

Mr. SPENCE. They are protected here.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I yield myself five additional minutes.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I agree with the gentleman from Pennsylvania that this is an exceedingly important bill. As I understand the gentleman's statement, the present law now operating with respect to the consolidation of national banks with national banks or the consolidation of a national bank with a State bank or a State bank with a national bank, protects every stockholder of both institutions or all institutions consolidated.

Mr. SIMPSON of Pennsylvania. That is correct.

Mr. CRAWFORD. We agree on that. I wonder if the gentleman would agree to yield for the committee to state whether or not it agrees with that?

Mr. SPENCE. I would like to know what the gentleman means.

Mr. SIMPSON of Pennsylvania. Does he agree that under existing law the minority and majority stockholders are equally protected when there is a merger effected?

Mr. SPENCE. There must be some action taken by a majority. This provides for two-thirds, which is a substantial majority. The dissenting shareholder of the absorbed bank may get

the value of his stock. I cannot understand how we could require the vote of the entire number of stockholders.

Mr. SIMPSON of Pennsylvania. The gentleman knows there are two values of stock in dealing with bank stocks, the book value and the market value. The gentleman knows also that the book value is frequently much higher than the market value. The minority stockholder is not protected so far as book value is concerned.

Mr. CRAWFORD. At the bottom of page 2, line 24, we have this language:

(4) provide the manner of disposing of any shares of the receiving association not taken by the shareholders of the association or State bank merged into the receiving association.

I understand from the language here that at least two-thirds of the capital stock outstanding can do the voting. If the present law fully protects one-third of the stockholders not voting, for instance, in both institutions, the retiring institution and the continuing institution, what will be the situation after this proposal becomes law if the Comptroller of the Currency makes a ruling that the consolidation shall be made under the provisions of this new addition to the law? That is the question the gentleman is raising.

Mr. SIMPSON of Pennsylvania. Of course I cannot answer that, but I am informed reliably it would be to the disadvantage of the minority stockholders.

Mr. CRAWFORD. The members of the Committee on Banking and Currency should clear up that point and do it quickly.

Mr. SIMPSON of Pennsylvania. That is why I objected to the unanimous-consent request. This is an important bill. I know in the State of Pennsylvania, and I am informed in New Jersey and others, as the law exists today, there is no advantage to switch from a national to a State bank, or vice versa. All are treated fairly and equally. I know under certain actions by the Comptroller General, according to this bill, it will be made advantageous to shift it from a State bank, of which we are quite proud in Pennsylvania, to the national level.

Mr. CRAWFORD. In other words, what the gentleman just pointed out, if two institutions have certain assets and certain benefits and good will, and so forth, let them go ahead and make their consolidation on the basis of their then-present status without some particular favor being handed to them by law which induces State banks to consolidate with national banks or national banks with State banks; that is what the gentleman is talking about.

Mr. SIMPSON of Pennsylvania. That is exactly right, and that present situation will be disturbed so far as Pennsylvania and New Jersey and a number of other States are concerned, under this bill. I will admit that there are some States which do not have the same type of legislation giving the true two-way-street method at the moment as we do in Pennsylvania, New Jersey, and several other States. In these States the present situations will be benefited by this bill. The correct answer to this would be to have the States themselves, without interference on the part of the Federal Government, adopt laws similar to those States where we now have established a two-way-street method.

Mr. SPENCE. Mr. Speaker, will the gentleman yield further?

Mr. SIMPSON. I yield.

Mr. SPENCE. When there is a merger, the stockholders of the smaller bank that is merged either receive shares or cash at the book value at their election under this act. The stockholders of the absorbing bank receive theirs in shares. Now, it may be impossible for the larger bank to pay in cash, because the absorbing bank might not have sufficient funds to pay. I see no objection to that. It seems to me that the stockholders in the smaller bank which is absorbed are amply protected. We must act by majorities, and two-thirds is a majority.

Mr. SIMPSON of Pennsylvania. Well, I think it is a different thing to act by majorities in a legislative body and majorities in a corporation where the minorities have their investments and where they need protection and where they should not be overrun by any act on the part of the majority.

Mr. GAVIN. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. Can the chairman tell me who is going to determine the value of the stock?

Mr. SPENCE. The committee of appraisers will fix the value of the stock as they do now.

Mr. GAVIN. But suppose a stockholder was not satisfied and he did not want stock, he wanted cash, under this bill he would not be permitted to get cash.

Mr. SPENCE. This does not change that situation at all with respect to dissenting shareholders of the bank being absorbed.

Mr. NICHOLSON. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Pennsylvania. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. The price of the stock would be determined by the assets of the bank, and they are not permitted to merge unless they meet certain conditions, so that under those conditions the assets and the value of the stock is par.

Mr. SIMPSON of Pennsylvania. I wish to make the point that this is a matter that has been handled perfectly in certain States with the two-way street method of operation, and we are here going to disrupt it unnecessarily when the matter can be corrected so easily in the State by State legislation.

Mr. CRAWFORD. Mr. Speaker, if the gentleman will yield further, I wonder if there is an element in this problem here caused by the fact that in many instances, as the result of the way banks are now taxed with respect to their earnings, the way they are controlled by the Comptroller of the Currency with respect to the ratio of capital to deficit liability, and with their stock selling on the market below book value—I wonder if that problem is the cause of the bill being drafted so that the dissenting stockholder on one side of the proposition is not protected in this new addition as he is protected under the present law, that chislers might move in and perhaps upset mergers and consolidations which should be made effective from the standpoint of sound banking. Is there anybody on the committee who could give us any light on that?

Mr. SIMPSON of Pennsylvania. I want to close by saying that we have here a situation which is working out perfectly in those States where the legislatures have enacted legislation permitting free mergers without penalty to any stockholder. All I ask is that Congress keep its hands off and let the State legislatures handle this matter without centering still further in the hands of Washington more power over the money of the citizens of our country.

Mr. Speaker, in further explanation of my objection to S. 2128, I call attention to the following communication from the Secretary of Banking of the Commonwealth of Pennsylvania:

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF BANKING,
Harrisburg, March 5, 1952.

Hon. L. H. GAVIN,
House of Representatives,
Washington, D. C.

DEAR LEE: I am sure that you will recall that the Pennsylvania Banking Department in cooperation with Pennsylvania Bankers Association and the American Bankers Association, started the movement in late 1946 and early 1947 to correct the unfair merger provisions of national banking law. This effort started after the "one-way street" became glaringly clear in the spring and summer of 1946 through the mergers in Pittsburgh which resulted in Peoples First National Bank & Trust Co. and Mellon National Bank & Trust Co. Through the mergers of Peoples Pittsburgh Trust Co. and Union Trust Co., Pittsburgh into the national system, the State banking system in Pennsylvania lost approximately $1,000,000,000.

As you know, Public Law 706 was signed by the President on August 17, 1950, and it established almost complete equity and full reciprocity in the merger of State and national banks under either a State charter or a national charter.

I have given you the foregoing background because the report of the Senate Committee on Banking and Currency on S. 2128 seems to emphasize time and again that S. 2128 is designed to eliminate some slight disadvantage to the national banking system in some States. No mention is made of the fact that the passage of S. 2128 would again throw out of balance the "two-way-merger street" now so fairly in effect in Pennsylvania in the matter of mergers between State and national banks. I think it is vital to any study of this situation to learn from the Comptroller the exact provisions of merger law in those States in which the Comptroller claims national banks are at a disadvantage. I know that several large eastern States, including New Jersey as well as Pennsylvania, will be adversely affected by this bill, and on behalf of these States strong objection to its passage must be made. It is indicated that "many banking associations desiring merger or consolidation are leaving the Federal system in order to take advantage of the more lenient requirements of consolidation under State law." Let me emphasize that the requirements for merger and con-

solidation under Pennsylvania law, are identical with the existing requirements in national law and it is untrue that any national bank has left the Federal system in Pennsylvania because of an advantage in State law. For many, many years the legislative body of our State has preserved in banking law the fair and carefully weighed principle of giving dissenting shareholders of all constituent corporations to a merger or consolidation, the right to dissent. In my opinion, to do otherwise would constitute the taking of property from some shareholders without due process of law. In my opinion, the Comptroller proposes in S. 2128 to write into national banking law a denial of the right of dissenting shareholders of one party to a merger, thus denying those shareholders the free use of their property and taking property rights without due process of law.

You will note that S. 2128 proposed to leave the language of the Act of November 7, 1918, unchanged and the amendment is accomplished by simply adding additional merger provisions at the end of the said Act. Thus, the passage of S. 2128 would permit the Comptroller of the Currency to decide in his own discretion whether the combination of two or more national and State banks should be effected under the consolidation provisions or the proposed new merger provisions. If the Comptroller should decide to place the combination under the old consolidation provisions, the shareholders of all merging institutions would be given the right to dissent. If, however, he should place the combination under the proposed merger provisions in S. 2128, he would deny the right to dissent to shareholders of the receiving or continuing national bank. I feel strongly that it is improper to place such power in the hands of a Government supervisory agency. We have more than enough government by bureaucracy in many other fields today.

Experience in Pennsylvania leads me to believe that the Comptroller's argument to the effect that "hundreds or thousands of an absorbing bank's own shareholders might demand the value of their shares in cash" in case of a merger, are greatly exaggerated. In the recent merger of Girard Trust Co. and Corn Exchange National Bank & Trust Co. into the Girard Trust Corn Exchange Bank, Philadelphia, dissenting shareholders were insignificant. Of course, both these institutions were approximately the same size, having total assets of about $800,000,000. In the recent merger under existing State and national law, whereby Northeast National Bank of Philadelphia merged into the Pennsylvania Co. for Banking & Trusts, Philadelphia, Northeast's assets were $19,000,000 as compared to Pennsylvania Co.'s total assets of $724,000,000. I know that there were practically no dissenting shareholders in either bank to this merger. So was as experience proves in Pennsylvania, there is absolutely no need for the unusual and new merger provisions proposed in S. 2128. It is my opinion that, unless the Comptroller of the Currency can prove that national banks are at a great disadvantage in the majority of States, both in number and in bank resources, the passage of S. 2128 will again throw out of balance the equitable merger situation now existing between State and national banks. Of course, it is definite that the passage of S. 2128 will work to the great disadvantage of the State banking system in Pennsylvania and I must strongly oppose the bill in the interests of a strong and dual banking system in my State. Should the proponents of S. 2128 succeed in passing this bill so detrimental to Pennsylvania, it will be absolutely necessary for us at the next session of our legislature to rewrite our consolidation and merger provisions to again place the position of State and national banks as to merger in Pennsylvania on a fair and equitable basis. It would be repugnant to me to seek such legislation because I feel shareholders of all merging institutions should not be denied their inherent right to dissent to a merger proposal which seems unfair to them.

With my very best wishes, I am

Sincerely yours,

L. M. CAMPBELL,
Secretary of Banking.

Mr. SPENCE. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, I do not know what causes the gentleman from Pennsylvania to raise objection to this bill. There has been no opposition presented to the committee against the bill; as a matter of fact, when I heard that there might be some opposition on the floor to the bill, I called the American Bankers Association today, and they sent me a communication which I hold in my hand now and which reads as follows:

In accordance with your request for the views of the American Bankers Association on S. 2128, I can advise you that the association has considered this bill and believes it to be desirable and needed legislation.

The fact of the matter is that nothing in this proposed legislation can or attempts to change any State law. All we are trying to do here now is put the national banks on the same footing as State banks in those States that have a law which permits the shareholders of the absorbing bank to demand their cash if they do not want to go along with the merger. In other words, where a bank desires to buy out another bank and they decide to do so by a merger, it must be done under this bill by a two-thirds vote. It cannot be done unless two-thirds of the shareholders of each of the banks consent to it.

This bill provides further that the one-third, if there be that many, or less, dissenting stockholders who do not want to go along with the merger, those of the smaller bank—I say "smaller" because it is usually a smaller bank that is merged into the larger—those of the institution which is being merged into the larger bank will have the opportunity to say, "We want an appraisal of the value of our stocks. Never mind what it is selling on the market for, what is its fair value?" Under the State laws and under this law you will get a fair appraisal, which will fix the actual value, and those dissenting stockholders of the bank being absorbed will be able to get their cash and get out of the picture, and those who want to go along with the merger will remain as shareholders.

The gentleman from Michigan [Mr. CRAWFORD] I think, stated the problem very precisely. If you do not pass this bill, you will put the stockholders of the absorbing bank in a position of going in and practically holding up the others by requiring them to buy out their stock at exorbitant figures, because they will say, "We will not go along with your merger unless you give us what we want."

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. As I see the practical problem, not only might the stockholders do that, but suppose you and your friend are presenting a consolidation and I am an entire outsider, and I have my ear to the ground and I hear something is in the wind, and I come in and pick up 15 or 20 or 50 shares for a straightforward hold-up.

Mr. MULTER. That is precisely what this bill would stop if it is enacted.

Mr. CRAWFORD. That is what I am trying to get clear in my mind.

Mr. MULTER. I urge the passage of the bill.

Mr. SPENCE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill, S. 2128?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONVERSION, MERGER, AND CONSOLIDATION OF NATIONAL BANKS WITH STATE BANKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2252) to clarify the act of August 17, 1950, providing for the conversion of national banks into and their merger and consolidation with State banks.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the act entitled "An act to provide for the conversion of national banking associations into and their merger or consolidation with State banks, and for other purposes," approved August 17, 1950 (12 U. S. C. 214c), is amended by striking out the words "as provided by Federal law" at the end of the section and substituting the words "under limitations or conditions no more restrictive than those contained in section 2 hereof with respect to the conversion of a national bank into, or merger or consolidation of a national bank with, a State bank under State charter."

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

AMENDING SECTION 9 OF THE FEDERAL RESERVE ACT AND SECTION 5155 OF THE REVISED STATUTES

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2938) to amend section 9 of the Federal Reserve Act, as amended, and section 5155 of the Revised Statutes, as amended, and for other purposes.

The Clerk read the title of the bill.

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

Mr. TALLE. Mr. Speaker, reserving the right to object, I should like to interrogate the chairman of the Committee on Banking and Currency in order

that certain facts may appear in the RECORD to indicate our intent with reference to the pending bill. In the first place, does the chairman believe that the enactment of this bill will in any way injure our dual-banking system?

Mr. SPENCE. No, it will not. I hope we never pass legislation which will do that.

Mr. TALLE. I agree with the chairman that our dual-banking system must be preserved. In the second place, will the enactment of this legislation in any way force branch banking upon States which do not have it and do not want it?

Mr. SPENCE. No, absolutely not.

Mr. TALLE. In the third place, and this is a very crucial point, shortly after the National Bank Act was passed in 1863 certain standards were set up relating to the capital stock of a national bank as against the assets of the bank. Those standards were maintained for 70 years. There was no change until 1933. Nineteen years later, in 1952, it appears to me in view of the devaluation of the dollar, and the great inflation we have had, the Committee on Banking and Currency should undertake a very careful study of the relationship between the capital stock of banks and the risk assets of banks.

Mr. SPENCE. I think that is a proper subject for study, and I think we should give further consideration to it in the next Congress.

Mr. TALLE. Mr. Speaker, I have very high regard for the Board of Governors of the Federal Reserve System and very great respect for the Board which manages the Federal Deposit Insurance Corporation. We should remember, when we ask those gentlemen to insure the deposits in our banks, that, in the interest of safe and sound banking, it is essential that adequate standards be established which banks must meet. Specifically, the capital stock requirement should be large enough, so that a bank does not have a small equity on the right-hand side of the balance sheet and a tremendously inflated asset total on the left-hand side. That is very dangerous, and I think the time has come when the Committee on Banking and Currency should look into that matter most carefully. We should make certain that our standards are adequate.

Mr. Speaker, I withdraw my reservation of objection.

Mr. DEANE. Mr. Speaker, reserving the right to object, I would like to point out to the membership of the House that the Federal Reserve Board strongly supports this measure. It is supported also by the American Bankers Association, the superintendents of banks, as well as many smaller banks throughout the country.

Mr. TALLE. Mr. Speaker, will the gentleman yield?

Mr. DEANE. I yield.

Mr. TALLE. Does the gentleman from North Carolina agree with me that we ought to give to the officials of the Federal Deposit Insurance Corporation the assurance that we want to stand back of them and establish proper standards with special reference to the ratio of capital to risk assets in the banks whose deposits they insure?

Mr. DEANE. I certainly do. We should at this time go on record commending the FDIC for the splendid job they have done and are doing, for their alertness in advocating the adequacy of capital funds for insured banks. The FDIC is ever alert to the safety of their depositors and in the safeguarding of the deposit-insurance fund. I feel, Mr. Speaker, that the Federal Reserve Board will proceed with caution in carrying out the provisions of S. 2938. I feel that the rule that now sets minimum bank capital for admitting State banks to membership on the basis of area population is rather arbitrary and unrealistic. The present law prevents sound banks, which are otherwise entitled to membership, and most of which are insured banks, from becoming members of the Federal Reserve System.

A section of the bill repeals the legal requirement of $500,000 minimum capitalization of national or State banks desiring to establish out-of-town branches. The banks, however, would still be subject to the aggregate capital requirements contained in other provisions.

The bill would forbid State member banks to reduce total capital without prior Reserve Board approval. While many member banks are already bound by a condition of membership, it appears desirable to cover this matter by law.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the eleventh paragraph of section 9 of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 329), is amended to read as follows:

"No applying bank shall be admitted to membership unless it possesses capital stock and surplus which, in the judgment of the Board of Governors of the Federal Reserve System, are adequate in relation to the character and condition of its assets and to its existing and prospective deposit liabilities and other corporate responsibilities: *Provided*, That no bank engaged in the business of receiving deposits other than trust funds, which does not possess capital stock and surplus in an amount equal to that which would be required for the establishment of a national banking association in the place in which it is located, shall be admitted to membership unless it is, or has been, approved for deposit insurance under the Federal Deposit Insurance Act. The capital stock of a State member bank shall not be reduced except with the prior consent of the Board."

SEC. 2. (a) The third paragraph of section 9 of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 321, third paragraph), is further amended by adding at the end thereof a new sentence reading as follows: "The approval of the Board shall likewise be obtained before any State member bank may establish any new branch within the limits of any such city, town, or village (except within the District of Columbia)."

(b) Subsection (c) or section 5155 of the Revised Statutes, as amended (U. S. C., title 12, sec. 36 (c)), is further amended by changing the last sentence of such subsection to read as follows: "Except as provided in the immediately preceding sentence, no such association shall establish a branch outside of the city, town, or village in which it is situated unless it has a combined capital stock and surplus equal to the combined amount of capital stock and surplus, if any, required by the law of the State in which such association is situated for the establishment of such branches by State banks, or, if the law of such State requires only a minimum capital stock for the establishment of such branches by State banks, unless such association has not less than an equal amount of capital stock."

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.

MALT LIQUORS LOST OR DAMAGED BY 1951 FLOODS

Mr. FORAND. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6241) to provide for the refund or credit of the internal revenue tax paid on fermented malt liquors lost or rendered unmarketable by reason of the floods of 1951 where such fermented malt liquors were in possession of, first the original taxpayer; second, a dealer who sells fermented malt liquors at wholesale; or third, a dealer who sells fermented malt liquors at retail.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) the Commissioner of Internal Revenue is authorized and directed to make refund, or (b) allow credit in the case of the original taxpayer if he so elects, in the amount of the internal-revenue tax paid on fermented malt liquors, previously withdrawn, and lost or rendered unmarketable by reason of the floods of 1951 while such fermented malt liquors were in the possession of (1) the person originally paying the said tax on such fermented malt liquors, (2) a dealer who sells fermented malt liquors at wholesale, or (3) a dealer who sells fermented malt liquors at retail. A claim for the amount of such tax shall be filed with the Commissioner of Internal Revenue within 90 days from the date of passage of this act. The claimant shall furnish proof to the Commissioner's satisfaction that (1) the internal-revenue tax on such fermented malt liquors was fully paid; (2) the fermented malt liquors were in the possession of the claimant as above set forth at the time of such loss; (3) such fermented malt liquors were lost or rendered unmarketable by reason of the damage sustained as a result of the aforesaid flood conditions; and (4) claimant was not indemnified against loss of the tax paid on the fermented malt liquors by any valid claim of insurance or otherwise.

(c) When the Commissioner, pursuant to this act, makes refund, or allows credit, in the amount of the tax on fermented malt liquors rendered unmarketable, such fermented malt liquors shall be destroyed under the supervision of the Commissioner.

(d) Where credit is allowed to the original taxpayer for the internal-revenue tax previously paid as aforesaid, the Commissioner of Internal Revenue is authorized and directed to provide for the issuance of stamps to cover the tax on fermented malt liquor subsequently withdrawn to the extent of the credit so allowed.

(e) The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to make such rules and regulations as may be necessary to carry out the provisions of this act.

The SPEAKER. Is a second demanded?

Mr. REED of New York. Mr. Speaker, I demand a second.

Mr. FORAND. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

The SPEAKER. The gentleman from Rhode Island [Mr. FORAND] is recognized for 20 minutes and the gentleman from New York [Mr. REED] will be recognized for 20 minutes.

The gentleman from Rhode Island.

Mr. FORAND. Mr. Speaker, this is a very simple bill. It provides for the refund or credit for taxes that have been paid on beer that was lost in floods. We did that same thing for the distilled-liquor people in the Revenue Act of 1951, and it was through an oversight that beer was not included.

Mr. REED of New York. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I take this time particularly to ask the gentleman from Rhode Island a few questions.

First, what kind of consideration was given to this bill by the committee?

Mr. FORAND. This bill was reported unanimously by the Ways and Means Committee after it was considered.

Mr. GROSS. Were hearings held on the bill, and is there any report on the bill?

Mr. FORAND. There is a report on the bill.

Mr. GROSS. Were hearings held?

Mr. FORAND. I do not know. I do not know if hearings have been held, but the bill was considered in regular order by the Ways and Means Committee and reported out unanimously.

Mr. GROSS. The gentleman knows whether hearings were held on the bill or not.

Mr. FORAND. I told the gentleman I did not know. If there were hearings held I do not know. I do not believe there were.

Mr. GROSS. This applies to losses in what flood?

Mr. FORAND. In the floods during 1951.

Mr. GROSS. And where?

Mr. FORAND. Anywhere in the United States. Justice will apply in one place as well as another.

Mr. GROSS. But who is being reimbursed?

Mr. FORAND. Either the original owner of the beer, the wholesaler, or the retailer who has paid the tax to the Federal Government. He is not being paid for his merchandise, but only the tax that he has paid on the beer is to be refunded.

Mr. GROSS. I am opposed to this legislation because it does not cover others who have similar losses in floods throughout the country, who, for instance, may have paid taxes on storage batteries, tires, gasoline, and other products and commodities which were ruined.

Mr. FORAND. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes; I yield.

Mr. FORAND. When this bill was up before, I asked the gentleman a plain question, whether he had introduced legislation providing for that, and he said he had not. I then told him that I would support any bill he would introduce to provide that type of refund, because I think it is simple justice. If the gentleman introduces legislation of that kind, I will go along with him.

Mr. GROSS. My response is simply this: Your committee considered this bill to pay a certain group of people for loss of taxes paid on one commodity that was lost in a flood. Why did you not include others who lost taxes paid upon merchandise or other commodities lost in floods?

Mr. FORAND. Because this bill was introduced for that one purpose. Anybody was free to offer amendments to include anything else. If I had a dealer in my district and someone would have approached me on that proposition, I would have introduced legislation to cover it.

Mr. GROSS. I have had no heavy losses in my district this year, but we do have a river that floods quite frequently. I contend that what is good for those benefited by this bill is good for everyone else who loses in a flood, and you should have brought under the terms of this proposal all others who lose in floods the products on which Federal taxes have been paid.

Mr. FORAND. I agree 100 percent that this is simple justice, and the gentleman has failed in his duty in not presenting that type of legislation to the committee or to the Congress.

Mr. GROSS. I do not yield further. You have plenty of time to discuss that. You have failed in your duty to provide the House with a proper bill. This is discriminatory, and you know it is discriminatory, when you single out one group for reimbursement of Federal taxes.

I am not opposed to reimbursement for Federal taxes already paid upon a commodity lost in a flood—not at all; but I say that when you bring in this kind of bill you should make it applicable to all others who have been as unfortunate. You brought one bill in here at some time or other which reimbursed distillers for taxes paid on their products which were lost. That was discriminatory, and I am here this afternoon asking that the mistake not be made again.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. McCORMACK. I think the gentleman's position is fair. I do not however believe you should defeat this bill because there might be others, but the gentleman is entitled to his own opinion. Are those who pay taxes on things like gasoline, whose product has been completely destroyed not to have their taxes refunded?

Mr. GROSS. Certainly. There were many individual losses on the Missouri River this year, many of them.

Mr. McCORMACK. Oh, yes, there are plenty of losses; but I mean where taxes were paid and then the loss took place.

Mr. GROSS. There have been many cases along the Missouri River where grocery stores were flooded, where cigarettes and tobacco were lost, where service stations were flooded and stocks ruined or lost, on which things Federal taxes had been paid.

Mr. McCORMACK. The gentleman has furnished information on tobacco, cigarettes, and so forth. I can see that. But it seems to me that instead of defeating this particular bill—and I do not know who is going to benefit from that, I have no knowledge at all, to me it is just another piece of legislation that has come up, so to speak—that they have made out a case for it. The gentleman concedes that. I agree with the gentleman, so does the gentleman from Rhode Island. It seems to me, if I may suggest to my friend without getting into a controversy—and I shall not—that instead of trying to defeat this bill that next year a bill should be drafted to try to take care of those who have sustained similar losses.

Mr. GROSS. I appreciate the gentleman's statement.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. JENSEN. This bill, and I am sure the gentleman will agree with me thoroughly, this bill opens the door for everybody in a flooded area to come in and attempt to get tax relief. In my district there are thousands and thousands of people who lost their property on which they had already paid taxes. I have farmers whose houses were tipped over in the flood; their property is gone; their land is covered with from 2 to 8 feet of sand, their furniture is gone. If we are going to do this kind of thing and exempt one group, permitting them to get back their taxes, then we have no alternative but to make it applicable to everybody.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. Can the gentleman designate where in this bill there is any relief for the western side of the State of Michigan, along the eastern shore of Lake Michigan for people whose cottages have been washed into the lake; do they get any relief, do they get any refund? This bill should not be one bit discriminatory.

Mr. GROSS. As far as I know they do not.

Mr. REED of New York. Mr. Speaker, I yield myself such time as I may need.

Mr. Speaker, it does not matter what is destroyed, somebody has paid taxes and the money has gone into the Treasury, and the Treasury has it, yet the people have lost their property. It is just an ordinary piece of fair play on the part of the Government toward the citizens. Any of these people who have losses and have paid taxes on property should be able to get a refund of those taxes. I think that is the policy of the Government and should be, to play fair with its own citizens. I know there are other losses, perhaps where people have paid their taxes, but all they have to do is to approach their Member of Congress, have a bill introduced, have the matter considered, and if they make out a fair case there is no reason why they should not get a refund.

With reference to the losses along Lake Erie, there you have an international problem that is being dealt with by an international committee. I have great losses in my district as a result of the high water on Lake Erie and the storms driving the water in and tearing through the walls of houses, but that is an international problem so far.

Mr. JENSEN. Does not the revenue department now have authority to refund taxes in instances of this kind without a law?

Mr. REED of New York. They may have.

Mr. JENSEN. Without additional law.

Mr. REED of New York. This is a safer procedure, where we have a hearing on a bill and determine just whether or not there is merit in the bill.

Mr. JENSEN. Does the gentleman realize that if this bill is made law there can be thousands of like cases come before this Congress?

Mr. REED of New York. If they are just cases, why should not the Government be fair to its taxpayers?

Mr. JENSEN. I am sure the revenue department already has authority under law to make these adjustments.

Mr. REED of New York. Perhaps the gentleman is right, I do not know, but, at any rate, it has been brought here in the regular legislative way.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Iowa.

Mr. GROSS. Surely my good friend from New York is not suggesting that we come in whenever there is a loss out in our district and bring in a bill to the Ways and Means Committee. The Ways and Means Committee would be doing nothing but holding hearings on bills of this nature. I do not believe he wants to do that.

Mr. REED of New York. It is only in those cases where there has been a loss of property upon which the tax has been paid and the property upon which the tax has been paid is destroyed. That is entirely different from many other claims you are talking about where we have the procedure for bringing in the ordinary claims, and having them legislated on. But here is a case where the people have paid a tax to the Government and before they can realize the slightest profit the property is destroyed. It does not matter what the subject of the loss is.

Mr. FORAND. 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, H. R. 6241.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AUTHORIZING LOAN OF TWO SUBMARINES TO THE GOVERNMENT OF THE NETHERLANDS

Mr. VINSON. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3337) to authorize the loan of two submarines to the Government of the Netherlands.

The Clerk read as follows:

Be it enacted, etc., That, the President is authorized to lend to the Government of the Netherlands two submarines for use by that Government until the construction of the first two of four submarines to be constructed by the Government of the Netherlands has been completed, but in no event beyond a period of 5 years. The President shall, prior to the delivery of the submarines to the Government of the Netherlands, conclude an agreement with that Government providing for the return of the submarines in accordance with the provisions of this act and in substantially the same condition as when loaned.

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand a second.

Mr. VINSON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. VINSON. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this bill is to loan temporarily to the Netherlands two submarines that are now a part of our reserve fleet in a moth-ball status. The bill requires that before they are delivered an agreement be reached with the Netherlands Government that they be returned to the United States at the end of a period of 5 years in the same condition as they were when they were loaned. The reason why we are loaning these ships to the Netherlands is because at this time they are building four submarines and they need these subs so that they can train their crews and build up their submarine forces. The British Government has loaned them four ships and they desire to get these additional two ships which will be converted to snorkel type. It will cost $2,450,000, and the money for the reconditioning will come out of Mutual Security Act funds already appropriated. So the result of it will be that at the end of 5 years we will have two submarines that have been reconditioned, modernized, and the crews of the Netherlands Navy will be able to operate modern up-to-date submarines when they complete the four new ones.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Iowa.

Mr. GROSS. What will happen if during this period these submarines are on loan that one or both of them is lost; will the Dutch Government reimburse us?

Mr. VINSON. I will say that an agreement will be reached that they will be returned in the same condition. The agreement undoubtedly will cover such a loss.

Mr. GROSS. Suppose the submarine is at the bottom of the Atlantic, how could it be returned in the same condition?

Mr. VINSON. I will say that that will be taken care of in the agreement, because it will require that they be returned in the same condition as they were when they were loaned to them.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is the reconditioning work to be done in this country or in the Netherlands?

Mr. VINSON. It will be done in this country.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from California.

Mr. McDONOUGH. If we loan these two submarines to the Netherlands, do we have a program to replace them in order to supplement our fleet?

Mr. VINSON. No; we do not need them. They are coming out of the reserve, and we will be getting in return two modern submarines that we loaned to the Netherlands, the reconditioning of which will be paid for out of Mutual Security funds. The sum and substance of it is that we will increase our submarine strength by having two modern submarines; otherwise if this bill is rejected, they would lie in moth balls.

Mr. McDONOUGH. If we allow these to be loaned to the Netherlands, would we increase our national defense in that area?

Mr. VINSON. We certainly will, not only by the two that will be modernized, but by having four which the Netherlands are building.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, how do we build up our fleet simply by this transaction?

Mr. VINSON. This is not for the purpose of building up the fleet. The main objective is to enable the Netherlands to train their crews, and the result of such a transaction will be, as I have just stated, to strengthen our submarine program.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Is it not true that we are adding two submarines to the NATO fleet that we can use against Russia, if necessary?

Mr. VINSON. That is correct.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. VINSON. I yield to the gentleman from South Carolina.

Mr. RIVERS. It is also true that we have greatly expanded our submarine facilities in this country and are continuing to expand them very rapidly.

Mr. SHORT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, there is little that I can add to what the chairman has said. This is a very simple, plain, and clear matter for even a person who runs to understand. It is proposed that we take two of the several submarines that we now have in moth balls and loan them to the Netherlands Government for a period not to exceed 5 years.

Whether you believe in NATO or not, the Netherlands is a member of the North Atlantic Treaty Organization and is one of our allies in our mutual defense effort. At the present time she is constructing four submarines. She will have to have submarines already built in order to train men to man the submarines she is building.

As the chairman has pointed out, we propose to take two submarines now in moth balls, with more or less antiquated equipment, and transfer them to the Netherlands, which will modernize them and turn them into snorkel submarines to give their own men training and at the same time to give protection to themselves and our other allies in the North Sea and in distant waters.

If we do not take these submarines out of moth balls, they will perhaps never be used, and eventually we will junk them without any benefit to us, to the Netherlands, or to anyone else.

I can see no reason why anyone should object to this particular measure, which will not only increase our own defense but will help our allies at this rather critical period in our history.

Mr. Speaker, I yield 4 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, here we go again around the mulberry bush, dishing out our money and material all over the world, this time in terms of submarines.

The gentleman from Missouri, and I admire him greatly, just said that these are critical times. If that is true we should be husbanding these submarines here at home. We had better be modernizing them and getting them ready for our own use. I am wondering if this is not the first installment we are paying on the recent visit made by the Queen and Prince Consort of Holland to this country.

It does not make any difference out of which pocket you take the money, you are still spending American dollars, not as hard as they used to be, but you are still spending American dollars to give a foreign country expensive equipment we may need very badly. It does not make any difference whether these submarines are modernized out of so-called mutual security funds or whether they are modernized out of funds appropriated to the defense establishment, it is American tax dollars you are spending, and the submarines go to a foreign country. There is not the slightest reason to believe that if one or both of these subs were lost while being used by the Dutch for training purposes that we would get back a thin dime.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. SHORT. Of course, the gentleman knows I have opposed most of these expenditures for foreign governments within the Mutual Security Act, but the fact is we have already voted these funds—perhaps not you nor I, but the Congress—and the money that will be used will come out of the mutual security funds that have already been appropriated. Why not use that money in making new submarines out of old submarines? That would help not only the United States but also our allies. It will add to our total strength.

Mr. GROSS. Yes, and the mutual security spenders will be back next year with the hue and cry of "Foreigners first." They will be back with the cry, "We spent $2,500,000 on this; now we need $2,500,000 more because we spent that on reconditioning and modernizing submarines for the Navy."

Mr. SHORT. Congress will be here next year to face the situation that then exists.

Mr. GROSS. Yes, and I repeat that we will be called upon to appropriate that much more money for so-called mutual security.

Mr. SHORT. But this money has already been appropriated, and these submarines will never be of any use or good to ourselves or our allies unless we take them out of mothballs and put them into action.

Mr. GROSS. What I cannot understand is why the Dutch Government cannot spend $2,500,000 of their own money to put them in shape. These submarines will be handed over to them eventually as a gift, or sold to them at 1 to 10 cents on the dollar.

Mr. SHORT. The Dutch Government is building four submarines now. The reason we should turn our two old submarines over to that Government is so that they can train men to man the submarines they are building.

Mr. GROSS. Why can they not spend the $2,500,000 we are bleeding out of our taxpayers?

Mr. SHORT. I think the economic strength of the Netherlands is not yet quite equal to that of the United States.

Mr. GROSS. If the Netherlands Government cannot stand a $2,500,000 expenditure to modernize a couple of submarines then I question their value as an ally. As a matter of fact, Dutch troops are conspicuous by their absence on the front lines in Korea.

Mr. CLEMENTE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. CLEMENTE. Does not the gentleman agree that if the Netherlands does rehabilitate these submarines even though it is our money that is spent, we will gain that much time in having them converted to snorkel type?

Mr. GROSS. Does the gentleman mean to say that we could not recondition these two submarines in this country, if they were needed in active service now?

Mr. CLEMENTE. I do not. The Netherlands Government will use $2,000,000 of our own money to rehabilitate the submarines. The submarines are now in moth balls, with no immediate plan for rehabilitation and we are letting the Netherlands do the work, and thereby we will save time.

Mr. GROSS. If we need these subs let us spend the money to recondition them by using and paying American labor rather than Dutch labor. It ought to be obvious that American labor must be employed if our huge tax levies are to be met.

Mr. CLEMENTE. The submarines are presently in moth balls, and they are not now being considered to be rehabilitated at all.

Mr. GROSS. Then let us keep them there because we may need them very badly some day to defend the Western Hemisphere.

Mr. CLEMENTE. We must have the new, superior type of snorkel submarines and if we can get it done now all the better.

Mr. GROSS. These can be made into the new, modern type, can they not? Is that not what the Dutch are going to do? They are going to make snorkel submarines out of them.

Mr. CLEMENTE. In any event, we will gain time.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. VAN ZANDT. Does the gentleman realize these submarines are being loaned to the Dutch Government for the purpose of training crews? The Dutch are building ships and they have to have crews to man them. Therefore, we will have two additional submarines in commission, and likewise will have the benefit of the ships to be built by the Dutch Government.

Mr. GROSS. I make the prediction to you right here and now that within 5 years or less, there will be legislation introduced in Congress to give the Netherlands these submarines, or sell them to them for 1 to 10 cents on the dollar.

The SPEAKER. The time of the gentleman from Iowa [Mr. GROSS] has expired.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. 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. 130]

Abernethy	Hall, Edwin Arthur	Potter
Albert	Harden	Powell
Allen, La.	Hébert	Reece, Tenn.
Anderson, Calif.	Herter	Regan
Armstrong	Heselton	Richards
Bakewell	Hillings	Robeson
Bates, Ky.	Holifield	Ross
Beckworth	Hope	Sabath
Belcher	Jones, Mo.	Scott, Hugh D., Jr.
Bender	Kearney	Sheehan
Bentsen	Kilburn	Sikes
Brehm	Kilday	Stigler
Brown, Ohio	Larcade	Sutton
Buckley	Lyle	Tackett
Burdick	McMillan	Teague
Carlyle	Magee	Thompson, Tex.
Carnahan	Mills	Trimble
Chelf	Mitchell	Watts
Cole, N. Y.	Morano	Welch
Cooper	Morris	Wickersham
Davis, Tenn.	Morrison	Willis
Dorn	Morton	Withrow
Doughton	Moulder	Wolcott
Eaton	Nelson	Woodruff
Engle	O'Hara	
Evins	Poage	
Fenton		

The SPEAKER. On this roll call 346 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AUTHORIZING THE LOAN OF TWO SUBMARINES TO THE GOVERNMENT OF THE NETHERLANDS

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 3337?

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 187, noes 13.

Mr. GROSS. 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. The Chair will count. [After counting.] Two hundred and forty-five Members are present, a quorum.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill, H. R. 7993, was laid on the table.

ANNOUNCEMENT

Mr. GARY. Mr. Speaker, I have been asked to announce that the House restaurant will be open this evening for the convenience of the Members.

AUTHORIZING LOAN OF NAVAL PATROL VESSELS TO JAPAN

Mr. PHILBIN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 8222) to authorize the loan of certain naval patrol-type vessels to the Government of Japan.

The clerk read as follows:

Be it enacted, etc., That the President is authorized to lend to the Government of Japan not to exceed 18 patrol frigates and 50 landing craft suitable for patrol purposes for use by that Government for an initial period of 5 years and upon request of the Government of Japan for an additional period of 5 years. The President shall, prior to the delivery of the vessels to the Government of Japan, conclude an agreement with that Government with respect to the loan of said vessels which shall include provisions for the return of the vessels in substantially the same condition as when loaned.

Mr. McCORMACK (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the bill be dispensed with, and that it be printed at this point.

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

There was no objection.

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand a second.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

Mr. PHILBIN. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I do not propose to take up too much of the time of the House on this bill. I think it is generally understood by the membership. It was very carefully considered by the Committee on Armed Services, and has been unanimously reported by the committee. The Bureau of the Budget has interposed no objection to it. It is not going to cost any money. That is, there is no request for fresh appropriations. It merely provides for the loan for a period of 5 years of the specified number of small naval craft to the Japanese Government for the purpose of patrolling the coastal waters of Japan.

Mr. Speaker, the bill really boils down to just one issue. Unless we pass this bill, and authorize the loan of these vessels, thus permitting the Japanese naval and coast guard forces to make security patrols of their own coasts, then our own naval forces from Korea or elsewhere will have to be assigned to carry out that security task which is so vital to our own defense.

As I stated, that is about the only real issue presented in this legislation. The question is whether the Members of the House would prefer to have this coastal security job done by members of the Japanese Navy, or in the event this measure be defeated, to have that job done by American boys by taking from our forces in Korea, and our naval forces elsewhere, the necessary units to do this vital job. I urge that the House take favorable action.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. I yield.

Mr. VAN ZANDT. Is it not true these ships will permit the Japanese Navy to organize a coast guard to carry on the security work the gentleman mentioned a moment ago, as well as lifesaving and general services to ships in distress?

Mr. PHILBIN. That is right. It will permit the normal coast guard functions to be performed by the Japanese.

Mr. SHORT. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, as the Members know, the United States has recently signed and ratified a treaty with Japan, and also entered into a mutual security pact with other nations in the Pacific. The able and admirable gentleman from Massachusetts [Mr. PHILBIN] has clearly stated this proposition. Unless we turn these patrol vessels over to the Japanese, where they themselves have the manpower and the willingness and even the eagerness to do the job, then it will fall upon the United States Navy which is now taxed to its capacity in performing the many missions it has in different parts of the world to carry out this work.

Without saying too much in public, I would like to point out that the pressure from Russia from South Sakhalin on Japan and the Japanese people is greater than many people realize. It is highly important, we think, as well as our best military and naval leaders, that we take this action. I trust there will be no opposition to it.

Mr. PHILBIN. 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 (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The SPEAKER. The Chair will recognize Members to present conference reports.

The gentleman from Illinois is recognized.

DISTRICT OF COLUMBIA APPROPRIATION BILL CONFERENCE REPORT

Mr. YATES submitted the following conference report and statement on the bill (H. R. 7216) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2440)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7216) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, 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 29, 38, 64, and 65.

That the House recede from its disagreement to the amendments of the Senate numbered 20, 34, 35, 37, 48, 50, and 61, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendmend insert "$10,000,000"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$321,800"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,500"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$348,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$135,400"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment insert "$23300"; and the Senate agree

to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$23,300"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,992,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$28,150"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$114,100"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$83,600"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$64,400"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$86,500"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$179,000"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$86,000"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$78,500"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$253,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$47,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$147,700"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$38,100"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$19,201,600"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$254,600"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,880,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,490,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,555,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$10,050,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,300,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,250,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,142,400"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,800,000" ; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,485,500"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,460,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,062,500"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,590,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,140,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$114,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$114,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$840,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,715,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$110,500"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$105,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,670,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,220,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$345,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$105,000"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree

to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,507,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$97,500"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,537,000"; and the Senate 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 "$2,423,000"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,942,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,025,000"; 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 "$98,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 41, 51, 57, and 66.

SIDNEY R. YATES,
FOSTER FURCOLO,
JAMIE L. WHITTEN,
HENRY M. JACKSON,
LOWELL STOCKMAN,
EARL WILSON,
H. CARL ANDERSEN,
Managers on the Part of the House.

LISTER HILL,
JOSEPH C. O'MAHONEY,
JOHN L. MCCLELLAN,
LESTER C. HUNT,
HOMER FERGUSON,
JOE MCCARTHY,
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. 7216) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, 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:

Amendment No. 1: Appropriates $10,000,000 as the Federal contribution to the District of Columbia instead of $8,600,000 as proposed by the House and $11,000,000 as proposed by the Senate.

GENERAL ADMINISTRATION

Amendment No. 2: Appropriates $321,800 for the Executive Office instead of $316,000 as proposed by the House and $327,540 as proposed by the Senate.

Amendment No. 3: Appropriates $7,500 for ceremony expenses instead of $5,000 as proposed by the House and $10,000 as proposed by the Senate.

Amendment No. 4: Appropriates $348,000 for the office of the Corporation Counsel instead of $340,000 as proposed by the House and $356,000 as proposed by the Senate.

Amendment No. 5: Appropriates $135,400 for the Purchasing Division instead of $134,000 as proposed by the House and $136,750 as proposed by the Senate.

Amendment No. 6: Appropriates $23,300 for the Board of Tax Appeals instead of $23,000 as proposed by the House and $23,700 as proposed by the Senate.

FISCAL SERVICE

Amendment No. 7: Appropriates $1,992,000 for salaries and expenses, Fiscal Service, in stead of $1,972,000 as proposed by the House and $2,012,000 as proposed by the Senate.

Amendment No. 8: Provides that $28,150 shall be paid from the highway fund toward the Fiscal Service instead of $28,000 as proposed by the House and $28,300 as proposed by the Senate.

REGULATORY AGENCIES

Amendment No. 9: Appropriates $114,100 for the Alcoholic Beverage Control Board instead of $111,000 as proposed by the House and $117,200 as proposed by the Senate.

Amendment No. 10: Appropriates $83,600 for the Board of Parole instead of $81,000 as proposed by the House and $86,200 as proposed by the Senate.

Amendment No. 11: Appropriates $64,400 for the Coronor's office instead of $64,000 as proposed by the House and $64,800 as proposed by the Senate.

Amendment No. 12: Appropriates $86,500 for the Department of Insurance instead of $83,000 as proposed by the House and $90,500 as proposed by the Senate.

Amendment No. 13: Appropriates $179,000 for the Department of Weights, Measures, and Markets instead of $175,000 as proposed by the House and $183,000 as proposed by the Senate.

Amendment No. 14: Appropriates $86,000 for the License Bureau instead of $85,000 as proposed by the House and $87,100 as proposed by the Senate.

Amendment No. 15: Appropriates $78,500 for the Minimum Wage and Industrial Safety Board instead of $75,000 as proposed by the House and $82,100 as proposed by the Senate.

Amendment No. 16: Appropriates $253,000 for Office of the Recorder of Deeds instead of $249,000 as proposed by the House and $257,000 as proposed by the Senate.

Amendment No. 17: Appropriates $47,000 for the Poundmaster's Office instead of $45,000 as proposed by the House and $49,000 as proposed by the Senate.

Amendment No. 18: Appropriates $147,700 for the Public Utilities Commission instead of $147,000 as proposed by the House and $148,400 as proposed by the Senate.

Amendment No. 19: Appropriates $38,100 for the Zoning Commission instead of $37,000 as proposed by the House and $39,200 as proposed by the Senate.

PUBLIC SCHOOLS

Amendment No. 20: Inserts clarifying language as proposed by the Senate.

Amendment No. 21: Appropriates $19,201,600 for general administration, supervision, and instruction instead of $18,915,000 as proposed by the House and $19,315,000 as proposed by the Senate. Of the increase allowed above the House figure, $36,600 earmarked specifically for auxiliary educational services.

Amendment No. 22: Appropriates $254,600 for vocational education under the George-Barden program instead of $247,000 as proposed by the House and $262,324 as proposed by the Senate.

Amendment No. 23: Appropriates $4,880,000 for operation and maintenance of buildings, etc., instead of $4,840,000 as proposed by the House and $4,900,000 as proposed by the Senate.

PUBLIC LIBRARY

Amendment No. 24: Appropriates $1,490,000 for necessary expenses instead of $1,440,000 as proposed by the House and $1,515,000 as proposed by the Senate.

RECREATION DEPARTMENT

Amendment No. 25: Appropriates $1,555,000 for operating expenses instead of $1,550,000 as proposed by the House and $1,562,500 as proposed by the Senate.

METROPOLITAN POLICE

Amendment No. 26: Appropriates $10,050,000 for necessary expenses instead of $9,750,000 as proposed by the House and $10,250,000 as proposed by the Senate.

Amendment No. 27: Provides that $1,300,000 of the appropriation under amendment number 26 shall be derived from the highway fund instead of $1,280,000 as proposed by the House and $1,360,000 as proposed by the Senate.

FIRE DEPARTMENT

Amendment No. 28: Appropriates $5,250,000 for necessary expenses instead of $5,150,000 as proposed by the House and $5,277,000 as proposed by the Senate.

VETERANS' SERVICES

Amendment No. 29: Appropriates $80,000 as proposed by the House instead of $120,000 as proposed the Senate.

COURTS

Amendment No. 30: Appropriates $1,142,400 for District of Columbia courts instead of $1,100,000 as proposed by the House and $1,164,300 as proposed by the Senate. Of the amount allowed above the amount of the House figure, it is the intention of the conferees that $30,000 shall be for jury service and $12,400 for the Juvenile Court.

HEALTH DEPARTMENT

Amendment No. 31: Appropriates $2,800,000 for general administration instead of $2,675,000 as proposed by the House and $2,915,000 as proposed by the Senate. Of the amount approved it is the intention of the conferees that $25,000 shall be used for visiting nurses' activities.

Amendment No. 32: Appropriates $2,485,500 for operating expenses of Glenn Dale Sanatorium instead of $2,450,000 as proposed by the House and $2,521,000 as proposed by the Senate.

Amendment No. 33: Appropriates $5,460,000 for operating expenses of Gallinger Hospital instead of $5,400,000 as proposed by the House and $5,532,000 as proposed by the Senate.

Amendment No. 34: Appropriates $676,875 for medical charities as proposed by the Senate instead of $600,000 as proposed by the House.

Amendment No. 35: Permits not to exceed $10 per diem for in-patient care as proposed by the Senate instead of $9 as proposed by the House.

DEPARTMENT OF CORRECTIONS

Amendment No. 36: Appropriates $4,062,500 for operating expenses instead of $4,000,000 as proposed by the House and $4,125,000 as proposed by the Senate.

Amendment No. 37: Appropriates $85,000 for capital outlay as proposed by the Senate instead of $65,000 as proposed by the House.

PUBLIC WELFARE

Amendment No. 38: Appropriates $100,000 for necessary expenses as proposed by the House instead of $109,000 as proposed by the Senate.

Amendment No. 39: Appropriates $4,590,000 for agency services instead of $4,560,000 as proposed by the House and $4,615,000 as proposed by the Senate.

Amendment No. 40: Appropriates $3,140,000 for operating expenses, protective institutions, instead of $3,040,000 as proposed by the House and $3,236,000 as proposed by the Senate.

Amendment No. 41: Reported in disagreement.

PUBLIC WORKS

Amendment No. 42: Appropriates $80,000 for office of the chief clerk instead of $78,000 as proposed by the House and $81,400 as proposed by the Senate.

Amendment No. 43: Appropriates $114,000 for Office of the Municipal Architect instead of $110,000 as proposed by the House and $118,500 as proposed by the Senate.

Amendment No. 44: Appropriates $840,000 for Department of Inspections instead of $800,000 as proposed by the House and $879,600 as proposed by the Senate.

Amendment No. 45: Appropriates $1,715,000 for operating expenses, Electrical Division instead of $1,675,000 as proposed by the House and $1,755,000 as proposed by the Senate.

Amendment No. 46: Appropriates $110,500 for capital outlay, Electrical Division instead of $78,000 as proposed by the House and $143,000 as proposed by the Senate.

Amendment No. 47: Appropriates $105,000 for the central garage instead of $100,000 as proposed by the House and $110,100 as proposed by the Senate.

Amendment No. 48: Strikes out House language for snow removal. Similar language is inserted later in the bill under the appropriation for the Division of Sanitation.

Amendment No. 49: Appropriates $2,670,000 for operating expenses, Street and Bridge Divisions instead of $2,620,000 as proposed by the House and $2,722,000 as proposed by the Senate.

Amendment No. 50: Appropriates $5,056,000 for capital outlay, Street and Bridge Divisions, as proposed by the Senate instead of $4,374,000 as proposed by the House.

Amendment No. 51: Reported in disagreement.

Amendment No. 52: Appropriates $1,220,000 for the Department of Vehicles and Traffic instead of $1,175,000 as proposed by the House and $1,265,000 as proposed by the Senate.

Amendment No. 53: Appropriates $345,000 for the Division of Trees and Parking instead of $325,000 as proposed by the House and $366,800 as proposed by the Senate.

Amendment No. 54: Appropriates $105,000 for Motor-Vehicle Parking Agency instead of $90,000 as proposed by the House and $120,000 as proposed by the Senate.

Amendment No. 55: Appropriates $4,507,000 for operating expenses, Division of Sanitation instead of $4,475,000 as proposed by the House and $4,538,000 as proposed by the Senate.

Amendment No. 56: Provides that $97,500 of the appropriation in amendment number 55 shall be derived from the highway fund instead of $95,000 as proposed by the House and $100,000 as proposed by the Senate.

Amendment No. 57: Reported in disagreement. This amendment establishes under the Division of Sanitation authority to expend funds for snow removal which was previously carried under operating expenses, Street and Bridge Divisions. In deleting Senate language in connection with the plan for snow traffic control the conferees avoid giving congressional approval to the plan that was announced last winter, believing that the plan was ill-conceived and is not practical or feasible.

Amendment No. 58: Appropriates $1,537,000 for operating expenses, Sewer Division, instead of $1,492,000 as proposed by the House and $1,582,000 as proposed by the Senate.

Amendment No. 59: Appropriates $2,423,000 for operating expenses, Water Division, instead of $2,365,000 as proposed by the House and $2,480,000 as proposed by the Senate.

WASHINGTON AQUEDUCT

Amendment No. 60: Appropriates $1,942,000 for operating expenses instead of $1,930,000 as proposed by the House and $1,953,000 as proposed by the Senate.

NATIONAL GUARD

Amendment No. 61: Appropriates $115,000 as proposed by the Senate instead of $105,000 as proposed by the House.

NATIONAL CAPITAL PARKS

Amendment No. 62: Appropriates $2,025,000 for necessary expenses instead of $1,975,000 as proposed by the House and $2,092,000 as proposed by the Senate.

NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Amendment No. 63: Appropriate $98,000 for necessary expenses instead of $90,000 as proposed by the House and $108,200 as proposed by the Senate.

GENERAL PROVISIONS

Amendment No. 64: Permits not to exceed $55,000 to be used for automobile allowances as proposed by the House instead of $59,000 as proposed by the Senate.

Amendment No. 65: Permits not to exceed $15,000 to be used for expenses of attendance at meetings and payment of dues as proposed by the House instead of $17,000 as proposed by the Senate.

Amendment No. 66: Reported in disagreement.

In the case of several appropriations having multiple activities, it is the concensus of the conferees that the items appealed by the District officials in their requests for restoration of amounts reduced by the House, represent laudable and worthwhile activities. The conferees, therefore, direct that those activities on which appeals were made, and for which the Senate approved increases, shall be undertaken within the funds herein provided and that other, less-meritorious activities be reduced if retrenchment is necessary in order to carry out the more desirable programs.

SIDNEY R. YATES,
FOSTER FURCOLO,
JAMIE L. WHITTEN,
HENRY M. JACKSON,
LOWELL STOCKMAN,
EARL WILSON,
H. CARL ANDERSEN,
Managers on the Part of the House.

Mr. YATES. Mr. Speaker, I call up the conference report on the bill (H. R. 7216) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, and ask unanimous consent that the statement 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 Illinois?

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 41: Page 23, line 12, insert "; and for plans and specifications for an Industrial Home School for Colored Girls to replace the National Training School for Girls, $86,000; in all, $896,000."

Mr. YATES. I move that the House recede and concur in the Senate amendment.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I understand it is simply necessary to bring this back to the floor; that there is no disagreement among the conferees.

Mr. YATES. This is a unanimous report of the conferees. The gentleman from Minnesota is one of the conferees and he knows the House and Senate agreed on every item in the conference report, and that each of the managers on the part of the House as well as on the part of the Senate signed the report.

Mr. H. CARL ANDERSEN. That is correct. I simply wanted to bring that out. It is simply a technical maneuver that is necessary.

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 51, page 31, line 9, insert: ": *Provided further*, That this appropriation and the appropriation 'Operating expenses, Street and Bridge Divisions,' shall be available for advance payments to Federal agencies for work to be performed, when ordered by the Commissioners, subject to subsequent adjustment."

Mr. YATES. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 57, page 33, line 13, insert "for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, and for marking electric-light poles incidental to traffic control during periods of ice and snow, in the discretion of the Commissioners."

Mr. YATES. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate No. 57, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert "for cleaning snow and ice from streets, sidewalks, crosswalks, and gutters, in the discretion of the Commissioners."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 66: page 45, line 21, insert ", and hereafter the salary of the Budget Officer of the District of Columbia shall be at the rate of grade GS-16 in the

General Schedule established by the Classification Act of 1949."

Mr. YATES. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. YATES moves that the House recede from its disagreement to the amendment of the Senate No. 66, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert ", and the salary of the Budget Officer of the District of Columbia shall be at the rate of grade GS-16 in the General Schedule established by the Classification Act of 1949."

The motion was agreed to.

GENERAL LEAVE TO EXTEND

Mr. YATES. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks on this bill at this point in the RECORD.

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

There was no objection.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1953

Mr. WHITTEN submitted the following conference report and statement on the bill (H. R. 7314) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1953, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2441)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7314) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1953, 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 1, 3, 4, 9, 12, 14, 15, 16, 23, 25, and 34.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 24, 26, 27, 29, 30, 31, 32, 33, and 36, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,370,500"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,756,000"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$14,160,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,465,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,350,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,550,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,400,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,000,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Sentate numbered 22, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said anmendment insert:

"For artificial revegetation, construction, and maintenance of range improvements, control of rodents, and eradication of poisonous and noxious plants on national forests as authorized by section 12 of the Act of April 24, 1950 (Public Law 478), $310,000, to remain available until expended; and the unobligated balance of the appropriation under this head in the Department of Agricultural Appropriation Act, 1952 (Public Law 135, Eighty-second Congress) is hereby continued available, but not subject to the provision relating to the use of such appropriation included in such Act."

And the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$600,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"SEC. 410. No part of any appropriation or authorization contained in this Act shall be used to pay the compensation of any incumbent appointed to any civil office or position which may become vacant during the fiscal year beginning on July 1, 1952: *Provided*, That this inhibition shall not apply to—

"(a) not to exceed 25 per centum of all vacancies;

"(b) positions filled from within the department;

"(c) offices or positions required by law to be filled by appointment of the President by and with the advice and consent of the Senate;

"(d) seasonal and casual workers;

"(e) employees in grades CPC 1, 2, and 3;

"(f) employees working in field activities;

"(g) employees paid from funds for research;

"(h) employees of the crop and livestock reporting service;

"(i) employees paid from funds of the Federal Intermediate Credit Banks, Production Credit Corporations, and the Farm Credit Administration except the portion thereof provided by direct appropriation from the General Fund of the Treasury;

"(j) employees paid from funds for marketing services;

"(k) employees of the Rural Electrification Administration;

"(l) employees of the Soil Conservation Service;

"(m) employees of meat inspection and other regulatory services;

"(n) employees of the Forest Service:

Provided further, That when the total number of personnel subject to this section has been reduced to 90 per centum of the total provided for in the budget estimates for 1953, such limitation may cease to apply and said 90 per centum shall become a ceiling for employment during the fiscal year 1953, and if exceeded at any time during fiscal year 1953 this provision shall again become operative."

And the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In line 8 of paragraph (b) of said amendment, strike out the word "radio" and insert in lieu thereof "individual or network radio and television"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 11, 20, 21, 28, and 39.

JAMIE L. WHITTEN,
E. H. HEDRICK,
FRED MARSHALL,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

RICHARD B. RUSSELL,
CARL HAYDEN,
JOSEPH C. O'MAHONEY,
PAT MCCARRAN,
ALLEN J. ELLENDER,
MILTON R. YOUNG,
HOMER FERGUSON,
(except as to No. 37),
GUY CORDON,
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. 7314) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1953, 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:

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Act

Amendment No. 1: Appropriates $5,250,000 as proposed by the House, instead of $5,260,000 as proposed by the Senate.

Bureau of Agricultural Economics

Amendment No. 2: Appropriates $2,370,500, instead of $2,320,500 as proposed by the House and $2,455,000 as proposed by the Senate. The conferees agree that funds for this purpose should be provided by transfer from the Department of the Interior in the future. The additional $50,000 is included in this bill for 1953, since the Interior Department appropriation bill for next year has been passed by both the House and Senate without funds for this work.

Office of Experiment Stations

Amendments Nos. 3 and 4—Payments to States, etc: Appropriate $12,441,208 as proposed by the House, instead of $12,453,708 as proposed by the Senate, and approve $62,500 for Alaska as proposed by the House, instead of $75,000 as proposed by the Senate. It is the opinion of the conferees that there should be no further expansion in research funds for Alaska until a more definite explanation of the additional research proposed is presented to Congress.

Amendment No. 5—Virgin Islands agricultural program: Appropriates $100,000 as proposed by the Senate.

Bureau of Animal Industry

Amendments Nos. 6 and 7—Animal research: Appropriate $3,756,000, instead of $3,681,000 as proposed by the House and $3,816,000 as proposed by the Senate, and provide $75,000 for research on poultry diseases.

Amendment No. 8—Meat inspection: Appropriates $14,160,000, instead of $13,660,000 as proposed by the House and $14,260,000 as proposed by the Senate. This amount is agreed to by the House conferees, despite their disappointment at the manner in which the historical pattern of assignment of inspectors was arbitrarily disrupted under the special provision inserted in the 1952 appropriation. In view of the amount approved by the conferees, this historical pattern should be reestablished by the Department and all regular inspection work should be done from appropriated funds.

Bureau of Agricultural and Industrial Chemistry

Amendment No. 9: Appropriates $7,500,000 as proposed by the House, instead of $7,550,000 as proposed by the Senate. The conferees are in complete agreement that proposed research on development of products from pine gum should be carried on within the amount approved.

Bureau of Plant Industry, Soils, and Agricultural Engineering

Amendment No. 10: Appropriates $11,465,000, instead of $11,330,000 as proposed by the House and $11,600,000 as proposed by the Senate. The additional funds are approved with the understanding that the Department will give appropriate attention to the various special projects inserted in the bill by the Senate.

Amendment No. 11: Reported in disagreement.

Bureau of Entomology and Plant Quarantine

Amendment No. 12: Appropriates $2,700,000 as proposed by the House, instead of $2,759,000 as proposed by the Senate. The conferees insist that this reduction be made without reducing the staff of inspectors engaged in quarantine work on oriental fruit fly and other similar programs.

Control of forest pests

Amendment No. 13—Forest Pest Control Act: Appropriates $3,350,000, instead of $3,250,000 as proposed by the House and $3,625,000 as proposed by the Senate.

Amendments Nos. 14, 15, and 16—White pine blister rust: Appropriate $3,300,000 as proposed by the House, instead of $3,650,000 as proposed by the Senate, and approve amounts for the Forest Service and Bureau of Entomology and Plant Quarantine as proposed by the House.

Forest Service

Amendment No. 17—National forest protection and management: Appropriates $29,550,000, instead of $28,400,000 as proposed by the House and $29,848,000 as proposed by the Senate. The increase over the House figure is to meet a special problem created by blown-down timber in western Oregon and southwestern Washington.

Amendment No. 18—Forest research: Appropriates $5,400,000, instead of $5,365,000 as proposed by the House and $5,415,000 as proposed by the Senate.

Amendment No. 19—Forest roads and trails: Appropriates $11,000,000, instead of $10,000,000 as proposed by the House and $13,000,000 as proposed by the Senate. This increase is provided to meet the problem in Oregon and Washington described in amendment No. 17.

Amendment No. 20—Weeks Act: Reported in disagreement.

Amendment No. 21—Special acts: Reported in disagreement.

Amendment No. 22—Cooperative range improvements: Appropriates $310,000, instead of $700,000 as proposed by the Senate, and includes a perfecting amendment.

Flood prevention

Amendment No. 23: Appropriates $7,750,000 as proposed by the House, instead of $7,000,000 as proposed by the Senate. This amount is approved by the conferees with the understanding that a total of $7,000,000 will be used for works of improvement and $750,000 will be used for preliminary examinations and surveys and basin investigations. The conferees are of the opinion that more attention should be given to a comprehensive Nation-wide flood-prevention program in preference to continuation of surveys on individual watersheds.

Conservation and use of agricultural land resources

Amendment No. 24: Appropriates $251,754,142 as proposed by the Senate, instead of $250,000,000 as proposed by the House.

Amendment No. 25: Restores language proposed by the House and deleted by the Senate.

Amendment No. 26: Authorizes $26,754,142 for administrative expenses as proposed by the Senate, instead of $25,000,000 as proposed by the House.

Amendment No. 27: Inserts language proposed by the Senate.

Amendment No. 28: Reported in disagreement.

Extension Service

Amendments Nos. 29, 30, 31, 32, and 33: Appropriate $27,169,129 as proposed by the Senate, instead of $27,135,000 as proposed by the House, and authorize funds for Alaska and Puerto Rico in the amounts proposed by the Senate.

Office of Foreign Agricultural Relations

Amendment No. 34: Appropriates $615,000 as proposed by the House, instead of $682,500 as proposed by the Senate.

Research on strategic and critical agricultural materials

Amendment No. 35: Appropriates $600,000, instead of $582,000 as proposed by the House and $625,000 as proposed by the Senate.

Restoration of capital impairment, Commodity Credit Corporation

Amendment No. 36: Appropriates $109,391,154 as proposed by the Senate to restore capital impairment of the Commodity Credit Corporation based on estimated volume of inventory on hand. Since this action will result only in an internal bookkeeping transaction in the Treasury Department, it should be considered a non-fund appropriation and should not be reflected in any official Government reports as an expenditure or receipt.

General provisions

Amendment No. 37—Section 410: Restores language as proposed by the House with certain perfecting amendments, and eliminates substitute language inserted by the Senate.

Amendment No. 38—Section 411: Inserts language as proposed by the Senate with certain perfecting amendments as proposed by the House. The purpose of these amendments is to permit the Department to provide the same service for individual, nonnetwork radio programs as is provided for the Farm and Home Hour and similar programs.

Amendment No. 39—Section 412: Reported in disagreement.

JAMIE L. WHITTEN,
E. H. HEDRICK,
FRED MARSHALL,
CLARENCE CANNON,
H. CARL ANDERSEN,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 7314) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1953, and for other purposes.

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

There was no objection.

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

GENERAL LEAVE TO EXTEND

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this bill at this point in the RECORD.

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

There was no objection.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 11: Page 12, line 13, insert ", including not to exceed $15,000 for construction of an addition to the United States Cotton Ginning Branch Laboratory at Mesilla Park, N. Mex."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 24, line 2, insert:

"WEEKS ACT

"For the acquisition of forest lands under the provisions of the act approved March 1, 1911, as amended (16 U. S. C. 513–519, 521), $75,000, to be available only for payment toward the purchase price of any lands acquired, including the cost of surveys in connection with such acquisition."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 20, and concur therein with an amendment, as follows: After the matter inserted by the said amendment and before the period, insert ": *Provided*, That no part of this appropriation shall be used for

acquisition of any land which is not within the boundaries of a national forest: *Provided further*, That no part of this appropriation shall be used for the acquisition of any land over the objection of the local government concerned."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 24, line 13, insert:

"SPECIAL ACTS

"For the acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance with the provisions of the following acts authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from such receipts: Uinta and Wasatch National Forests, Utah, act of August 26, 1935 (Public Law 337), as amended, $39,830; Cache National Forest, Utah, act of May 11, 1938 (Public Law 505), as amended, $10,000; San Bernardino and Cleveland National Forests, Riverside County, Calif., act of June 15, 1938 (Public Law 634), as amended, $22,000; Nevada and Toiyabe National Forests, Nev., act of June 25, 1938 (Public Law 748), as amended, $10,000; Angeles National Forest, Calif., act of June 11, 1940 (Public Law 591), $20,000; Cleveland National Forest, San Diego County, Calif., act of June 11, 1940 (Public Law 589), $5,000; Sequoia National Forest, Calif., act of June 17, 1940 (Public Law 637), $34,850; in all, $141,680."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein with an amendment, as follows: After the matter inserted by the said amendment and before the period, insert ": *Provided*, That no part of this appropriation shall be used for acquisition of any land which is not within the boundaries of a national forest: *Provided further*, That no part of this appropriation shall be used for the acquisition of any land over the objection of the local government concerned."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: Page 38, line 1, strike out "*Provided*, That hereafter the Commodity Credit Corporation may contract with cooperatives for classing cotton and may pay for such services an amount not in excess of the value of the samples."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 28, and concur therein with an amendment, as follows: Restore the matter stricken by said amendment, amended to read as follows: ": *Provided*, That hereafter the Secretary may contract with cooperatives furnishing classers and other facilities for classing cotton and may pay for such services an amount, some part of which may be in kind, not in excess of the value of the samples."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 39: Page 61, line 12, insert:

"SEC. 412. No appropriation or authorization contained in this act shall be available to pay—

"(1) for personal services above basic rates of civilian administrative personnel (except field employees);

"(2) for transportation of things (other than mail); or

"(3) for travel of civilian employees (other than for field operation of action programs), more than 90 percent of the amount which the budget estimates heretofore submitted in connection with appropriation or authorization contemplated would be expended therefrom for such purposes, respectively; and the total amount of each appropriation, any part of which is available for such purpose, is hereby reduced by an amount equal to 10 percent of the amount requested in such budget estimates for such purpose."

Mr. WHITTEN. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 39, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 412. Of the total amount made available in this act for personal services above basic rates of the civilian personnel, for transportation of things (other than mail), and for travel of civilian employees, the Secretary is authorized and directed on or before September 1, 1952, to cover into the surplus funds of the Treasury, or return to the capital funds affected, sums equal to 10 percent of the amounts included in the budget estimates for such purposes, less an amount representing the reduction, if any, between the amount requested for such purpose in the budget estimates and the amount appropriated herein for such purpose: *Provided*, That this section shall not apply to:

"1. employees working in field activities;

"2. employees paid from funds for research;

"3. employees of the crop and livestock reporting service;

"4. the administrative expense limitations for Federal intermediate credit banks and for production credit corporations, or to the appropriation for the Farm Credit Administration except the portion thereof provided by direct appropriation from the general fund of the Treasury;

"5. employees paid from funds for marketing services;

"6. employees of the Rural Electrification Administration;

"7. employees of the Soil Conservation Service;

"8. employees of meat inspection and other regulatory services;

"9. employees of the Forest Service."

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.

DEPARTMENT OF LABOR, THE FEDERAL SECURITY AGENCY, AND RELATED INDEPENDENT AGENCIES APPROPRIATION BILL, 1953

Mr. FOGARTY submitted the following conference report and statement on the bill (H. R. 7151) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1953, and for other purposes:

CONFERENCE REPORT (H. REPT. NO. 2442)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7151) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1953, 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 5, 42, 43, and 44.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 24, 31, 35, 36, 37, 39, and 40, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,100,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,495,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,860,750"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$18,673,261"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$18,498,261"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$22,250,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,850,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,150,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$60,500,000"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amend-

ment insert "$28,600,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$185,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$109,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,835,000"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$387,500"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$387,500"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 703. No part of the money appropriated by this Act to any department, agency, or corporation or made available for expenditure by any department, agency, or corporation which is in excess of 75 per centum of the amount required to pay the compensation of all persons the budget estimates for personal services heretofore submitted to the Congress for the fiscal year 1953 contemplated would be employed by such department, agency, or corporation during such fiscal year in the performance of—

"(1) functions performed by a person designated as an information specialist, information and editorial specialist, publications and information coordinator, press relations officer or counsel, photographer, radio expert, television expert, motion-picture expert, or publicity expert, or designated by any similar title, or

"(2) functions performed by persons who assist persons performing the functions described in (1) in drafting, preparing, editing, typing, duplicating, or disseminating public information publications or releases, radio or television scripts, magazine articles, photographs, motion pictures, and similar material, shall be available to pay the compensation of persons performing the functions described in (1) or (2): *Provided*, That this section shall not apply to personnel engaged in the preparation or distribution of technical, scientific, or research publications, the reporting or dissemination of the results of research or investigations, the publishing of information or other work required by law to carry out the duties of such Department or agency other than work intended for press, radio and television services, and popular publications: *Provided further*, That of the funds herein appropriated for "Promotion and further development of vocational education", not more than $450,000 shall be available for vocational education in distributive occupations."

And the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following:

"SEC. 706. No part of any appropriation or authorization contained in this Act shall be used to pay the compensation of any incumbent appointed to any civil office or position which may become vacant during the fiscal year beginning on July 1, 1952: *Provided*, That this inhibition shall not apply—

"(a) to not to exceed 25 per centum of all vacancies;

"(b) to positions filled from within the Department of Labor, the Federal Security Agency, and related independent agencies provided for in this Act;

"(c) to offices or positions required by law to be filled by appointment of the President by and with the advice and consent of the Senate;

"(d) to employees engaged in law enforcement activities;

"(e) to employees of St. Elizabeths Hospital and Freedman's Hospital;

"(f) to employees of educational institutions;

"(g) to employees of the Vocational Rehabilitation Service of the District of Columbia;

"(h) to employees of the Public Health Service;

"(i) to employees in grades CPC 1, 2, and 3;

"(j) to employees paid wholly from trust funds, or funds derived by transfer from trust accounts, or to employees paid from appropriations of, or measured by, receipts;

"(k) to employees of the National Mediation Board;

"(l) to employees paid from funds appropriated for the Mexican Farm Labor Program;

"(m) to employees of the Bureau of Employees' Compensation;

"(n) to employees of the Children's Bureau; and

"(o) to employees of the Bureau of Labor Statistics:

Provided further, That when the total number of personnel subject to this section has been reduced to 90 per centum of the total provided for in the budget estimates, such limitation may cease to apply and said 90 per centum shall become a ceiling for employment during the fiscal year 1953, and if exceeded at any time during fiscal year 1953 this provision shall again become operative."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 4, 23, 26, and 28.

JOHN E. FOGARTY,
E. H. HEDRICK,
CHRISTOPHER C. MCGRATH,
WINFIELD K. DENTON,
CLARENCE CANNON,
FRED E. BUSBEY,
EDWARD T. MILLER,
JOHN TABER,
Managers on the Part of the House.

DENNIS CHAVEZ,
RICHARD B. RUSSELL,
LISTER HILL,
H. M. KILGORE,
A. WILLIS ROBERTSON,
EDWARD J. THYE,
WILLIAM F. KNOWLAND,
ZALES N. ECTON,
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. 7151) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1953, 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:

DEPARTMENT OF LABOR

Office of the Secretary

Amendment No. 1—Salaries and expenses, Office of the Solicitor: Reported in disagreement.

Bureau of Employment Security

Amendment No. 2—Salaries and expenses: Provides that of the appropriation made available, $1,100,000 shall be available for carrying into effect the provisions of title IV (except sec. 602) of the Servicemen's Readjustment Act of 1944, instead of $1,000,000 as proposed by the House and $1,200,000 as proposed by the Senate.

Bureau of Labor Statistics

Amendment No. 3—Salaries and expenses: Appropriates $5,495,000 instead of $5,390,000 as proposed by the House and $5,600,000 as proposed by the Senate.

FEDERAL SECURITY AGENCY

Columbia Institution for the Deaf

Amendment No. 4: Reported in disagreement.

Food and Drug Administration

Amendment No. 5—Salaries and expenses: Appropriates $5,600,000 as proposed by the House instead of $5,637,000 as proposed by the Senate.

Freedmen's Hospital

Amendment No. 6—Salaries and expenses: Appropriates $2,860,750, instead of $2,831,500 as proposed by the House and $2,890,000 as proposed by the Senate.

Office of Education

Amendments Nos. 7 and 8—Promotion and further development of vocational education: Appropriates $18,673,261, instead of $18,223,261 as proposed by the House and $19,123,261 as proposed by the Senate, and provide that the apportionment to the States under the Vocational Education Act of 1946 shall be computed on the basis of not to exceed $18,498,261, instead of $18,048,261 as proposed by the House and $18,948,261 as proposed by the Senate.

The conferees have provided that not more than $450,000 of this appropriation shall be available for vocational education in distributive occupations.

Amendment No. 9—Salaries and expenses: Appropriates $2,900,000 as proposed by the Senate instead of $2,928,000 as proposed by the House.

Office of Vocational Rehabilitation

Amendment No. 10—Payments to States: Appropriates $22,250,000, instead of $22,500,000 as proposed by the House and $22,000,000 as proposed by the Senate.

Public Health Service

Amendment No. 11—Venereal diseases: Appropriates $9,850,000 as proposed by the Senate instead of $9,900,000 as proposed by the House.

Amendment No. 12—Assistance to States, general: Appropriates $16,150,000 as proposed by the Senate instead of $16,370,000 as proposed by the House.

Amendment No. 13—Communicable diseases: Appropriates $5,850,000, instead of $5,900,000 as proposed by the House and $5,800,000 as proposed by the Senate.

Amendments Nos. 14 and 15—Disease and sanitation investigations and control, Alaska: Appropriate $1,100,000 as proposed by the Senate instead of $1,200,000 as proposed by the House, and strike out, as proposed by

the Senate, the provision in the House bill authorizing purchase of one passenger motor vehicle.

Amendment No. 16—National Institutes of Health, operating expenses: Appropriates $16,550,000 as proposed by the Senate instead of $16,500,000 as proposed by the House.

Amendment No. 17—National Cancer Institute: Appropriates $17,887,000 as proposed by the Senate instead of $15,250,000 as proposed by the House.

Amendment No. 18—Mental health activities: Appropriates $10,895,000 as proposed by the Senate instead of $10,700,000 as proposed by the House.

Amendment No. 19—National Heart Institute: Appropriates $12,000,000 as proposed by the Senate instead of $9,600,000 as proposed by the House.

Amendment No. 20—Retired pay of commissioned officers: Appropriates $1,150,000 as proposed by the Senate instead of $1,200,000 as proposed by the House.

Amendment No. 21—Salaries and expenses: Appropriates $3,150,000, instead of $3,300,000 as proposed by the House and $3,000,000 as proposed by the Senate.

Saint Elizabeths Hospital

Amendment No. 22—Salaries and expenses: Appropriates $2,520,000 as proposed by the Senate instead of $2,485,000 as proposed by the House.

Amendment No. 23—Construction and equipment of treatment building: Reported in disagreement.

Social Security Administration

Amendment No. 24—Salaries and expenses, Bureau of Federal Credit Unions: Appropriates $200,000 as proposed by the Senate instead of $210,000 as proposed by the House.

Amendment No. 25—Salaries and expenses, Bureau of Old Age and Survivors Insurance: Provides that not more than $60,500,000 may be expended from the old age and survivors insurance trust fund, instead of $60,000,000 as proposed by the House and $61,000,000 as proposed by the Senate.

Amendment No. 26: Reported in disagreement.

Amendment No. 27—Grants to States for maternal and child welfare: Appropriates $28,600,000, instead of $30,000,000 as proposed by the House and $27,600,000 as proposed by the Senate.

Amendment No. 28: Reported in disagreement.

Amendments Nos. 29 and 30—Salaries and expenses, Office of the Commissioner: Appropriate $185,000, instead of $200,000 as proposed by the House and $170,000 as proposed by the Senate, together with not to exceed $109,000 to be transferred from the old age and survivors insurance trust fund, instead of $118,000 as proposed by the House and $100,000 as proposed by the Senate.

Office of the Administrator

Amendment No. 31—Salaries and expenses, Office of Administrator: Appropriates $950,000 as proposed by the Senate instead of $1,000,000 as proposed by the House.

Amendment No. 32—Salaries and expenses, Division of Field Services: Appropriates $1,835,000, instead of $1,870,000 as proposed by the House and $1,800,000 as proposed by the Senate.

Amendments Nos. 33 and 34—Salaries and expenses, Office of the General Counsel: Appropriate $387,500, instead of $400,000 as proposed by the House and $375,000 as proposed by the Senate, together with not to exceed $387,500 to be transferred from the old-age and survivors insurance trust fund instead of $400,000 as proposed by the House and $375,000 as proposed by the Senate.

Amendments Nos. 35 and 36—Working capital fund: Appropriate $50,000 as proposed by the Senate instead of $75,000 as proposed by the House, and provide language, proposed by the Senate, making it clear that reimbursements to such fund may be made in advance.

NATIONAL LABOR RELATIONS BOARD

Amendment No. 37—Salaries and expenses: Appropriate $9,000,000 as proposed by the Senate instead of $8,317,668 as proposed by the House.

GENERAL PROVISIONS

Amendment No. 38—Section 703: Provides that not in excess of 75 per centum of the amount budgeted for information specialists and related personnel shall be utilized for such purpose, as proposed by the Senate, but amended to exempt personnel engaged in certain types of information activities as agreed upon by the conferees.

Amendments Nos. 39 and 40—Sections 704 and 705: Correct section numbers.

Amendment No. 41—Section 706: Restores the provision of the House bill containing restrictions on the filling of personnel vacancies that may occur during the fiscal year 1953 in positions for which funds are provided by the bill, amended to change the list of exemptions as agreed upon by the conferees, and to provide that when the total number of personnel subject to this provision has been reduced to 90 per centum of the number provided for in the 1953 budget estimates, such 90 per centum shall constitute a ceiling for employment during fiscal year 1953.

Amendment No. 42—Section 707: Strikes out the Senate language providing that none of the funds contained in the act shall be used to acquire or operate any plant, facility, or property unless such action is authorized by Congress.

Amendment No. 43—Section 708: Strikes out the Senate language providing, with certain exemptions, for a 10 percent reduction in the amount budgeted for (1) travel of personnel, (2) personnel services of personnel above basic rates, and (3) transportation of things (other than mail).

Amendment No. 44—Section 709: Strikes out the Senate language providing for two additional positions at grade GS–17, one in the Department of Labor and one in the Federal Security Agency, without regard to section 505 of the Classification Act of 1949.

JOHN E. FOGARTY,
E. H. HEDRICK,
CHRISTOPHER C. MCGRATH,
WINFIELD K. DENTON,
CLARENCE CANNON,
FRED E. BUSBEY,
EDWARD T. MILLER,
JOHN TABER,
Managers on the Part of the House.

Mr. FOGARTY. Mr. Speaker, I call up the conference report on the bill (H. R. 7151) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1953, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 2, line 12, insert the following: "*Provided*, That the compensation of the Solicitor shall be $14,800 per annum."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 4: Page 10, line 20, insert:

"For the construction of a building or buildings to accommodate approximately 25 additional children, $90,000: *Provided, however*, That the Commissioners of the District of Columbia enter into contract with Columbia Institution for the Deaf for education of all resident deaf children of the District of Columbia."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 27, line 3, after "expended", insert "of which not to exceed $300,000 shall be used for the construction, equipment, and furnishing of a chapel: *Provided*, That any part of this appropriation may be transferred to the General Services Administration."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: Page 27, line 21, after "fund", insert ", of which $60,000 shall be available until expended for the preparation of preliminary plans and specifications for a building for the Bureau of Old-Age and Survivors Insurance, and may be transferred to the General Services Administration for such purposes."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 28: Page 29, line 15, after "State", insert "*Provided further*, That, in computing allotments to States under sections 502, 512, and 521 (a) of such act for the current fiscal year, balances in allotments previously made to States which remain available in the Federal Treasury for payment to them as of July 1, 1952, shall be taken into account by (1) adding the total of such balances to the appropriation herein made, and (2) subtracting from each resulting allotment to any State under section 502 (a), 512 (a), or 521 (a) any balance in any prior allotment under such section which remains available in the Federal Treasury for payment to it as of such date but with such adjustments as may be necessary to assure that this proviso does not operate to deprive any State of any balance in an allotment previously made to it under such section."

Mr. FOGARTY. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 28, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amend-

ment insert ": *Provided further*, That, in computing allotments to States under sections 502, 512, and 521 (a) of such act for the current fiscal year, balances in allotments previously made to States which remain available in the Federal Treasury for payment to them as of July 1, 1952, shall be taken into account by (1) adding the total of such balances to the appropriation herein made, and (2) subtracting from each resulting allotment to any State under section 502 (a), 512 (a), or 521 (a) any balance in any prior allotment under such section which remains available in the Federal Treasury for payment to it as of such date but with such adjustments as may be necessary to assure that this proviso does not operate to deprive any State of any balance in an allotment previously made to it under such section: *Provided further*, That no allotment for this or any succeeding fiscal year under such title V shall be available after the close of such fiscal year except as may be necessary to liquidate obligations incurred during such year."

Mr. FOGARTY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, I just want to take this time to point out that there is a serious injustice being done to many of the States of the Union in receding to the Senate position on this particular amendment. It so happens that for the child-health programs and the maternal programs and the child-welfare programs in general many of these States which have used their funds carefully have insisted on the counties setting up proper programs, and as a result have established rather sizable unexpended balances. It is the purpose of this amendment to take away from those States their unexpended balances and put the money back into a central pool and redivide it by a formula which may or may not be exactly fair. Most of our larger States, particularly New York, Pennsylvania, Ohio, and Illinois, I feel, have done a very splendid job in conducting these programs, and the result is that the money which they thought technically and theoretically they had in the bank and on which they projected plans for future development of their programs, is now being taken away from them. Therefore I feel that the House is doing a very wrong thing in receding and concurring in the Senate position. I believe while it is too late to take effective action, that when this matter comes up again the States, that have projected programs which they will have to discontinue, should be given more favorable consideration under the formula, because very definitely the child-welfare and the maternal programs of our several States are being severely damaged by having these funds taken away from them and redistributed.

Mr. McDONOUGH. Mr. Speaker, I rise in support of an increase in the pension for retired Federal employees, and although I would prefer the original bill, S. 2968, it becomes necessary under the circumstances because we are considering this under suspension of the rules to support the amendment to the bill which is before the House .

I think we should make it plain that it is the fault of the Federal Government, not the Federal employees, that the retirement fund is not actuarily sound, because the Federal Government has not made the necessary contribution to that fund for a number of years.

There is a question in my mind as to whether the fund has to be actuarily sound, that is, any more financially sound than the social-security fund which is certainly not on that basis, or the reserve fund of any of the major insurance companies which would find it very difficult to pay off all claims at one time.

We certainly know that all Federal employees are not going to retire at the same time, and that we should have funds on hand to meet all of the necessary obligations to pay an adequate annuity to those Federal employees who do retire, and in my opinion we have sufficient money in the fund at the present time to do this and to allow for the increase which this amendment will provide.

The Federal employees, and especially the postal employees who are among those in the lower-paid brackets, should not be penalized for the fault of the Federal Government for not contributing its share to this fund over the years.

Although this bill will partially correct that fault, it appears very necessary that a thorough, comprehensive, and searching investigation and study should be made by the Committee on Retirement for Federal Personnel which this bill creates in order to bring to the Congress all of the facts so that we can act more intelligently on permanent legislation providing for increases for annuity payments to retired Federal employees.

At the present time there are in the United States approximately 172,000 annuitants, many of them residing in my own State of California. Fifty-two percent of them receive less than $1,200 per annum. Forty-one percent receive over $1,200 but less than $2,000. Only 7 percent receive over $2,000 per year.

In view of the tremendous increase in the cost of living and the steady devaluation of the dollar which has resulted in the diminishing buying power of the dollar, the plight of the retired civil-service and postal employees who must depend upon inadequate annuities to provide shelter, necessary clothing, food, and medical care has become serious.

Many retirees who have devoted most of their lives to the service of the Government cannot afford adequate medicine, hospital, and other necessities attendant upon advanced age. Many others have been forced to lower their standard of living below the level which would provide them with the necessities of life.

There can be no doubt that the retired Federal and postal employees are certainly in need of this increase in the annuity they now receive, and that their long service entitles them to it, especially in view of the continued increase in living costs.

I urge that the amendment now before the House be adopted.

The SPEAKER. The question is on the motion.

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.

Mr. FOGARTY. 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 Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, during the 4 years that I have been chairman of the Subcommittee on Appropriations for Labor and Federal Security, I have come before this House on numerous occasions to ask for funds for public health.

I have urged the Congress to increase the amounts expended by the Federal Government for the health of our people because I believe that the vigor and vitality of our people as individuals are the keystone of our internal strength and security.

That belief, which I have propounded many times, has grown stronger as I have watched the results of our combined efforts in the field of medical research. Today I would like to report to you where we stand in medical research and tell you why I shall continue to come before you in the future to ask for funds to find the causes and cures of diseases that kill and cripple our population.

Let us look at the toll of illness in this country. At the present time, about one out of every two people who die from natural causes succumbs to heart disease. Over 9,000,000 suffer from some form of heart ailment. Unless we succeed in finding better diagnostic and treatment methods over 1,000,000 people will die from cancer in the next 5 years. I need not tell you about the serious impact of mental illness; it is estimated that more than half the complaints brought to doctors stem from mental and emotional disorders.

The loss of services of people suffering from these diseases and the cost of hospitalizing them is forbidding. Each year heart disease and related illness cost this country $850,000,000. Similarly, costs of cancer run into the billions. Patient care in mental hospitals exceeds $500,000,000 a year. To cite an example, Federal costs for mental illness in veterans' hospitals alone ran over $125,000,000 in 1949. It has been estimated that our Government spends over 85 cents of each dollar allotted for medical purposes on institutional care and less than 4 cents on research. Expenditures for care, which now exceed $1,500,000,000 annually, are outstripping those for control and prevention. We must reverse this proportion. We must build up our knowledge concerning fundamental physical and mental processes so that we can prevent serious illness and thereby reduce the number of cases which come into our hospitals.

During the last 5 years, medical research in this country has made unprecedented strides. Sometime we will look back on these years as a period more to be valued for its medical progress than for its atomic discoveries. And it has not been the Federal Government alone which has made this progress possible. The medical research expenditures of industry have grown by leaps and bounds since the end of World War II.

The scale of medical research in universities has expanded.

The money for research has come from the voluntary donations of millions of people, from the endowment income of universities and medical schools, from the income of drug and chemical companies, from union funds, and from donations by industry to foundations set up for medical research, as well as from tax revenues.

The variety of ways in which the funds for medical research have been raised is a most healthy sign. We have not seen just a Federal program, not an industrial program, nor a union program, but the kind of combined effort which Americans are capable of when they see a goal worth driving for.

I have recommended a steady growth in the medical research appropriations for the National Institutes of Health—the research arm of the Public Health Service. In consequence, there has been a steady expansion in medical and biological investigations in line with the general national growth which I have described. One of the most interesting developments of this period has been the evolution of the National Institutes of Health's Clinical Center from the idea stage to blueprints, to construction. My whole committee has felt a sense of accomplishment as we discussed with the physicians and scientists in charge of planning the ways in which this combined hospital and laboratory can move medicine ahead. The development phase of the clinical center is just about over and the first patients will move into the center next year.

The center will be primarily concerned with the long-term or chronic illnesses such as cancer, heart disease, mental disorders, neurological and metabolic diseases, and certain still-unconquered infectious diseases which are now the main focus of research at the National Institute of Health. Public benefit from research has sometimes been delayed because findings made in the laboratory could not receive rapid clinical evaluation. The clinical center provides the means for correcting this deficiency.

With increasing scientific specialization, clinical and basic laboratory studies have tended to become separated. The center will provide the positive, unifier approach to scientific investigation by which all sides of a problem can be considered at the same time.

The clinical center was planned as a new kind of building with an unprecedented volume of laboratory space to meet the needs of scientific investigation and at the same time provide the best possible hospital care for patients. It is a 14-story research hospital of 500 beds, with twice as much space for laboratories as for patient care.

It will be the largest institution of its kind in the world, giving scientists an exceptional opportunity to pool all their skills and resources in the attack on the major diseases.

But even more important for the country as a whole is the fact that the National Institutes of Health serve as the agent of Congress in distributing some $35,000,000 per year in grants to research and training centers. About one out of every $4 spent for research by the Nation's 79 medical schools comes from these funds.

These funds go right into medical research laboratories all over the Nation. They pay the salaries of scientists. They mean technicians and scientific helpers. They buy the tools and equipment that the scientists have to work with—the microscopes, the mice, the guinea pigs, the drugs, all the miscellaneous equipment that is necessary for laboratory work.

You may ask why this money is necessary. Modern medical research is expensive. There will probably always be the attic investigator and the genius who produces world-shaking ideas with just a pencil. Medical research is now at the stage where measurements must be precise. Individual molecules must be weighed. Particles shorter than the wave length of light must be measured. Substances so similar that they have long been assumed to be identical must be recognized and defined by extremely delicate techniques. For these operations, costly equipment is required—machines that can whirl mixtures at 30,000 revolutions a minute so as to separate the components by centrifugal force; delicate optical instruments that can identify substances by their effect on light; microscopes that use electron beams instead of light to see viruses and other tiny objects that are invisible under the strongest conventional microscopes.

I have seen these machines in operation in university and Government laboratories. They are the means of producing the facts to test ideas, to make observations to challenge old theories, to turn up the unexpected clue that leads to completely new lines of study. Without them, the modern medical research laboratory—more and more a laboratory of chemistry, physics, biochemistry, and biophysics—would be lost. This development is not unique to medical research. Industrial laboratories, which depend ultimately upon their ability to produce for profit, are also increasingly complex and expensive.

How does anybody really know whether this research is worth doing? Some of it may appear far-fetched and some of it does not immediately seem to have anything in particular to do with cancer, with heart disease or with any illness.

I think the answer is found in the results produced over the last 5 years. The strategic national post-war decision to commit more of our resources to medical research is paying off. I had the understanding, as a layman, that once a nerve, or the spinal cord, was cut or wasted away, it was gone for good, that nothing could be done about it. The medical research men now tell me that this standard medical doctrine may no longer be so. New drugs have been found—certain products of bacteria—that permit nerve cells of animals to rejoin after being cut. This has not yet happened in man, but the lead is there to be followed, and it will be tracked down if the funds, equipment and supplies for research are available. If this or another discovery of its kind works out, think of what it will mean to paraplegics—those incapable of movement because of cut spinal cords, for whom little now can be done.

In the mental health field—one of the toughest—great progress is being made. The deep depression that grips tens of thousands of men and women during the change of life need no longer be looked at as a hopeless disease. Two-thirds of the people who enter mental hospitals with this affliction now go home in a year. A few years ago, two-thirds of these pitiful people stayed in mental hospitals until they died.

Some time ago, one out of every ten mental patients in the South was committed to an institution because of the mental effects of pellagra. Now these cases are rare, because it has been found through resarch that deficiencies in diet are the root cause of the disease.

In heart disease—the greatest single cause of death in the country—advances have been dramatic and important. Research in heart surgery is moving ahead at an amazing rate. You have all heard of the life saving "blue baby" operation. Others equally spectacular are possible. Surgeons can cut and remove defective main heart arteries and graft a piece of normal artery removed from a dead person. They can reroute the blood flow in the main paths around the heart to bypass defective vessels. They can operate within the heart itself so that some types of defective valves can operate normally.

In another field of heart illness, an infection of the heart valves that used to be a signed death warrant, can now be recognized and treated so that 80 percent of the patients recover. By the most involved biochemical work being conducted simultaneously by medical laboratories from coast to coast, the conditions responsible for arteriosclerosis—apparently involving particular classes of large molecules found in the blood—are being tracked down. It may be a long time before this complicated problem is solved. The search will be costly. But the search is on, and the answer will be found if we have the same faith that the scientists have and support them in their endeavor.

The stakes in heart-disease research are high. Over 700,000 people—roughly the total population of my State of Rhode Island—died last year of some form of heart disease.

In cancer, even though experts say that a long and rough road still has to be traveled, solid progress is being made. Patients are now safely undergoing cancer operations who would have died 5 years ago. New means of readying cancer patients for operations by changing their body chemistry have been developed. New means of controlling hemorrhage chemically are available.

In addition to surgery, our intensive search for chemicals and drugs that will retard the development of cancers has been rewarded. For example, one of the most poisonous war gases—nitrogen mustard—will restore to health patients with cancer of the blood-forming organs. They are not cured, but they can

go back to their families and their jobs for months or even years. A systematic large-scale hunt for other substances that will be even more effective in other types of cancer is now on. This great search—a collaborative effort of university, governmental, and industrial laboratories—represents a major investment in time, effort, and money. So far, 142 separate groups have examined over 11,000 compounds.

Scientists know more now about chemicals that destroy cancer cells than they knew 15 years ago; they know about chemicals and products of living organisms that kill infection—such as the sulfa drugs and the antibiotics. It is not visionary at all, but rather conservative, to expect more startling advances during the next 15 years in medicine than we have seen in the past 15 years.

These years ahead should be a golden age for medicine. Anyone who has had a chance to contribute even in a small way to this national achievement is a fortunate man. Personally, I feel that what I have been able to do to help medical research is more satisfying to me, more valuable to our citizens, and of greater benefit to the Nation than any other single endeavor of mine as a Member of this House. I shall continue to devote my energies to these efforts in the confidence that you, my colleagues, and I have it within our grasp to do much for the people of America that cannot be done by other means.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may have three legislative days in which to extend their remarks in the RECORD on the bill just under consideration.

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

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1953

Mr. THOMAS submitted the following conference report and statement on the bill (H. R. 7072) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1953, and for other purposes:

CONFERENCE REPORT (H. REPT. No. 2443)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7072) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1953, 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 40, 42, 98, 103, 105, 123, 131, and 132.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 12, 14, 15, 16, 18, 28, 67, 76, 77, 79, 87, 97, 99, 101, 119, 124, 127, and 129, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$59,250"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,461,200"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,475"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$11,590"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,509,350"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$479,250"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$321,450,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$6,408,460"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$88,525"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$202,500"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,085,700"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$142,235"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,053,800"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,062,500"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,960,000"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"Executive direction and staff operations: For necessary expenses in the performance of executive direction and staff operations for activities under the control of the General Services Administration; including not to exceed $97,385 for expenses of travel; not to exceed $250 for purchase of newspapers and periodicals; and processing and determining net renegotiation rebates; $4,140,750.

"Public Buildings Service: For necessary expenses of real property management and related activities as provided by law; including the salary of the Commissioner of Public Buildings at the rate of $16,500 per annum so long as the position is held by the present incumbent; repair and improvement of public buildings and grounds (including furnishings and equipment) under the control of the General Services Administration; rental of buildings in the District of Columbia; restoration of leased premises; moving Government agencies in connection with the assignment, allocation, and transfer of building space; demolition of buildings; acquisition by purchase or otherwise and disposal by sale or otherwise of real estate and interests therein; purchase of not to exceed three passenger motor vehicles for replacement only; and not to exceed $177,335 for expenses of travel; $101,046,030: *Provided*, That the foregoing appropriation shall not be available to effect the moving of Government agencies from the District of Columbia into buildings acquired to accomplish the dispersal of departmental functions of the executive establishment into areas outside of but accessible to the District of Columbia.

"Federal Supply Service: For necessary expenses of personal property management and related activities as provided by law; including not to exceed $250 for the purchase of newspapers and periodicals; not to exceed $77,600 for expenses of travel; and the purchase of not to exceed one passenger motor vehicle for replacement only; $2,154,100.

"National Archives and Records Service: For necessary expenses in connection with Federal records management and related activities as provided by law; including preparation of guides and other finding aids to records of the Second World War; purchase of not to exceed one passenger motor vehicle for replacement only; and not to exceed $23,340 for expenses of travel; $4,868,200."

And the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$24,300"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,750,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$37,550"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$9,250,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$74,500"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$133,900"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$14,536,500"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$160,425"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$237,500"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,606,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", but such nonadministrative expenses shall not exceed $455,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: ": *Provided further,* That notwithstanding the provisions of the United States Housing Act of 1937, as amended, the Public Housing Administration shall not, with respect to projects initiated after March 1, 1949, (1) authorize during the fiscal year 1953 the commencement of construction of in excess of thirty-five thousand dwelling units, or (2) after the date of approval of this Act, enter into any agreement, contract, or other arrangement which will bind the Public Housing Administration with respect to loans, annual contributions, or authorizations for commencement of construction, for dwelling units aggregating in excess of thirty-five thousand to be authorized for commencement of construction during any one fiscal year subsequent to the fiscal year 1953, unless a greater number of units is hereafter authorized by the Congress"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$8,000,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$91,400"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,275"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$230,650"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$9,319,500"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$163,050"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$974,500"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$112,620"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$709,500"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$240,050"; and the Senate 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 "$48,586,100"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$24,940"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$118,750"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,750,000"; 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 "$235,500"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,407,800"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$101,250"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "not to exceed $78,125 for expenses of travel, National Administration, Planning, Training, and Records Management; not to exceed $408,925 for expenses of travel, State Administration, Planning, Training, and Records Servicing; $92,500 for the National Selective Service Appeal Board, of which not to exceed $3,875 shall be available for expenses of travel; and $215,200 for the National Advisory Committee on the Selection of Doctors, Dentists, and Allied Specialists, of which not to exceed $45,000 shall be available for expenses of travel;"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$10,225"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,419,500"; and the Senate agree to same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,800"; and the Senate agree to same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,240,550"; and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the same proposed by said amendment insert "$5,500"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$13,500"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,291,375"; and the Senate agree to the same.

Amendment numbered 78: That the House recede from its disagreement to the amend-

ment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,546,650"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,530,700"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$843,382,260"; and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$108,791,000"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$8,750,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$9,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$734,550"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the date named in said amendment insert "July 1, 1952"; and the Senate agree to the same.

Amendment numbered 89: That the House recede from its disagreement to the amendment of the Senate numbered 89, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$15,617,850"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$145,525"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$8,655,850"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "four hundred"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,490"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,921,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$5,041,000"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,490"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$25,625"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,584,000"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "and $320,200 for allowances for uniforms, textbooks, and subsistence of cadets at State marine schools, to be paid in accordance with regulations established pursuant to law (46 U. S. C. 1126 (b)); $663,200"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,509,500"; and the Senate agree to the same.

Amendment numbered 107: That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$138,105"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That administrative expenses not under limitation for the purposes set forth in the budget schedule for the fiscal year 1953 shall not exceed $151,000"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows. In lieu of the sum proposed by said amendment insert "$6,750"; and the Senate agree to the same.

Amendment numbered 110: That the House recede from its disagrement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$22,500"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That the nonadministrative expenses for the examination of Federal and State chartered institutions shall not exceed $1,775,000"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,150"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$146,125"; and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That expenditures for nonadministrative expenses classified by section 2 of Public Law 387, approved October 25, 1949, shall not exceed $28,870,000"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$11,534,000"; and the Senate agree to the same.

Amendment numbered 116: That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$697,500"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That all expenses of the Public Housing Administration not specifically limited in this Act, in carrying out its duties imposed by or pursuant to law shall not exceed $32,722,080"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "not to exceed $142,500 of"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$10,755"; and the Senate agree to the same.

Amendment numbered 121: That the House recede from its disagreement to the amendment of the Senate numbered 121, and agree to the same with an amendment as follows: In lieu of the number named in said amendment insert "one"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended by adding at the end thereof and before the period the following: ": *Provided further*, That this section shall not be applicable to annual leave accumulated prior to January 1, 1952"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125,

and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "403"; and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "404"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: Omit the matter stricken out and inserted by said amendment; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 8, 9, 10, 11, 17, 19, 37, 46, 48, 68, 86, and 130.

ALBERT THOMAS,
HARRY R. SHEPPARD,
GEORGE ANDREWS,
SIDNEY R. YATES,
CLARENCE CANNON,
JOHN PHILLIPS,
NORRIS COTTON,
JOHN TABER,
Managers on the Part of the House.

BURNET R. MAYBANK,
JOSEPH C. O'MAHONEY,
KENNETH MCKELLAR,
LISTER HILL,
LEVERETT SALTONSTALL,
STYLES BRIDGES,
HOMER FERGUSON,
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. 7072) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1953, 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:

EXECUTIVE OFFICE OF THE PRESIDENT

Emergency Fund for the President

Amendment No. 1—National defense: Reported in disagreement.

Bureau of the Budget

Amendments Nos. 2 and 3—Salaries and expenses: Appropriate $3,461,200, instead of $3,314,400 as proposed by the House and $3,608,000 as proposed by the Senate; and provide $59,250 for expenses of travel, instead of $54,000 as proposed by the House and $64,500 as proposed by the Senate.

Council of Economic Advisers

Amendments Nos. 4, 5, and 6—Salaries and expenses: Appropriate $225,000, as proposed by the Senate instead of $208,900 as proposed by the House; provide that the appropriation shall remain available until March 31, 1953, as proposed by the Senate; and limit funds available for expenses of travel to $2,475, instead of $2,200 as proposed by the House and $2,750 as proposed by the Senate.

INDEPENDENT OFFICES

American Battle Monuments Commission

Amendment No. 7—Expenses of travel: Authorizes the use of $11,590 for this purpose, instead of $10,300 as proposed by the House and $12,865 as proposed by the Senate.

Amendments Nos. 8 and 9—Salaries and expenses: Reported in disagreement.

Amendments Nos. 10 and 11—Construction of memorials and cemeteries: Reported in disagreement.

Atomic Energy Commission

Amendments Nos. 12, 13, and 14—Operating expenses: Strike out the provision of the House authorizing the purchase of automobiles, as proposed by the Senate; authorize the use of $2,509,350 for expenses of travel, instead of $2,230,500 as proposed by the House and $2,788,200 as proposed by the Senate; and consolidate funds for program direction and administration personnel into one fund as proposed by the Senate instead of providing separate limitations for the District of Columbia and the field as proposed by the House.

Amendments Nos. 15, 16, and 18—Plant and equipment: Authorize the purchase of plant and equipment, as proposed by the Senate; and the purchase of aircraft, including the purchase of not to exceed 225 passenger motor vehicles, as proposed by the Senate; and except from audit contracts with a foreign government, and contracts for source material with foreign producers, as proposed by the Senate.

Amendments Nos. 17 and 19—Plant and equipment: Reported in disagreement.

Civil Service Commission

Amendment No. 20—Salaries and expenses: Authorizes the use of $479,250 for expenses of travel, instead of $426,000 as proposed by the House and $532,500 as proposed by the Senate.

Amendment No. 21—Payment to civil-service retirement and disability fund: Appropriates $321,450,000 for payment to the fund, instead of $321,000,000 as proposed by the House and $321,900,000 as proposed by the Senate.

Federal Communications Commission

Amendments Nos. 22 and 23—Salaries and expenses: Appropriate $6,408,460, instead of $6,108,460 as proposed by the House and $6,708,460 as proposed by the Senate; and authorize the use of $88,525 for expenses of travel, instead of $78,700 as proposed by the House and $98,350 as proposed by the Senate. The conferees are advised that the Federal Communications Commission, under the provisions of title V of the Independent Offices Appropriation Act, 1952, are authorized to levy fair and equitable fees in connection with the issuing of licenses. The conferees, therefore, request the Commission to give prompt attention to the matter with a view to levying such fees at the earliest practicable date.

Federal Power Commission

Amendments Nos. 24 and 25—Salaries and expenses: Appropriate $4,085,700, instead of $3,935,700 as proposed by the House and $4,235,700 as proposed by the Senate; and authorize the use of $202,500 for expenses of travel, instead of $180,000 as proposed by the House and $225,000 as proposed by the Senate.

Federal Trade Commission

Amendments Nos. 26 and 27—Salaries and expenses: Appropriate $4,053,800, instead of $3,978,800 as proposed by the House and $4,128,800 as proposed by the Senate; and authorize the use of $142,235 for expenses of travel, instead of $126,470 as proposed by the House and $158,000 as proposed by the Senate.

General Accounting Office

Amendment No. 28—Salaries: Appropriates $30,100,000 as proposed by the Senate instead of $28,600,000 as proposed by the House. The conference committee is in agreement that foreign offices should be established at strategic points abroad. It is the understanding of the conferees that a sum sufficient to enable the General Accounting Office to initiate this program in the fiscal year 1953 shall be used for this purpose.

Amendments Nos. 29 and 30—Miscellaneous expenses: Appropriate $1,960,000, instead of $1,835,000 as proposed by the House and $2,085,000 as proposed by the Senate; and authorize the use of $1,062,500 for expenses of travel, instead of $1,000,000 as proposed by the House and $1,125,000 as proposed by the Senate.

General Services Administration

Amendment No. 31—Operating expenses: The conferees have approved the House version of appropriation structure for this activity, which consists of separate appropriations and appropriation paragraphs for executive direction and staff operations; Public Buildings Service; Federal Supply Service; and National Archives and Records Service; in lieu of a lump-sum appropriation under the heading "Operating expenses" as proposed by the Senate. The action of the conferees provide a total increase of $3,000,000 in excess of the total provided by the House for these four items, and this sum has been distributed proportionately. Adjustments also have been made to provide funds for expenses of travel somewhat in excess of the limitations proposed in the House bill. In accepting the appropriation structure as contained in the House bill the conferees recognize that a few additional auditors may be required to keep accounts under the four separate appropriations, and due consideration will be given to any request for such personnel (not in excess of 10) which may be submitted at a later date.

Amendment No. 32—Emergency expenses: Authorizes the use of $24,300 for expenses of travel, instead of $21,600 as proposed by the House and $27,000 as proposed by the Senate.

Amendments Nos. 33 and 34—Renovation and improvement of federally owned buildings outside the District of Columbia: Appropriate $4,750,000, instead of $4,500,000 as proposed by the House and $5,000,000 as proposed by the Senate; and authorize the use of $37,550 for expenses of travel, instead of $33,400 as proposed by the House and $41,700 as proposed by the Senate.

Amendments Nos. 35 and 36—Repair, preservation, and equipment, outside the District of Columbia: Appropriate $9,250,000, instead of $9,000,000 as proposed by the House and $9,500,000 as proposed by the Senate; and authorizes the use of $74,500 for expenses of travel, instead of $66,000 as proposed by the House and $83,000 as proposed by the Senate.

Amendment No. 37: Reported in disagreement.

Amendments Nos. 38, 39, and 40—Expenses, general supply fund: Appropriate $14,536,500, instead of $13,998,000 as proposed by the House and $15,075,000 as proposed by the Senate; authorize the use of $133,900 for expenses of travel, instead of $119,000 as proposed by the House and $148,800 as proposed by the Senate; and authorize the purchase of 5 passenger motor vehicles as proposed by the House instead of 12 as proposed by the Senate.

Amendments Nos. 41 and 42—Strategic and critical materials: Authorize the use of $160,425 for expenses of travel, instead of $142,600 as proposed by the House and $178,250 as proposed by the Senate; and authorize the purchase of two passenger motor vehicles as proposed by the House. No funds have been allowed for the construction of storage facilities and it is the decision of the conferees that such facilities shall be secured through the rental of such space. In the event an emergency should arise in this connection which may demand construction of facilities, approval of the chairmen of the Senate and House Committees on Appropriations shall be secured for the expenditure of funds for such purpose.

Housing and Home Finance Agency

Office of the Administrator

Amendments Nos. 43, 44, and 45—Salaries and expenses: Appropriate $4,606,000, instead

of $3,606,000 as proposed by the House and $5,606,000 as proposed by the Senate; authorize the use of $237,500 for expenses of travel, instead of $210,000 as proposed by the House and $265,000 as proposed by the Senate; and restore the limitation on nonadministrative expenses proposed by the House, amended and increased from $374,000 to $455,000.

Amendment No. 46—Defense Community Facilities and Services: Reported in disagreement.

Public Housing Administration

Amendment No. 47—Annual contributions: Strikes out the proposal of the Senate and restores the proposal of the House amended to limit during the fiscal year 1953 the commencement of not to exceed 35,000 dwelling units.

Amendment No. 48—Annual contributions—occupancy of housing units by subversives: Reported in disagreement. In applying the principles involved in connection with the amendment to be recommended by the Managers on the part of the House, relating to the housing units under the Public Housing Administration, it is urged that the Federal Housing Administration and the Veterans Administration also, insofar as practicable, apply the same principles in the insuring and guaranteeing of loans for the construction and financing of other types of housing.

Amendment No. 49—Administrative expenses: Appropriates $8,000,000, instead of $7,000,000 as proposed by the House and $9,000,000 as proposed by the Senate.

Indian Claims Commission

Amendments Nos. 50 and 51—Salaries and expenses: Appropriate $91,400, instead of $89,300 as proposed by the House and $93,500 as proposed by the Senate; and authorize $2,275 for expenses of travel, instead of $2,000 as proposed by the House and $2,550 as proposed by the Senate.

Interstate Commerce Commission

Amendments Nos. 52 and 53—Salaries and expenses: Appropriate $9,319,500, instead of $8,935,000 as proposed by the House and $9,704,000 as proposed by the Senate; and authorize $230,650 for expenses of travel, instead of $205,000 as proposed by the House and $256,300 as proposed by the Senate.

Amendments Nos. 54 and 55—Railroad safety: Appropriate $974,500, instead of $907,000 as proposed by the House and $1,042,000 as proposed by the Senate; and authorize the use of $163,050 for expenses of travel, instead of $145,000 as proposed by the House and $181,100 as proposed by the Senate.

Amendments Nos. 56 and 57—Locomotive inspection: Appropriate $709,500, instead of $664,000 as proposed by the House and $755,000 as proposed by the Senate; and authorize the use of $112,620 for expenses of travel, instead of $100,000 as proposed by the House and $125,240 as proposed by the Senate.

National Advisory Committee for Aeronautics

Amendments Nos. 58 and 59—Salaries and expense: Appropriate $48,586,100 for this purpose, instead of $46,522,200 as proposed by the House and $50,650,000 as proposed by the Senate; and authorize the use of $240,050 for expenses of travel instead of $213,400 as proposed by the House and $266,700 as proposed by the Senate.

National Capital Park and Planning Commission

Amendment No. 60—Land acquisition: Authorizes the use of $24,940 for necessary expenses in connection with land acquisition, instead of $22,375 as proposed by the House and $27,500 as proposed by the Senate.

National Science Foundation

Amendments Nos. 61 and 62—Salaries and expenses: Appropriate $4,750,000, instead of $3,500,000 as proposed by the House and $6,000,000 as proposed by the Senate; and authorize the use of $118,750 for expenses of travel, instead of $95,000 as proposed by the House and $142,500 as proposed by the Senate.

Renegotiation Board

Amendments Nos. 63 and 64—Salaries and expenses: Appropriate $5,407,800, instead of $4,907,800 as proposed by the House and $5,907,800 as proposed by the Senate; and authorize the use of $235,500 for expenses of travel, instead of $180,000 as proposed by the House and $291,000 as proposed by the Senate.

Securities and Exchange Commission

Amendment No. 65—Salaries and expenses: Authorizes the use of $101,250 for expenses of travel, instead of $90,000 as proposed by the House and $112,500 as proposed by the Senate.

Selective Service System

Amendments Nos. 66 and 67—Salaries and expenses: Appropriate $36,772,000 as proposed by the Senate instead of $36,597,000 as proposed by the House; and restores the language of the House placing limitations on the several activities of this agency including limitations on funds available for the use of travel adjusted to provide a compromise figure in each instance on the funds which may be used for travel expense.

Amendment No. 68: Reported in disagreement.

Smithsonian Institution

Amendments Nos. 69 and 70—Salaries and expenses: Appropriate $2,419,500, instead of $2,274,000 as proposed by the House and $2,565,000 as proposed by the Senate; and authorize use of $10,225 for expenses of travel, instead of $9,100 as proposed by the House and $11,350 as proposed by the Senate.

Amendments Nos. 71 and 72—Salaries and expenses, National Gallery of Art: Appropriate $1,240,550, instead of $1,181,100 as proposed by the House and $1,300,000 as proposed by the Senate; and authorize the use of $1,800 for expenses of travel, instead of $1,600 as proposed by the House and $2,000 as proposed by the Senate.

Subversive Activities Control Board

Amendment No. 73—Salaries and expenses: Authorizes the use of $5,500 for expenses of travel, instead of $4,000 as proposed by the House and $7,000 as proposed by the Senate.

Tariff Commission

Amendments Nos. 74 and 75—Salaries and expenses: Appropriate $1,291,375, instead of $1,194,750 as proposed by the House and $1,388,000 as proposed by the Senate; and authorize the use of $13,500 for expenses of travel, instead of $12,000 as proposed by the House and $15,000 as proposed by the Senate.

Tennessee Valley Authority

Amendments Nos. 76, 77, 78, and 79: Appropriate $186,027,000 as proposed by the Senate instead of $171,270,000 as proposed by the House; authorize the purchase of 220 automobiles of which 150 shall be for replacement only as proposed by the Senate, instead of 110 for replacement only as proposed by the House; authorize the use of $1,546,650 for expenses of travel, instead of $1,375,000 as proposed by the House and $1,718,300 as proposed by the Senate; and strike out the provisions of the House requiring a performance bond or satisfactory warranty in connection with the purchase of coal, and placing a limitation on funds available for personal services, as proposed by the Senate.

Veterans' Administration

Amendments Nos. 80 and 81—Administration, medical, hospital, and domiciliary services: Appropriate $843,382,260, instead of $809,382,260 as proposed by the House and $877,382,260 as proposed by the Senate; and authorize the use of $3,530,700 for expenses of travel, instead of $3,138,400 as proposed by the House and $3,923,000 as proposed by the Senate. Conferees have approved the full amount of the budget estimate for research, including work in connection with prosthetic appliances, and have further agreed that there should be no reduction in the number of doctors, dentists, nurses, and dietitians.

Amendment No. 82—Hospital and domiciliary facilities: Appropriates $108,791,000, instead of $153,600,000 as proposed by the House and $66,316,000 as proposed by the Senate. The sum of $42,475,000 restored by the conferees is to provide funds to enable the Veterans' Administration to initiate construction of two neuropsychiatric hospitals, one in Southern California and one in Ohio.

Amendment No. 83—Major alterations, improvements, and repairs: Appropriates $8,750,000, instead of $8,000,000 as proposed by the House and $9,500,000 as proposed by the Senate.

War Claims Commission

Amendments Nos. 84 and 85—Administrative expenses: Appropriate $734,550, instead of $683,000 as proposed by the House and $786,100 as proposed by the Senate; and authorize the use of $9,000 for expenses of travel, instead of $8,000 as proposed by the House and $10,000 as proposed by the Senate.

Amendment No. 86—Reduction in appropriation, National Capital Sesquicentennial Commission: Reported in disagreement.

INDEPENDENT OFFICES—GENERAL PROVISIONS

Amendment No. 87—Persons engaged in personnel work: Exempts from the provisions of the section persons engaged on work as committees of expert examiners and boards of civil service examiners as proposed by the Senate.

TITLE II—DEPARTMENT OF COMMERCE

Maritime activities

Amendment No. 88—Operating-differential subsidies: Inserts the language of the Senate amendment in lieu of the proposal of the House in connection with the number of voyages for subsidized operators amended to be effective as to new operators on July 1, 1952, instead of July 1, 1951, as proposed in the Senate amendment.

Amendments Nos. 89, 90, 91, 92, 93, 94, 95, and 96—Salaries and expenses: Appropriate a total of $15,617,850 for such purpose, instead of $14,375,700 as proposed by the House and $16,860,000 as proposed by the Senate; provide $8,655,850 for administrative expenses, instead of $8,099,700 as proposed by the House and $9,212,000 as proposed by the Senate, of which $145,525 shall be available for expenses of travel, instead of $130,700 as proposed by the House and $160,350 as proposed by the Senate; authorize the transfer of funds from the vessel operations revolving fund for the employment of 400 employees, instead of 300 as proposed by the House and 500 as proposed by the Senate; provide $1,921,000 for maintenance of shipyard facilities, operation of warehouses, etc., instead of $1,764,000 as proposed by the House and $2,078,000 as proposed by the Senate, of which $2,490 shall be available for expenses of travel, instead of $2,200 as proposed by the House and $2,775 as proposed by the Senate; and provide $5,041,000 for reserve fleet expenses, instead of $4,512,000 as proposed by the House and $5,570,000 as proposed by the Senate, of which $7,490 shall be available for expenses of travel, instead of $6,650 as proposed by the House and $8,325 as proposed by the Senate.

Amendments Nos. 97, 98, 99, 100, 101, 102, and 103—Maritime training: Appropriate $3,584,000, instead of $2,795,200 as proposed by the House and $3,990,000 as proposed by the Senate; authorize the use of $2,474,100 for personal services as proposed by the Senate, instead of $1,881,600 as proposed by the House, and eliminate the provision of the Senate excluding from the foregoing amount for personal services the pay of cadet midshipmen; authorize the use of $2,500 for contingencies for the Superintendent as proposed by the Senate, instead of $1,500 as proposed by the House; authorize the use of $25,625 for expenses of travel, instead of $20,500 as proposed by the House and $30,750 as proposed by the Senate; authorize the transfer of $72,500 to the Public Health Service as proposed by the Senate, instead of $55,680 as proposed by the House; and eliminate the proposal of the Senate providing for pay of cadet midshipmen, restoring in lieu thereof the House provision for uniforms and textbooks.

Amendment No. 104—State marine schools: Appropriates $663,200, instead of $643,400 as proposed by the House and $1,092,050 as proposed by the Senate; and eliminates the proposal of the Senate providing for the pay of cadet midshipmen at $65 per month and $275 per annum for subsistence, restoring the provision of the House bill providing for allowances for uniforms, textbooks, and subsistence, amended to provide $320,200, instead of $300,400 as proposed by the House.

Amendment No. 105: Restores the provision of the House relating to payment for vessels requisitioned or insured by the Government and lost while so requisitioned or insured.

TITLE III—CORPORATIONS

Housing and Home Finance Agency

Amendments Nos. 106, 107, and 108—Federal National Mortgage Association: Authorize the use of $3,509,500 of available funds for administrative expenses, instead of $3,371,425 as proposed by the House and $3,647,600 as proposed by the Senate; authorize the use of $138,105 for expenses of travel, instead of $122,760 as proposed by the House and $153,450 as proposed by the Senate; and restore the limitation of the House on administrative expenses not under limitation, amended to fix such limitation at $151,000.

Amendment No. 109—Office of the Administrator (prefabricated housing): Authorizes the use of $6,750 for expenses of travel, instead of $6,000 as proposed by the House and $7,500 as proposed by the Senate.

Amendments Nos. 110 and 111—Home Loan Bank Board: Authorize and use of $22,500 for expenses of travel, instead of $20,000 as proposed by the House and $25,000 as proposed by the Senate; and restore the limitation of the House on nonadministrative expenses for examination of Federal- and State-chartered institutions, amended to fix such limitation at $1,775,000.

Amendment No. 112—Federal Savings and Loan Insurance Corporation: Authorizes the use of $4,150 for expenses of travel, instead of $3,700 as proposed by the House and $4,600 as proposed by the Senate.

Amendments No. 113 and 114—Federal Housing Administration: Authorize the use of $146,125 for expenses of travel, instead of $130,000 as proposed by the House and $162,250 as proposed by the Senate; and restore the limitation of the House on nonadministrative expense, amended to fix such limitation at $28,870,000.

Amendments Nos. 115, 116, 117, and 118—Public Housing Administration: Authorize the use of $11,534,000 of available funds for administrative expenses, instead of $10,455,000 as proposed by the House and $12,613,000 as proposed by the Senate; authorize the use of $697,500 for expenses of travel, instead of $620,000 as proposed by the House and $775,000 as proposed by the Senate; restore the limitation of the House on nonadministrative expenses, amended to fix such limitation at $32,722,080; and authorize the use of $142,500 of available funds for expenses in connection with the sale of certain properties, instead of $50,000 as proposed by the House.

Inland Waterways Corporation

Amendments Nos. 119, 120, and 121—Administrative expenses: Authorize the use of $481,200 of available funds for administrative expenses, as proposed by the Senate, instead of $467,330 as proposed by the House; authorize the use of $10,755 for expenses of travel, instead of $9,560 as proposed by the House and $11,950 as proposed by the Senate; and authorize the purchase of one and hire of passenger motor vehicles, instead of the purchase of two such vehicles as proposed by the Senate.

TITLE IV—GENERAL PROVISIONS

Amendment No. 122—Limitation on annual leave, civilian officers and employees: Restores the matter stricken out by said amendment, adding thereto a provision to the effect that the section shall not be applicable to annual leave accumulated prior to January 1, 1952.

Amendment No. 123—Corrects a section number.

Amendment No. 124—Limitation on number of automobiles operated at seat of government: Strikes out the proposal of the House in this connection.

Amendments Nos. 125 and 126—Correct section numbers.

Amendment No. 127—Restriction on compensation of persons acting as chauffeurs: Inserts the proposal of the Senate to except persons on duty in a foreign country.

Amendment No. 128—Reduction in personnel: The conference committee has omitted the matter stricken out and inserted by said amendment. The conferees hereby direct the agencies involved under the provisions of this amendment to apply the principles of the Jensen amendment in reducing personnel to a point where they will come within the dollar limitations provided in the bill; and by so doing the principles of the Jensen amendment will soften the reductions required to enable the agencies to operate within the amount of the appropriations provided in the bill as finally enacted.

Amendment No. 129—Fixes a ceiling of $1,600 which may be paid for the acquisition of passenger motor vehicles, with certain exceptions, as proposed by the Senate.

Amendment No. 130—Limitation on funds available for personnel engaged in information, publicity, editorial and similar work: Reported in disagreement.

Amendment No. 131—Limitation on funds available for pay above basic rates and for transportation of things: Strikes out the proposal of the Senate.

Amendment No. 132: Corrects a section number.

ALBERT THOMAS,
HARRY R. SHEPPARD,
GEORGE ANDREWS,
SIDNEY R. YATES,
CLARENCE CANNON,
JOHN PHILLIPS,
NORRIS COTTON,
JOHN TABER,
Managers on the Part of the House.

Mr. THOMAS. Mr. Speaker, under the agreement previously entered into, I call up the conference report on the bill H. R. 7072, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

Mr. THOMAS (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

Mr. HINSHAW. Reserving the right to object, Mr. Speaker, will the gentleman explain what was done with the amendment in connection with the Atomic Energy Commission appropriation?

Mr. THOMAS. Yes; I will attempt to explain that.

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

There was no objection.

Mr. THOMAS. Mr. Speaker, in answer to the question of our distinguished friend from California, I believe the item in which he is interested is not in the Independent Offices bill now under consideration; it is in the big supplemental bill that is now pending at the other end of the Capitol.

Mr. HINSHAW. This is not the bill we considered the other day?

Mr. THOMAS. The other body has not acted on it yet, and it is not in conference at this time.

As far as this bill is concerned, Mr. Speaker, we have four items which were the basis for recommittal of the previous conference report. The other body was quite firm in its opposition on housing. It indicated that it was willing to reduce the 35,000 houses to 25,000 and indicated it might go further if the House would recede from its limitations, which limitations keep the number of units under the control of the Congress. The conferees decided that the language was worth far more than the 35,000 units, and we receded and concurred in their viewpoint.

We added two hospitals at a cost of approximately $42,475,000, one in Ohio and one in California. They are 1,000-bed NP hospitals.

We increased the cost of operating expense for maritime training schools approximately $350,000 in excess of the previous conference agreement.

We put language in the report directing that agencies, in making reductions in personnel, use the principles laid down in the Jensen amendment.

That is all I have to say.

Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Speaker, I wish to make just a short statement on the part of the managers for the minority. We did not sign the report when it came back the first time, but we have signed this report. This is a compromise. I believe it is the best compromise we could obtain at the present time, and the minority members recommend its adoption.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I favor the adoption of this conference report.

I voted to recommit the previous report because in no other way could there be assured a reasonable number of housing units and reasonable consideration for our neuropsychiatric veterans who require hospital construction for their specific disabilities.

This conference report is much more satisfactory than the previous one.

I hope it will be adopted.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Speaker, it is important that the Members thoroughly understand exactly what we are doing in this conference report and exactly what the issue is so far as public housing is concerned.

It will be recalled that on last March 21 the House by a substantial majority voted to limit the number of public housing units to be started during the next fiscal year to 5,000. The bill went to the Senate and there the number was increased to 45,000. The measure then went to conference and the conferees agreed on 35,000.

When the conference report came to the House on June 26, the House refused to accept it. A motion to recommit was approved and the conferees were instructed to insist on the 5,000 figure. So a further conference was held and a report on the outcome is now before us. It again calls for 35,000 units.

That means, Mr. Speaker, that for us to now accept that action of the conferees would be a complete surrender of what the House has done on two separate occasions. We are urged to act favorably because we are approaching adjournment, and we are told that the limitation in the report with respect to commitments in future years is a sort of acceptable compromise. But that limitation language was inserted in the original House bill. It has been in the House bill all the time.

To approve the 35,000 figure now, with a restriction against more than that number in future years, is probably to set a minimum of new units to be commenced each year in the future, of 35,000. That means more and more of this socialized housing in America. It means the advocates of public housing will become more and more entrenched with this socialistic and exorbitantly expensive program. It does not strike at the evil of socialized housing. It endorses it. It is not stopping anything. It is approving and encouraging it.

My colleague from Texas [Mr. THOMAS] on June 26, as the RECORD will show, admitted that public housing is going to cost the American taxpayers $13,500,000,000, and he said "it is 100 percent contribution." But in addition to that, according to the Public Housing Administration, there is a net local contribution, in the form of tax exemption of all public housing which amounts to half of the Federal subsidy. Moreover, the figure does not include the heavy administrative cost of this agency, which will run into hundreds of millions of dollars over the 40-year period. And let no one forget that as this socialistic program progresses the demand will be made for an increase in the present ceiling of 810,000 units.

And let us not forget that the bonds that are sold to finance this public housing program are tax-free. No income taxes are paid on them. It is a juicy deal for the tax dodgers, and it is a rank discrimination against the overburdened American taxpayers who have to pay taxes on their investments.

Mr. Speaker, as I pointed out before, according to the Public Housing Administration itself, each of these units will cost $12,163.20 in direct Federal subsidies. In addition, the local contribution amounts to half of that amount. The total cost of each unit will be $18,244.80. Now, what is involved in this 30,000 units that has been added to the 5,000 units endorsed by the House? The total Federal subsidy on the 30,000 units will be $364,896,000. The total local cost is half of that, or $182,448,000, making a grand total of $547,344,000.

In other words by your vote here today you will decide whether you want to save the American taxpayers that amount of money.

Mr. Speaker, I wonder what Members' attitude would be if we were appropriating $500,000,000 to purchase collectivist farms, to be owned by the Government and rented to so-called low-income farmers at half the rental values? Yet, that is precisely what is proposed except that it happens to apply to housing rather than farms. But what is the difference? Both are socialistic. Both put the Government into a competing business with private enterprise. Both would create political Trojan horses for the management, the operators, who through selection of tenants and sites for the projects could control votes and be vested with political power and influence.

That kind of influence is now, at this hour, being exercised freely by certain public housing managers with respect to the voting of tenants. It has been done in California. It has been done in New York. It has been done in Florida, and it has been done in many places. And it will be done more and more in the future. Local cities have no control whatever over these projects. They are under the exclusive control, once they are created, of the housing authorities and the Federal Government through the Public Housing Administration.

This program is undoubtedly the most socialistic undertaking, of a major nature, ever undertaken by the Federal Government in this country. It is a burden the American taxpayers can ill afford to carry, and it is a deviation from our free enterprise system that we can ill afford to perpetuate.

Therefore, Mr. Speaker, I shall offer a motion to recommit this conference report with instructions to our conferees to insist upon the House position of limiting the number of units to be started during the next year to 5,000. Every Member is entitled to be recorded on this all-important issue.

Mr. THOMAS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

Mr. FISHER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. FISHER. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. FISHER moves to recommit the bill (H. R. 7072) to the committee of conference with instructions to the managers on the part of the House to insist upon the House provisions on the number of housing units to be commenced in fiscal year 1953, including the limitation on the number of units that may be commenced in subsequent years—item 47.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. FISHER) there were—ayes 51, noes 102.

Mr. FISHER. 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. The Chair believes 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, 160, nays 194, not voting 76, as follows:

[Roll No. 131]

YEAS—160

Aandahl	Elston	McCulloch
Abbitt	Fallon	McDonough
Adair	Fernandez	McGregor
Allen, Calif.	Fisher	McIntire
Allen, Ill.	Ford	McMillan
Andersen, H. Carl	Gary	McVey
Anderson, Calif.	Gathings	Mack, Wash.
Andresen, August H.	Gavin	Mahon
Arends	George	Martin, Iowa
Barden	Goodwin	Martin, Mass.
Bates, Mass.	Graham	Meader
Beamer	Greenwood	Miller, Md.
Berry	Gross	Miller, Nebr.
Betts	Gwinn	Miller, N. Y.
Bishop	Hale	Murray
Blackney	Hall, Leonard W.	Nicholson
Bonner	Halleck	Norblad
Bow	Harrison, Nebr.	Norrell
Bramblett	Harrison, Va.	Osmers
Brooks	Harrison, Wyo.	Ostertag
Bryson	Harvey	Patten
Budge	Herlong	Phillips
Buffett	Hill	Poulson
Burleson	Hinshaw	Radwan
Busbey	Hoeven	Rankin
Bush	Hoffman, Ill.	Redden
Byrnes	Horan	Reed, Ill.
Chatham	Hunter	Reed, N. Y.
Chiperfield	Ikard	Rees, Kans.
Church	Jackson, Calif.	Rivers
Clevenger	James	Rogers, Tex.
Colmer	Jarman	Ross
Cooley	Jenison	St. George
Cox	Jenkins	Sasscer
Crawford	Jensen	Scheneck
Crumpacker	Johnson	Scrivner
Cunningham	Jones, Hamilton C.	Scudder
Curtis, Nebr.	Jones, Woodrow W.	Shafer
Dague	Keating	Short
Davis, Ga.	Kersten, Wis.	Simpson, Ill.
Davis, Wis.	King, Pa.	Simpson, Pa.
Dempsey	Latham	Smith, Kans.
D'Ewart	LeCompte	Smith, Miss.
Dolliver	Lovre	Smith, Va.
Dondero	Lucas	Smith, Wis.
Doughton	McConnell	Springer
Durham		Stanley
		Stockman
		Taber

Talle	Vorys	Williams, Miss.
Teague	Vursell	Wilson, Tex.
Thompson, Mich.	Weichel	Winstead
	Werdel	Wood, Ga.
Vail	Wharton	Wood, Idaho
Van Pelt	Wheeler	
Velde	Whitten	

NAYS—194

Addonizio	Frazier	Miller, Calif.
Andrews	Fugate	Morano
Anfuso	Fulton	Morgan
Angell	Furcolo	Multer
Aspinall	Gamble	Mumma
Auchincloss	Garmatz	Murdock
Ayres	Golden	O'Brien, Ill.
Bailey	Gordon	O'Brien, Mich.
Baker	Gore	O'Brien, N. Y.
Baring	Granahan	O'Konski
Barrett	Granger	O'Neill
Battle	Grant	O'Toole
Beall	Green	Passman
Bennett, Fla.	Gregory	Patman
Bennett, Mich.	Hand	Patterson
Blatnik	Hardy	Perkins
Boggs, Del.	Harris	Philbin
Boggs, La.	Hart	Polk
Bolling	Havenner	Preston
Bolton	Hays, Ark.	Price
Bosone	Hays, Ohio	Priest
Boykin	Hedrick	Prouty
Bray	Heffernan	Rabaut
Brown, Ga.	Heller	Rains
Buchanan	Hess	Reams
Burnside	Hoffman, Mich.	Rhodes
Burton	Holifield	Ribicoff
Butler	Holmes	Riley
Canfield	Howell	Roberts
Cannon	Hull	Rodino
Carrigg	Irving	Rogers, Colo.
Case	Jackson, Wash.	Rogers, Fla.
Celler	Javits	Rogers, Mass.
Chelf	Jonas	Rooney
Chenoweth	Jones, Ala.	Roosevelt
Chudoff	Judd	Sadlak
Clemente	Karsten, Mo.	Saylor
Corbett	Kean	Scott, Hardie
Cotton	Kearns	Secrest
Coudert	Kee	Seely-Brown
Crosser	Kelley, Pa.	Shelley
Curtis, Mo.	Kelly, N. Y.	Sheppard
Dawson	Keogh	Sieminski
Deane	Kerr	Sittler
DeGraffenried	King, Calif.	Spence
Delaney	Kirwan	Staggers
Denny	Klein	Steed
Denton	Kluczynski	Taylor
Devereux	Lane	Thomas
Dingell	Lanham	Thornberry
Dollinger	Lantaff	Tollefson
Donohue	Lesinski	Van Zandt
Donovan	Lind	Vinson
Dorn	McCarthy	Walter
Doyle	McCormack	Widnall
Eberharter	McGrath	Wier
Elliott	McGuire	Wigglesworth
Ellsworth	McKinnon	Williams, N. Y.
Engle	McMullen	Wilson, Ind.
Feighan	Machrowicz	Withrow
Fine	Mack, Ill.	Wolverton
Flood	Madden	Yates
Fogarty	Mansfield	Yorty
Forand	Marshall	Zablocki
Forrester	Merrow	

NOT VOTING—76

Abernethy	Hagen	O'Hara
Albert	Hall,	Poage
Allen, La.	Edwin Arthur	Potter
Armstrong	Harden	Powell
Bakewell	Hébert	Ramsay
Bates, Ky.	Herter	Reece, Tenn.
Beckworth	Heselton	Regan
Belcher	Hillings	Richards
Bender	Hope	Riehlman
Bentsen	Jones, Mo.	Robeson
Brehm	Kearney	Sabath
Brown, Ohio.	Kennedy	Scott,
Brownson	Kilburn	Hugh D., Jr.
Buckley	Kilday	Sheehan
Burdick	Larcade	Sikes
Camp	Lyle	Stigler
Carlyle	Magee	Sutton
Carnahan	Mason	Tacket
Cole, Kans.	Mills	Thompson, Tex.
Cole, N. Y.	Mitchell	Trimble
Combs	Morris	Watts
Cooper	Morrison	Welch
Davis, Tenn.	Morton	Wickersham
Eaton	Moulder	Willis
Evins	Murphy	Wolcott
Fenton	Nelson	Woodruff

So the motion was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Brown of Ohio.
Mr. Morrison with Mr. Fenton.
Mr. Moulder with Mr. Reece of Tennessee.
Mr. Welch with Mr. O'Hara.
Mr. Buckley with Mr. Mason.
Mr. Powell with Mr. Wolcott.
Mr. Wickersham with Mr. Woodruff.
Mr. Morris with Mr. Sheehan.
Mr. Abernethy with Mr. Cole of Kansas.
Mr. Robeson with Mr. Armstrong.
Mr. Camp with Mr. Bakewell.
Mr. Evins with Mr. Belcher.
Mr. Mitchell with Mr. Bender.
Mr. Ramsay with Mr. Kearney.
Mr. Trimble with Mr. Kilburn.
Mr. Watts with Mrs. Harden.
Mr. Sikes with Mr. Herter.
Mr. Jones of Missouri with Mr. Hillings.
Mr. Albert with Mr. Hugh D. Scott, Jr.
Mr. Bates of Kentucky with Mr. Nelson.
Mr. Kilday with Mr. Morton.
Mr. Larcade with Mr. Hagen.
Mr. Cooper with Mr. Edwin Arthur Hall.
Mr. Davis of Tennessee with Mr. Heselton.
Mr. Magee with Mr. Riehlman.
Mr. Mills with Mr. Cole of New York.
Mr. Sabath with Mr. Potter.
Mr. Allen of Louisiana with Mr. Burdick.
Mr. Murphy with Mr. Brehm.
Mr. Willis with Mr. Eaton.

Mr. VAN ZANDT and Mr. AYRES changed their vote from "yea" to "nay."

Mr. BLACKNEY and Mr. CUNNINGHAM changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. (1): On page 3, line 4, strike out "$1,000,000" and insert "the unexpended balance in this fund on June 30, 1952, is hereby continued available during the fiscal year 1953."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following: "$1,000,000 of the unexpended balance in this fund on June 30, 1952, is hereby continued available during the fiscal year 1953."

The motion was agreed to.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that amendments numbered 8, 9, 10, 11, 37, 68, and 86 be considered en bloc. They are technical amendments, and not controversial in any way.

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

Mr. PHILLIPS. Reserving the right to object, why not include the whole list.

Mr. THOMAS. I do not think that can be done under the rules of the House. They are not in disagreement.

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

There was no objection.

The SPEAKER. The Clerk will report the amendments in disagreement.

The Clerk read as follows:

Senate amendment No. 8: On page 5, line 5, strike out "$619,500" and insert "$400,000."

Senate amendment No. 9: Page 5, line 5, insert "and in addition, the Commission is authorized to utilize for carrying out the purposes of this appropriation, without dollar reimbursement from this or any other appropriation, foreign currencies or credits owed to or owned by the Treasury of the United States in an amount not exceeding $319,550, and the Secretary of the Treasury is directed to make such foreign currencies or credit available to the Commission in the amount stated: *Provided*."

Senate amendment No. 10: On page 6, line 4, strike out "$1,000,000" and insert "$500,000."

Senate amendment No. 11: On page 6, line 4, insert "to remain available until expended, and, in addition, the Commission is authorized to utilize for carrying out the purposes of this appropriation, without dollar reimbursement from this or any other appropriation, foreign currencies or credits owed to or owned by the Treasury of the United States in an amount not exceeding $4,500,000, and the Secretary of the Treasury is directed to make such foreign currencies or credits available to the Commission in the amount stated."

Senate amendment No. 37: On page 24, line 5, insert "including contractual services incident to receiving, handling and shipping warehouse items, and."

Senate amendment No. 68: On page 36, line 3, insert:

"Appropriations for the Selective Service System may be used for the destruction of records accumulated under the Selective Training and Service Act of 1940, as amended, which are hereby authorized to be destroyed by the Director of Selective Service after compliance with the procedures for the destruction of records prescribed pursuant to the Records Disposal Act of 1943, as amended (44 U. S. C. 366–380): *Provided*, That no records may be transferred to any other agency without the approval of the Director of Selective Service."

Senate amendment No. 86: On page 48, line 3, insert: "Reduction in appropriation. The unobligated balance of the funds available for necessary expenses of the National Capital Sesquicentennial Commission, as authorized by the Acts of July 18, 1947 (Public Law 203), and May 31, 1949 (Public Law 78), is hereby rescinded effective July 1, 1952, except for necessary liquidating expenses, and such sum shall be carried to the surplus fund and covered into the Treasury immediately upon the approval of this act."

Mr. THOMAS moves that the House recede and concur in amendments of the Senate numbered 8, 9, 10, 11, 37, 68, and 86.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: On page 9, line 3, insert "That there shall be transferred to and merged with this appropriation that portion of the unexpended balances of prior year appropriations included under the appropriation for Operating Expenses which is applicable to Plant and Equipment, and amounts so transferred together with the foregoing appropriation shall remain available until expended: *Provided further*."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 17, and concur therein with an amendment, as follows: In line 7 of said amendment, strike out the word "expended" and insert in lieu thereof "June 30, 1953."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 19: On page 10, line 12, insert:

"Any appropriation available under this act or heretofore made to the Atomic Energy Commission may initially be used to finance the procurement of materials, services, or other costs which are a part of work or activities for which funds have been provided in any other appropriation available to the Commission: *Provided*, That appropriate transfers or adjustments between such appropriations shall subsequently be made for such costs on the basis of actual application determined in accordance with generally accepted accounting principles.

"Not to exceed 5 percent of any appropriation under this head may be transferred to any other such appropriation but no such appropriation shall be increased by more than 5 percent by any such transfers."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 19, and concur therein with an amendment, as follows: In line 3 of said amendment, after the word "used", insert "during the fiscal year 1953."

The motion was agreed to.

The Clerk read as follows:

Amendment No. 46: Page 26, line 21 insert:

"Defense Community Facilities and Services: During the current fiscal year not to exceed $225,000 of the appropriation granted under this head in the Second Supplemental Appropriation Act, 1952, shall be available for administrative expenses in connection with the construction of facilities under such appropriation."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 46 with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 46, and concur therein with an amendment, as follows: In line 2 of said amendment, strike out the sum "$225,000", and insert "$112,500."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 48: Page 29, line 4, strike out lines 4 to 9, inclusive.

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 48, and concur therein with an amendment, as follows: In lieu of the matter stricken out by said amendment, insert the following: ": *Provided further*, That no housing unit constructed under the United States Housing Act of 1937, as amended, shall be occupied by a person who is a member of an organization designated as subversive by the Attorney General: *Provided further*, That the foregoing prohibition shall be enforced by the local housing authority, and that such prohibition shall not impair or affect the powers or obligations of the Public Housing Administration with respect to the making of loans and annual contributions under the United States Housing Act of 1937, as amended."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 130: Page 73, line 24, insert:

"SEC. 406. (a) No part of the money appropriated by this act to any department, agency, or corporation or made available for expenditure by any department, agency, or corporation which is in excess of 75 percent of the amount required to pay the compensation of all persons the budget estimates for personal services heretofore submitted to the Congress for the fiscal year 1953 contemplated would be employed by such department, agency, or corporation during such fiscal year in the performance of—

"(1) functions performed by a person designated as an information specialist, information and editorial specialist, publications and information coordinator, press relations officer or counsel, photographer, radio expert, television expert, motion-picture expert, or publicity expert, or designated by any similar title, or

"(2) functions performed by persons who assist persons performing the functions described in (1) in drafting, preparing, editing, typing, duplicating, or disseminating public information publications or releases, radio or television scripts, magazine articles, photographs, motion pictures, and similar material,

shall be available to pay the compensation of persons performing the functions described in (1) or (2).

"(b) This section shall not apply: To persons employed by the General Services Administration in the performance of functions or related assisting or supporting functions in connection with the publication of the Federal Register, or to persons engaged in functions of the Civil Service Commission related to (1) the preparation and issuance of materials relating to the recruitment of personnel for the Federal service, and (2) the compilation of the Official Register of the United States."

Mr. THOMAS. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. THOMAS moves that the House recede from its disagreement to the amendment of the Senate numbered 130, and concur therein with an amendment, as follows: At the end of said amendment following the words "United States", and before the period, insert a comma and the following: "or to any department, agency, or corporation which does not employ more than two persons at any one time in the performance of functions described in paragraphs (1) or (2) of subsection (a) of this section."

The motion was agreed to.

By unanimous consent, a motion to reconsider the vote by which the various motions were agreed to was laid on the table.

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the conference report.

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

There was no objection.

TO CONTINUE CERTAIN STATUTORY PROVISIONS DURING THE NATIONAL EMERGENCY PROCLAIMED DECEMBER 16, 1950, AND 6 MONTHS THEREAFTER

Mr. FEIGHAN submitted the following conference report and statement on the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, for printing in the RECORD:

CONFERENCE REPORT (H. REPT. No. 2444)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond June 30, 1953, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: Strike out all after the enacting clause and insert "That notwithstanding the termination on April 28, 1952, of the existence of a state of war with Japan declared December 8, 1941 (55 Stat. 795), and of the national emergencies proclaimed by the President on September 8, 1939 (Proc. 2352, 54 Stat. 2643), and on May 27, 1941 (Proc. 2487, 55 Stat. 1647), and notwithstanding any proclamation of peace with respect to such war—

"(a) The following statutory provisions, and the authorizations conferred and liabilities imposed thereby, in addition to coming into full force and effect in time of war or otherwise where their terms so provide, shall remain in full force and effect until six months after the termination of the national emergency proclaimed by the President on December 16, 1950 (Proc. 2914, 3 C. F. R., 1950 Supp., p. 71), or until such earlier date or dates as may be provided by the Congress by concurrent resolution either generally or for a particular statutory provision or by the President either generally by proclamation or for a particular statutory provision, but in no event beyond April 1, 1953, notwithstanding any other terminal date or provision of law with respect to such statutory provisions and notwithstanding any limitation, by reference to war or national emergency, of the time during or for which authorizations or liabilities thereunder may be exercised or imposed; and acts or events of the kind giving rise to legal consequences under any of those provisions when performed or occurring during the state of war which terminated on April 28, 1952, shall give rise to the same legal consequences when they are performed or occur during the period above provided for:

"(1) Act of December 17, 1942 (ch. 739, sec. 1, 56 Stat. 1053), as amended (50 U. S. C. App. 1201); and, effective for the period of time provided for in the opening paragraph of this subsection, section 1 of said Act of December 17, 1942, is amended by inserting

'or the maintenance of the national defense' after 'the prosecution of war'.

"(2) Act of March 27, 1942 (ch. 199, secs. 1301–1304, 56 Stat. 185–186; 50 U. S. C. App. 643, 643a, 643b, 643c).

"(3) Act of July 7, 1943 (ch. 192, sec. 11, 57 Stat. 382; 44 U. S. C. 376).

"(4) Act of July 2, 1940 (ch. 508, sec. 1 (a) and 1 (b), 54 Stat. 712, 713), as extended by sections 13 and 16 of the Act of June 5, 1942 (ch. 340, 56 Stat. 317; 50 U. S. C. App. 773, 1171 (a), 1171 (b)); and the authority thereby granted to the Secretary of the Army is hereby conferred on the Secretary of the Navy, to be exercised by him on behalf of the Department of the Navy, using naval appropriations for the purpose.

"(5) Act of June 5, 1942 (ch. 340, secs. 1, 7, and 11, 56 Stat. 314, 316, 317; 50 App. 761, 767, 771).

"(6) Act of January 2, 1942 (ch. 645, sec. 7), as added by the Act of April 22, 1943 (ch. 67, sec. 7, 57 Stat. 67; 31 U. S. C. 224i).

"(7) Act of March 7, 1942 (ch. 166, secs. 1–12, 14, and 15, 56 Stat. 143–147), as amended (50 U. S. C. App. 1001–1012, 1014, and 1015), and as extended by section 4 (e) of the Act of June 24, 1948 (ch. 625, 62 Stat. 608; 50 U. S. C. App. 454 (e)). Effective for the period of time provided for in the opening paragraph of this subsection, sections 2, 6, 9, 12, and 14 of said Act of March 7, 1942, as they read immediately before the enactment of Public Law 313, Eighty-second Congress, are amended as follows, and, as so amended, are further extended in accordance with section 4 (e) of said Act of June 24, 1948:

"(A) Section 2 (50 U. S. C. App. 1002) is amended by deleting 'interned in a neutral country, captured by an enemy' and inserting in lieu thereof 'interned in a foreign country, captured by a hostile force'.

"(B) Section 6 (50 U. S. C. App. 1006) is amended by deleting 'in the hands of an enemy or is interned in a neutral country' and inserting in lieu thereof 'in the hands of a hostile force or is interned in a foreign country'.

"(C) Section 9 (50 U. S. C. App. 1009) is amended by deleting 'in the lands of an enemy' and inserting in lieu thereof 'in the hands of a hostile force' and by deleting 'such enemy' and inserting in lieu thereof 'such hostile force'.

"(D) Section 12 (50 U. S. C. App. 1012) is amended by deleting 'interned in a neutral country, or captured by the enemy' and inserting in lieu thereof 'interned in a foreign country, or captured by a hostile force.'

"(E) Section 14 (50 U. S. C. App. 1014) is amended to read as follows:

"'SEC. 14. The provisions of this Act applicable to persons captured by a hostile force shall also apply to any person beleaguered or besieged by a hostile force.'

"(8) Act of December 4, 1942 (ch. 674, secs. 2, 3, and 4, 56 Stat. 1039; 10 U. S. C. 904b, 904c, 904d).

"(9) Act of October 26, 1942 (ch. 624, 56 Stat 987; 50 U. S. C. App. 836).

"(10) Act of December 18, 1942 (ch. 765, 56 Stat. 1057; 10 U. S. C. 906 and note, 907 and note).

"(11) Act of June 25, 1942 (ch. 447, 56 Stat. 390–391; 50 U. S. C. App. 781–785).

"(12) Act of October 14, 1940 (ch. 862, 54 Stat. 1125), as amended, secs. 1, 202, 301, 401, 402, and 501 (42 U. S. C. 1521, 1532, 1541, 1561, 1562, 1571). In view of the continuing existence of acute housing needs occasioned by World War II, the emergency declared by the President on September 8, 1939, shall, for the purpose of continuing the use of property held under said Act of October 14, 1940, continue to exist during the period of time provided for in the opening paragraph of this subsection.

"(13) Act of December 2, 1942 (ch. 668, titles I and II, 56 Stat. 1028), as amended (42 U. S. C. 1701–1706, 1711–1717). Effective for the period of time provided for in the opening paragraph of this subsection, the following terms, as used in titles I and II of said Act of December 2, 1942, and the terms 'allies' and 'war effort,' as used in the statutory provisions referred to in section 101 (a) (1) of said Act (42 U. S. C. 1701 (a) (1)), have the following meanings: The term 'enemy' means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any of its allies. The term 'allies' means any nation, government, or force participating with the United States in any armed conflict. The terms 'national war effort' and 'war effort' include national defense. The term 'war activities' includes activities directly related to military operations.

"(14) The paragraph designated '(2)' which was inserted into the Act of March 3, 1909 (ch. 255, 35 Stat. 753), by the Act of April 9, 1943 (ch. 39, 57 Stat. 60; 34 U. S. C. 533).

"(15) Act of October 25, 1943 (ch. 276, 57 Stat. 575), as amended by section 2 of the Act of April 9, 1946 (ch. 121, 60 Stat. 87; 38 U. S. C. 11a note).

"(16) Act of December 23, 1944 (ch. 716, 58 Stat. 921; 50 U. S. C. App. 1705 and note, 1706, 1707).

"(17) Act of July 28, 1945 (ch. 328, sec. 5 (b), 58 Stat. 505; 5 U. S. C. 801); and, effective for the period of time provided for in the opening paragraph of this subsection, the term 'enemy' as used in section 5 (b) of said Act of July 28, 1945, means any nation, government, or force engaged in armed conflict with the Armed Forces of the United States or of any nation, government, or force participating with the United States in any armed conflict.

"(18) Act of June 27, 1942 (ch. 453, 56 Stat. 461; 50 U. S. C. App. 801, 802).

"(19) Act of October 17, 1942 (ch. 615, secs. 1–4, 56 Stat. 796; 36 U. S. C. 179–182).

"(20) Act of July 15, 1949 (ch. 338, title V, sec. 507, 63 Stat. 436; 42 U. S. C. 1477).

"(21) Act of October 14, 1940 (ch. 862, title V. sec. 503), as added by the Act of June 23, 1945 (ch. 192, 59 Stat. 260; 42 U. S. C. 1573).

"(22) Act of July 22, 1937 (ch. 517, sec. 1, 50 Stat. 522), as amended (7 U. S. C. 1001).

"(23) Act of April 24, 1912 (ch. 90, secs. 1 and 2, 37 Stat. 90, 91), as amended (36 U. S. C. 10, 11).

"(24) The eighth paragraph (designated 'Military traffic in time of war') of section 6 of the Act of February 4, 1887, chapter 104, as that section was amended by section 2 of the Act of June 29, 1906 (ch. 3591, 34 Stat. 586; 10 U. S. C. 1362 and 49 U. S. C. 6 (8)).

"(25) Act of February 4, 1887 (ch. 104, sec. 1 (15)), as enacted by Act of February 28, 1920 (ch. 91, sec. 402, 41 Stat. 456, 476; 49 U. S. C. 1 (15)).

"(26) Act of February 4, 1887 (ch. 104, sec. 420), as added by Act of May 16, 1942 (ch. 318, sec. 1, 56 Stat. 284, 298; 49 U. S. C. 1020).

"(27) Act of June 6, 1941 (ch. 174, 55 Stat. 242–245), as amended (50 U. S. C. App. 1271–1275).

"(28) Act of December 3, 1942 (ch. 670, sec. 2, 56 Stat. 1038; 33 U. S. C. 855a).

"(29) Title 18, United States Code, sections 794, 2153, 2154, and 2388. Effective in each case for the period of time provided for in the opening paragraph of this subsection, title 18, United States Code, section 2151, is amended by inserting 'or defense activities' immediately before the period at the end of the definition of 'war material' and said sections 2153 and 2154 are amended by inserting the words 'or defense activities' immediately after the words 'carrying on the war' wherever they appear therein.

"(30) Act of May 22, 1918 (ch. 81, 40 Stat. 559), as amended by the act of June 21, 1941 (ch. 210, 55 Stat. 252, 253; 22 U. S. C. 223–226b).

"(31) Act of October 31, 1942 (ch. 634, 56 Stat. 1013; 35 U. S. C. 89 and note and 90–96); and, effective for the period of time provided for in the opening paragraph of this subsection, the terms 'prosecution of the war' and 'conditions of wartime production', as used in said act of October 31, 1942, include, respectively, prosecution of defense activities and conditions of production during the national emergency proclaimed by the President on December 16, 1950.

"(32) Title 28, United States Code, section 2680 (j).

"(b) The following statutory provisions which are normally operative in time of peace shall not be operative by reason of the termination of a state of war on April 28, 1952, but rather (in addition to being inoperative, in accordance with their terms, in time of war) shall continue to be inoperative until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide either generally or for a particular statutory provision, but in no event beyond April 1, 1953, any other provision of law with respect thereto to the contrary notwithstanding:

"(1) Those portions of section 37 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189), as amended (10 U. S. C. 353), which restrict the appointment of Reserve officers in time of peace.

"(2) The second sentence of section 40b of the Act of June 3, 1916, as added by section 33 of the Act of June 4, 1920 (ch. 227, 41 Stat. 777), as amended (10 U. S. C. 386).

"(3) Act of August 4, 1942 (ch. 547, sec. 10, 56 Stat. 738; 34 U. S. C. 850i).

"(4) Act of June 28, 1944 (ch. 306, sec. 2, 58 Stat. 624), as amended (10 U. S. C. 1214; 34 U. S. C. 555b).

"(5) Act of March 3, 1893 (ch. 212, 27 Stat. 717; 34 U. S. C. 196).

"(6) Act of June 16, 1890 (ch. 426, sec. 4, 26 Stat. 158; 10 U. S. C. 651).

"(7) Joint resolution of November 4, 1939 (ch. 2, sec. 7, 54 Stat. 8; 22 U. S. C. 447 (a)–(d)).

"(c) The President is authorized to continue in effect until and including April 1, 1953, all appointments as officers and as warrant officers of the Army and of the Air Force which under the following provisions of law would terminate after April 27, 1952, and before April 1, 1953:

"(1) Sections 37 and 38 of the Act of June 3, 1916 (ch. 134, 39 Stat. 189, 190), as amended (10 U. S. C. 358, 32 U. S. C. 19), and section 127a of that Act as added by the Act of June 4, 1920 (ch. 227, 41 Stat. 785), as amended (10 U. S. C. 513).

"(2) Section 515 (e) of the Act of August 7, 1947 (ch. 512, 61 Stat. 907; 10 U. S. C. 506d (e)).

"(3) Section 3 of the Act of August 21, 1941 (ch. 384, 55 Stat. 652), as amended (10 U. S. C. 591a).

"SEC. 2. (a) Section 5 (m) of the Act of May 18, 1933 (ch. 32, 48 Stat. 62; 16 U. S. C. 831d (m)) is amended by inserting before the period at the end thereof 'or, until six months after the termination of the national emergency proclaimed by the President on December 16, 1950, or until such earlier date or dates as the Congress by concurrent resolution or the President may provide but in no event after April 1, 1953, to nations associated with the United States in defense activities'.

"(b) The second proviso of section 1 of the Act of May 29, 1945 (ch. 135, 59 Stat. 225), as amended (31 U. S. C. 222c), is amended to read: '*Provided*, That if such accident or incident occurs in time of war, or if war intervenes within two years after its occurrence, any claim may, on good cause shown,

be presented within one year after peace is established, but if such accident or incident occurs after December 6, 1939, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within one year after the termination of that national emergency or April 1, 1953, whichever is earlier.'; and such section as so amended shall apply to the Navy in accordance with section 2 of the Act of December 28, 1945 (ch 597, 59 Stat. 662; 31 U. S. C. 222e).

"(c) The second proviso of section 1 of the Act of July 3, 1943 (ch. 189, 57 Stat. 372), as amended (31 U. S. C. 223b), is amended to read: *'Provided,* That if such accident or incident occurs in time of war, or if war intervenes within 1 year after its occurrence, any claim may, on good cause shown, be presented within 1 year after peace is established, but if such accident or incident occurs after June 23, 1950, and before the termination of the national emergency proclaimed December 16, 1950, any claim may, on good cause shown, be presented within 1 year after the termination of that national emergency or April 1, 1953, whichever is earlier.'; and such section as so amended shall apply to the Navy in accordance with section 1 of the Act of December 28, 1945 (ch. 597, 59 Stat. 662; 31 U. S. C. 223d).

"SEC. 3. Authority now conferred upon the Secretary of the Air Force under the statutory provisions cited in this joint resolution is hereby extended to the same extent as the authority of the Secretary of the Army thereunder.

"SEC. 4. Nothing in this joint resolution shall be construed to repeal or modify section 601 of Public Law 155, Eighty-second Congress, first session, relative to coming into agreement with the Committee on Armed Services of the Senate and of the House of Representatives with respect to real-estate actions by or for the use of the military departments or the Federal Civil Defense Administration.

"SEC. 5. If any provision of this joint resolution, or the application thereof to any person or circumstances, is held invalid, the remaining provisions of this joint resolution, or the application of such provision to other persons or circumstances, shall not be affected thereby.

"SEC. 6. Public Laws 313 and 368, Eighty-second Congress, are repealed without effect upon rights accrued, liabilities incurred, or actions taken thereunder.

"SEC. 7. Sections 1 through 6 of this joint resolution shall take effect June 16, 1952.

"SEC. 8. This joint resolution may be cited as the 'Emergency Powers Continuation Act'."

And the Senate agree to the same.

Amend the title so as to read: "Joint resolution to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and six months thereafter, but not beyond April 1, 1953."

EMANUEL CELLER,
MICHAEL A. FEIGHAN,
E. L. FORRESTER,
CHAUNCEY W. REED,
J. CALEB BOGGS,
PATRICK J. HILLINGS,
Managers on the Part of the House.

PAT MCCARRAN,
JAMES O. EASTLAND,
HOMER FERGUSON,
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 joint resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate receded from its amendments and agreed to the joint resolution as passed by the House except that the authorizations are to extend only until April 1, 1953, instead of June 30, 1953, as provided in the House version. The House agrees to this amendment.

EMANUEL CELLER,
MICHAEL A. FEIGHAN,
E. L. FORRESTER,
CHAUNCEY W. REED,
J. CALEB BOGGS,
PATRICK J. HILLINGS,
Managers on the Part of the House.

Mr. FEIGHAN. Mr. Speaker, I call up the conference report on the resolution (H. J. Res. 477) to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953, and I ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES

Mr. BROOKS submitted the following conference report and statement on the bill (H. R. 5426) relating to the Reserve components of the Armed Forces of the United States for printing in the RECORD:

CONFERENCE REPORT (H. REPT. No. 2445)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5426) relating to the reserve components of the Armed Forces of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SHORT TITLE

"That this Act may be cited as the 'Armed Forces Reserve Act of 1952'.

"TABLE OF CONTENTS

"PART I—GENERAL PROVISIONS

"SEC. 101. When used in this Act—

"(a) 'Duty' means military service of any nature under orders or authorization issued by competent authority.

"(b) 'Active duty' means full-time duty in the active military service of the United States, other than active duty for training.

"(c) 'Active duty for training' means full-time duty in the active military service of the United States for training purposes.

"(d) 'Inactive-duty training' means any of the training, instruction, duty, appropriate duties, or equivalent training, instruction, duty, appropriate duties, or hazardous duty, performed with or without compensation by members of the reserve components of the Armed Forces of the United States as may be prescribed by the appropriate Secretary pursuant to section 501 of the Career Compensation Act of 1949, as amended, or any other provision of law, and in addition thereto includes the performance of special additional duties, as may be authorized by competent authority, by such members on a voluntary basis in connection with the prescribed training or maintenance activities of the unit to which the members are assigned. Work or study performed by such members of the reserve components in connection with correspondence courses of the Armed Forces of the United States shall be deemed inactive-duty training for which compensation is not authorized under the provisions of section 501 of the Career Compensation Act of 1949, as amended. Any inactive-duty training performed by members of the National Guard of the United States or of the Air National Guard of the United States, while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia pursuant to section 92 of the National Defense Act, as amended, or pursuant to any other provision of law, shall be deemed to be inactive-duty training in the service of the United States as members of one of the reserve components specified in section 202 of this Act.

"(e) 'Armed Forces of the United States' means the Army, Navy, Air Force, Marine Corps, and Coast Guard, including all components thereof.

"(f) 'Member of a reserve component' means a person appointed or enlisted as a Reserve of an Armed Force of the United States or a person who acquires such status by transfer pursuant to law to any of the reserve components specified in section 202 of this Act: *Provided,* That no person shall be a member of the National Guard of the United States or the Air National Guard of the United States unless he first be duly enlisted or appointed in the National Guard or the Air National Guard of the appropriate State, Territory, or the District of Columbia, pursuant to law.

"(g) 'Officer' unless otherwise specified, means a commissioned or warrant officer.

"(h) 'Appropriate Secretary' means—

"(1) the Secretary of the Army with respect to the Army;

"(2) the Secretary of the Navy with respect to the Navy and Marine Corps and,

when the Coast Guard is operating as a service in the Navy, the Coast Guard;

"(3) the Secretary of the Air Force with respect to the Air Force; or

"(4) the Secretary of the Treasury with respect to the Coast Guard, when the Coast Guard is operating as a service in the Treasury Department.

"(i) 'Competent authority' means any authority designated by the appropriate Secretary.

"(j) 'Partial mobilization' means that action taken by the Congress or the President pursuant to any provision of law, to effect the entry into the active military service of the United States of such units and members thereof, or of such members not assigned to units organized for the purpose of serving as such, of any reserve component of the Armed Forces of the United States as are required to effect a limited expansion of the active Armed Forces of the United States.

"PART II—RESERVE COMPONENTS GENERALLY

"Chapter 1—Mission and general organization

"SEC. 201. (a) The Congress hereby declares that the reserve components of the Armed Forces of the United States are maintained for the purpose of providing trained units and qualified individuals to be available for active duty in the Armed Forces of the United States in time of war or national emergency, and at such other times as the national security may require, to meet the requirements of the Armed Forces of the United States in excess of those of the regular components thereof, during and after the period needed for procurement and training of additional trained units and qualified individuals to achieve the planned mobilization.

"(b) The Congress further declares, in accordance with our traditional military policy as expressed in the National Defense Act of 1916, as amended, that it is essential that the strength and organization of the National Guard, and the Air National Guard, as an integral part of the first line defenses of this Nation, be at all times maintained and assured. It is the intent of the Congress that whenever Congress shall determine that units and organizations are needed for the national security in excess of those of the Regular components of the ground forces and the air forces, the National Guard of the United States, and the Air National Guard of the United States, or such part thereof as may be necessary, together with such units of the other reserve components as are necessary for a balanced force, shall be ordered into the active military service of the United States and continued therein so long as such necessity exists.

"SEC. 202. The reserve components are—

"(a) The National Guard of the United States;

"(b) The Army Reserve;

"(c) The Naval Reserve;

"(d) The Marine Corps Reserve;

"(e) The Air National Guard of the United States;

"(f) The Air Force Reserve; and

"(g) The Coast Guard Reserve.

"SEC. 203. The maximum numerical strength of each of the reserve components referred to in section 202 of this Act shall be as authorized by the Congress, or, in the absence of such authorization, shall be fixed by the President.

"SEC. 204. There shall be within each of the Armed Forces of the United States a Ready Reserve, a Standby Reserve, and a Retired Reserve, and each member of the reserve components shall be placed in one of these categories.

"SEC. 205. (a) The Ready Reserve consists of those units or members of the reserve components, or both, who are liable for active duty either in time of war, in time of national emergency declared by the Congress or proclaimed by the President, or when otherwise authorized by law.

"(b) The authorized aggregate personnel strength of the Ready Reserve shall not exceed a total of one million five hundred thousand.

"SEC. 206. (a) The Standby Reserve consists of those units or members of the reserve components (other than members in the Retired Reserve), or both, who are liable for active duty only in time of war or national emergency declared by the Congress, or when otherwise authorized by law.

"(b) Except in time of war, or unless otherwise authorized by Congress—(1) no unit of the Standby Reserve organized for the purpose of serving as such nor the members thereof shall be ordered to active duty unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a military department) determines that adequate numbers of the required types of units of the Ready Reserves are not readily available, and (2) no other member of the Standby Reserve shall be ordered to active duty as an individual without his consent unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a military department) determines that adequate numbers of qualified members of the Ready Reserve in the required category are not readily available.

"SEC. 207. (a) The Retired Reserve consists of those members of the reserve components whose names are placed on reserve retired lists established pursuant to subsection (b) of this section.

"(b) In accordance with regulations prescribed by the appropriate Secretary, reserve retired lists shall be established upon which will be placed the names of those members of the reserve components who make application therefor, if otherwise qualified. Such reserve retired lists shall be in addition to the Army of the United States Retired List, the Air Force of the United States Retired List, and the United States Naval Reserve Retired List authorized pursuant to section 301 of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended.

"(c) Members in the Retired Reserve may, if qualified, be ordered to active duty involuntarily, but only in time of war or national emergency declared by the Congress or when otherwise authorized by law.

"SEC. 208. (a) Each person required to serve in a reserve component pursuant to law, shall, upon becoming a member of a reserve component, be placed in the Ready Reserve of his Armed Force for the remainder of his required term of service unless eligible for transfer to the Standby Reserve under subsection (f) of this section.

"(b) Any member of the reserve components in an active status on the effective date of this Act may be placed in the Ready Reserve.

"(c) All units and members of the National Guard of the United States and Air National Guard of the United States shall be in the Ready Reserve of the Army and the Air Force, respectively.

"(d) All members of the reserve components assigned to units organized for the purpose of serving as such, which are designated as units in the Ready Reserve, shall be in the Ready Reserve.

"(e) Subject to such regulations as the appropriate Secretary may prescribe, any member of the reserve components may, at any time upon his request, be placed in the Ready Reserve if qualified.

"(f) Except in time of war or national emergency hereafter declared by the Congress, any member of the reserve components who is not serving on active duty in the Armed Forces of the United States shall, upon his request, be transferred to the Standby Reserve for the remainder of his term of service—

"(1) if he has served on active duty in the Armed Forces of the United States for not less than a total of five years;

"(2) if, having served on active duty in the Armed Forces of the United States for a total of less than five years, he has satisfactorily participated, as determined by the appropriate Secretary, in an accredited training program in the Ready Reserve for a period which when added to his period of active duty in the Armed Forces of the United States totals not less than five years or such lesser period of time as the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a Military Department) may prescribe in the case of satisfactory participation in such accredited training programs as the appropriate Secretary may designate;

"(3) if he has served on active duty in the Armed Forces of the United States for not less than twelve months between December 7, 1941, and September 2, 1945, and, in addition thereto, has served on active duty in the Armed Forces of the United States for not less than twelve months subsequent to June 25, 1950; or

"(4) if he has served as a member of one or more reserve components subsequent to September 2, 1945, for not less than eight years.

"(g) No member of the National Guard of the United States or Air National Guard of the United States shall be transferred to the Standby Reserve without the consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned.

"(h) Subsection (f) of this section shall not apply to any member of the reserve components in the Ready Reserve while serving under an agreement to remain therein for a stated period.

"(i) Subject to subsection (g) of this section, any member of the reserve components in the Ready Reserve may be transferred into the Standby Reserve, or into the Retired Reserve if qualified and if he makes application therefor, in accordance with such regulations as the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a Military Department) may prescribe.

"SEC. 209. (a) A person transferred to a reserve component of an Armed Force of the United States pursuant to the Universal Military Training and Service Act, as amended, shall, if qualified and accepted, be permitted to enlist or accept an appointment in such Armed Force of the United States as he may elect (except that consent of the appropriate Secretaries shall be required for enlistment or appointment as a Reserve of another Armed Force of the United States) and to participate in such programs as are authorized for such Armed Force of the United States. Any such person who enlists or is appointed in an Armed Force of the United States shall be required to perform the remaining period of his required term of service in the Armed Force of the United States in which such enlistment or appointment is made, or in any other Armed Force of the United States in which he subsequently enlists or is appointed. All periods of such participation shall be credited against total periods of obligated service imposed by the Universal Military Training and Service Act, as amended, but no period of time shall be credited more than once.

"(b) Nothing in this section shall be construed to reduce, limit, or modify any period of service which any person may undertake to perform pursuant to any enlistment or appointment or agreement, including an agreement entered into prior to, or at the time of, entering a program authorized by an Armed Force of the United States.

"SEC. 210. All members of the reserve components who are not in the Ready or Retired Reserve shall be in the Standby Reserve.

"SEC. 211. (a) Within the Standby Reserve, an inactive status list shall be maintained. When deemed by competent authority to be in the best interests of the service concerned, members in the Standby Reserve who are not required to remain members of a reserve component and who are unable to participate in prescribed training may, if qualified, be transferred to the inactive status list, in accordance with regulations prescribed by the appropriate Secretary. Such regulations shall provide for the return of such members to an active status under such conditions as the appropriate Secretary shall prescribe.

"(b) Members in the reserve components in an inactive status shall not be eligible for pay, promotion, or award of retirement point credits under Title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended.

"SEC. 212. (a) Each member of the reserve components shall be in an active, inactive, or retired status.

"(b) Members of the reserve components shall be in an active status, except those on an inactive status list, members in the Retired Reserve, and those assigned to the inactive National Guard.

"(c) Members of the reserve components on an inactive status list and members assigned to the inactive National Guard shall be in an inactive status.

"(d) Members of the Retired Reserve shall be in a retired status.

"SEC. 213. (a) Every person who is a member of a reserve component on the effective date of this Act shall be deemed, without further action, to retain his active, inactive, or retired status in his reserve component. Any such member in an honorary Reserve status or an honorary Retired Reserve status when this Act takes effect shall be placed in the Retired Reserve of the appropriate Armed Force of the United States.

"(b) Any person who is on the honorary retired list of the Naval Reserve or the Marine Corps Reserve when this Act takes effect shall be placed in the Retired Reserve of the appropriate Armed Force of the United States.

"SEC. 214. Except in the case of the National Guard of the United States and the Air National Guard of the United States, each reserve component shall be divided into training categories according to the types and degrees of training including the number and duration of drills or equivalent duties to be completed in stated periods of time, as the appropriate Secretary prescribes. The designation of such training categories shall be the same for each Armed Force of the United States and the same within the Ready Reserve and the Standby Reserve.

"SEC. 215. (a) Within such numbers as may be prescribed by the appropriate Secretary, enlisted members of the reserve components may, with their consent, be selected for training as officer candidates, and members so selected shall be designated as officer candidates for the period of such training: *Provided*, That when not in the active military service of the United States, no member of the National Guard of the United States or Air National Guard of the United States shall be so selected, or designated, without the consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned.

"(b) Subject to any limitations imposed on the authorized numerical strength of each reserve component, the numbers of officers and enlisted personnel authorized in the various ranks, grades, and ratings shall be the numbers determined by the appropriate Secretary to be necessary to provide for planned mobilization requirements. The appropriate Secretary shall review such determinations not less than once annually and revise them as he deems necessary. No member of a reserve component shall be involuntarily reduced in his permanent rank, grade, or rating as a result of such a determination.

"SEC. 216. (a) The appropriate Secretary shall establish an adequate and equitable system for the promotion of members of the reserve components in an active status. Such promotion system shall, insofar as practicable, be similar to that provided for members of the Regular component of the appropriate Armed Force of the United States. Promotion policies for officers of the reserve components shall be based upon the mobilization requirements of the appropriate Armed Force of the United States in order to provide qualified officers in each grade, at ages suitable to their assignments and in numbers commensurate with mobilization needs. In order that vigorous reserve forces may be maintained, necessary leadership encouraged, and a steady flow of promotion provided, such promotion systems shall provide for forced attrition to the extent necessary.

"(b) The relative precedence of Reserve officers and Regular officers shall be determined in accordance with their respective dates of rank in grade.

"Chapter 2—Appointments and enlistments

"SEC. 217. (a) Subject to the limitation that no person, other than a person who has had prior service in the Armed Forces of the United States or the National Security Training Corps, shall be appointed or enlisted as a Reserve in the Armed Forces of the United States who is not a citizen of the United States, its Territories or possessions, or who has not made a declaration of intent to become a citizen thereof, the appropriate Secretary shall, except as otherwise provided by law, prescribe physical, mental, moral, professional, and age qualifications for appointment or enlistment of Reserve members of the Armed Forces of the United States. No person shall be appointed as a Reserve officer in any of the Armed Forces of the United States who is under the age of eighteen years.

"(b) Women may be appointed or enlisted as Reserves in the Armed Forces of the United States for service in the Army Reserve, the Naval Reserve, the Marine Corps Reserve, and the Air Force Reserve, as appropriate, in the same grades, ranks, and ratings, as are authorized for women in the Regular component of the appropriate Armed Force of the United States. Women may be appointed or enlisted in the Coast Guard Reserve as provided in section 762, title 14, United States Code. Any female former officer or enlisted woman of an Armed Force of the United States may, if otherwise qualified, be appointed or enlisted as a Reserve in that Armed Force of the United States in the highest rank, grade, or rating satisfactorily held by her on active duty.

"(c) Except in the case of Adjutants General and Assistant Adjutants General of the several States, Territories, and the District of Columbia, a person who has not held an appointment as a commissioned officer in any of the Armed Forces of the United States, or any component thereof, may not be appointed as a commissioned officer in a grade higher than major or lieutenant commander in any of the Armed Forces of the United States except upon the recommendation of a board of officers convened by the appropriate Secretary.

"SEC. 218. The President, by and with the advice and consent of the Senate, shall make all appointments of Reserves in general or flag officer grades.

"SEC. 219. The President shall make all appointments of Reserves in commissioned grades below general or flag officer grades.

"SEC. 220. The appropriate Secretary shall make all appointments of Reserves in warrant officer grades.

"SEC. 221. All Reserve commissioned officers shall hold appointment during the pleasure of the President.

"SEC. 222. (a) To become an officer of a reserve component an individual shall be appointed as a Reserve commissioned officer or Reserve warrant officer of an Armed Force of the United States in a grade corresponding to one of the grades of the Regular component of that Armed Force of the United States and subscribe to the oath prescribed by section 1757 of the Revised Statutes, as amended (5 U. S. C. 16): *Provided*, That no person shall become a member of the National Guard of the United States or Air National Guard of the United States in a commissioned officer or warrant officer grade, hereunder, unless he first be appointed to and federally recognized in the same commissioned or warrant officer grade in the National Guard or Air National Guard in the appropriate State, Territory, or the District of Columbia and subscribe to the oath provided in section 73 of the National Defense Act, as amended.

"(b) Each person appointed in a commissioned officer grade as a Reserve in an Armed Force of the United States shall be commissioned as a Reserve officer in the Army of the United States, the United States Navy, and United States Marine Corps, the United States Air Force, or the United States Coast Guard, as appropriate.

"SEC. 223. Reserve warrant officers shall hold appointment during the pleasure of the appropriate Secretary.

"SEC. 224. After the date of enactment of this Act, all appointments of Reserve officers shall be for an indefinite term. All officers holding appointments on the date of enactment in the National Guard of the United States, or the Officers' Reserve Corps, or the Naval Reserve, or the Marine Corps Reserve, or the Air National Guard of the United States, or the Air Force Reserve, or the Coast Guard Reserve shall be considered to hold such appointments as Reserve officers, as the case may be, in the Army, Navy, Marine Corps, Air Force, or Coast Guard, as appropriate, and in the case of commissioned officers to hold commissions as provided in section 222 (b) of this Act. Each such officer not holding an appointment for an indefinite term on the date of enactment of this Act shall be given an appointment for an indefinite term in lieu of his current appointment if such officer, after written notification by competent authority which shall be given within six months from the effective date of this Act, shall agree in writing to have his current appointment continued for an indefinite term. In the event such officer does not so agree in writing, the term of his present appointment shall not be changed by this section. All persons now enlisted in the National Guard of the United States, or the Enlisted Reserve Corps, or the Naval Reserve, or the Marine Corps Reserve, or the Air National Guard of the United States, or the Air Force Reserve, or the Coast Guard Reserve shall be considered to be enlisted as Reserves in the Army, Navy, Marine Corps, Air Force, or Coast Guard, as appropriate, without change in the periods of their current enlistments.

"SEC. 225. When not on active duty all members of the reserve components, except those in the Retired Reserve, shall be given physical examinations at least once every four years, or more often as the appropriate Secretary deems necessary, and shall be required to submit personal certificates of physical condition annually.

"SEC. 226. Except as otherwise provided by law, the appropriate Secretary may provide for the honorable discharge, or transfer to a retired status, of members of the reserve components who are found not physically qualified for active duty: *Provided*, That no member of the National Guard of the United States or Air National Guard of the United States may be so transferred without the

consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned. In determining physical qualifications for active duty, due consideration shall be given to the character of the duty to which the member may be assigned in the event he should be ordered to active duty pursuant to law.

"SEC. 227. (a) Except as otherwise provided by law and subject to the provisions of subsection (b) of this section, enlisted members of the reserve components shall be enlisted for such periods as the appropriate Secretary prescribes.

"(b) Unless sooner terminated by the appropriate Secretary, all enlistments as Reserves in the Armed Forces of the United States, in force at the beginning of a war or national emergency hereafter declared by the Congress or entered into during the existence of such war or national emergency, which otherwise would expire, shall continue in force until 6 months after the termination of the war or national emergency, whichever is later.

"(c) In time of war or national emergency hereafter declared by the Congress, the period of service of any member of a reserve component who has been transferred thereto pursuant to law, unless sooner terminated by the appropriate Secretary, shall, if such period of service otherwise would expire, be extended until 6 months after the termination of the war or national emergency, whichever is later.

"SEC. 228. To become an enlisted member of a reserve component an individual shall be enlisted as a Reserve of an Armed Force of the United States and subscribe to the oath prescribed by section 8 of the act of May 5, 1950, as amended, or be transferred to a reserve component pursuant to law: *Provided*, That no person shall become an enlisted member of the National Guard of the United States or Air National Guard of the United States, hereunder, unless he first be duly enlisted in the National Guard or Air National Guard of the appropriate State, Territory, or the District of Columbia, subscribe to the oath provided in section 70 of the National Defense Act, as amended, and is a member of a federally recognized unit or organization thereof in the same grade.

"SEC. 229. Except as otherwise provided by this act, no person shall be a member of more than one reserve component at the same time.

"SEC. 230. (a) When an enlisted member of a reserve component is designated as an officer candidate for temporary service in such category, his enlistment or period of service therein is extended by such period as he may remain in such officer candidate status beyond the normal expiration date thereof.

"(b) No person while designated an officer candidate pursuant to this act shall participate in any Reserve Officer Training Corps program of the Armed F ces of the United States.

"SEC. 231. Any Reserve officer whose age exceeds the maximum age prescribed for his grade and classification may be separated, or retained in or transferred to an active, inactive, or, upon his application, a retired status, as the appropriate Secretary may prescribe: *Provided*, That no officer of the National Guard of the United States or Air National Guard of the United States shall be so retained or transferred without the consent of the governor or other appropriate authority of the State, Territory, or the District of Columbia concerned.

"SEC. 232. Persons who are otherwise qualified but who have physical defects, which as determined by the appropriate Secretary will not interfere with the performance of general or special duties to which they may be assigned, may be appointed or enlisted as Reserves in any of the Armed Forces of the United States.

"Chapter 3—Duty and release from duty

"SEC. 233. (a) In time of war or national emergency hereafter declared by the Congress, or when otherwise authorized by law, any unit and the members thereof, or any member not assigned to a unit organized for the purpose of serving as such, of any reserve component may, by competent authority, be ordered to active duty for the duration of the war or national emergency and for six months thereafter, but members on an inactive status list or in a retired status shall not be ordered to active duty without their consent unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a Military Department) determines that adequate numbers of qualified members of the reserve components in an active status or in the inactive National Guard in the required category are not readily available.

"(b) (1) In time of national emergency hereafter proclaimed by the President or when otherwise authorized by law, any unit and the members thereof, or any member not assigned to a unit organized for the purpose of serving as such, in the Ready Reserve of any reserve component may, by competent authority, be ordered to and required to perform active duty involuntarily for a period not to exceed twenty-four consecutive months: *Provided*, That Congress shall determine the number of members of the reserve components necessary for the national security to be ordered to active duty, pursuant to this subsection prior to the exercise of the authority contained in this subsection.

"(2) It is the policy of the Congress in view of hardship situations developed by the Korean hostilities that in the interest of fair treatment as between members in the Ready Reserve involuntarily recalled for duty, attention shall be given to the duration and nature of previous service, with the objective of assuring such sharing of hazardous exposure as the national security and the military requirement will reasonably permit, to family responsibilities, and to employment found to be necessary to the maintenance of the national health, safety, or interest. The Secretary of Defense shall promulgate such policies and establish such procedures as may be required in his opinion to carry out our intent here declared, and shall from time to time, and at least annually, report to the Committees on Armed Services of the Congress respecting the same.

"(c) At any time, any unit and the members thereof, or any member not assigned to a unit organized for the purpose of serving as such, in an active status in any reserve component may, by competent authority, be ordered to and required to perform active duty or active duty for training, without his consent, for not to exceed fifteen days annually: *Provided*, That units and members of the National Guard of the United States or Air National Guard of the United States shall not be ordered to or required to serve on active duty in the service of the United States pursuant to this subsection without the consent of the Governor of the State or Territory concerned, or the Commanding General of the District of Columbia National Guard.

"(d) A member of a reserve component may, by competent authority, be ordered to active duty or active duty for training at any time with his consent: *Provided*, That no member of the National Guard of the United States or Air National Guard of the United States shall be so ordered without the consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned.

"(e) A member of a reserve component ordered into the active military service of the United States will be allowed a reasonable period of time between the date he is alerted for active duty and the date on which he is required to enter upon active duty. Such period shall be at least thirty days unless military conditions as determined by the appropriate Secretary do not permit.

"(f) In any expansion of the active Armed Forces of the United States which requires the ordering into the active military service involuntarily of individual officers of the reserve components who are not members of units organized for the purpose of serving as such, it shall be the policy to utilize to the greatest practicable extent the services of qualified and available officers of the reserve components in all grades in accordance with the requirements of branch, grade, and specialty.

"(g) Insofar as practicable, in any expansion of the active Armed Forces of the United States which requires that units and members of the reserve components be ordered into the active military service of the United States, members of units organized and trained for the purpose of serving as a unit shall be ordered involuntarily into active duty only with their units. This shall not be interpreted as prohibiting the reassignment of personnel of such units after being ordered into the active military service of the United States.

"SEC. 234. Members of the reserve components may with their consent, and in the case of the members of the National Guard of the United States and Air National Guard of the United States with the consent of the governor or other appropriate authority of the State, Territory, or District of Columbia concerned, be ordered to or retained on active duty to perform duties in connection with organizing, administering, recruiting, instructing, or training the reserve components. Hereafter, members ordered into the active military service of the United States under the provisions of this section shall be so ordered in the grade held by them in the Reserve of their Armed Force, and shall while so serving, continue to be eligible for promotion in the Reserve of their Armed Force, if otherwise qualified. For the purpose of insuring that members of the reserve components ordered to or retained on duty under this section receive periodic refresher training in the various categories for which individually qualified, the appropriate Secretary may order those members to duty with any of the Armed Forces of the United States or the components thereof, or otherwise as he sees fit.

"SEC. 235. (a) In order that members of the reserve components may remain on or be ordered to active duty voluntarily for terms of service of definite duration, the appropriate Secretary may, except in time of war hereafter declared by the Congress, enter into standard written agreements with members of the reserve components for periods of active duty not to exceed five years. Upon expiration of an agreement for active duty, a new agreement may be effected pursuant to this section. Each agreement shall provide that the member shall not be released from active duty involuntarily during the period of the agreement.

"(1) by reason of a reduction in numerical strength of the military personnel of the Armed Force of the United States concerned unless his release is in accordance with the recommendation of a board of officers appointed by competent authority to determine the members to be released from active duty under regulations prescribed by the appropriate Secretary; or

"(2) for reasons other than that prescribed in paragraph (1) above without an opportunity to be heard by a board of officers prior to such release, unless such release from active duty is pursuant to sentence of courts-martial, unexplained absence without leave of three months duration, or final conviction and sentence to confinement in a Federal or State penitentiary or correctional institution.

"(b) Any member involuntarily released from active duty prior to the expiration of the period of service under his agreement (except when such release is pursuant to sentence of courts-martial, or unexplained absence without leave of three months duration, or final conviction and sentence to confinement in a Federal or State penitentiary or correctional institution, or when such release is due to a physical disability resulting from the member's intentional misconduct or willful neglect, or when the member is eligible for retirement pay or severance pay under any other provision of law, or when he is placed on a temporary disability retired list, or when he is released for the purpose of accepting an appointment or enlisting in a Regular component) shall be entitled to receive an amount equal to one month's pay and allowances multiplied by the number of years (including any pro rata part thereof) remaining as the unexpired period of his agreement for active duty, such amount to be in addition to any pay and allowances which he may otherwise be entitled to receive. Computation of amounts payable by reason of termination of each such agreement shall be based on the basic pay, special pay, and allowances to which the member concerned is entitled at the time of his release from active duty. Fractions of a month less than fifteen days shall be disregarded and fifteen days or more shall be counted as one month.

"(c) A member of a reserve component who enters into a written agreement under this section shall be obligated to serve for the full period of active duty specified in the written agreement.

"(d) No person shall be offered a written agreement under this section unless the period of active duty specified in the agreement exceeds by at least twelve months any period of obligated or involuntary active duty to which he is otherwise liable.

"(e) Agreements entered into pursuant to this section shall be as uniform as practicable, and shall be subject to such standards and policies as the Secretary of Defense (and the Secretary of the Treasury for the Coast Guard when the Coast Guard is not operating as a service in the Navy) may prescribe.

"(f) This section shall be effective upon enactment of this Act.

"SEC. 236. In time of war or national emergency hereafter declared by the Congress or in time of national emergency proclaimed by the President after the effective date of this Act, a member of a reserve component whose period of active duty expires under an agreement entered into pursuant to section 235 of this Act may be retained on active duty involuntarily in accordance with law.

"SEC. 237. Notwithstanding any other provision of law, members of the reserve components now or hereafter serving on active duty may, under such regulations as may be prescribed by the appropriate Secretary, be detailed or assigned to any duty authorized by law for officers and enlisted members of a Regular component of the Armed Forces of the United States.

"SEC. 238. When units or members of the reserve components are ordered to active duty during a period of partial mobilization, the appropriate Secretary shall continue to maintain mobilization forces by planning and budgeting to insure the continued organization and training of the reserve components not mobilized, and, consistent with the approved joint mobilization plans, to utilize to the fullest extent practicable the Federal facilities vacated by mobilized units.

"SEC. 239. (a) Except as otherwise provided by this Act, the appropriate Secretary may release any member of the reserve components from active duty or active duty for training at any time.

"(b) In time of war or national emergency hereafter declared by the Congress, or in time of national emergency hereafter proclaimed by the President, a member of a reserve component who is serving on active duty, shall not be released from active duty except on the approved recommendation of a board of officers convened by competent authority if he requests such action: *Provided*, That the provisions of this subsection shall not be applicable to any Armed Force during a period of demobilization or reduction in strength of any such Armed Force.

"Chapter 4—Pay, allowances, and benefits

"SEC. 240. Subject to th provisions of this Act, members of the reserve components may be ordered to active duty, active duty for training, or other duty with pay and allowances as provided by law, or, with their consent, without pay. Duty without pay shall be counted for all purposes the same as like duty with pay.

"SEC. 241. Members of the reserve components retained or continued on active duty or active duty for training pursuant to law after the expiration of their term of service are entitled to pay and allowances while on such duty except to the extent that forfeiture thereof is adjudged by an approved sentence of a court martial or nonjudicial punishment by a commanding officer, or unless otherwise in a nonpay status pursuant to law.

"SEC. 242. When employed on active duty or on active duty for training with pay and when engaged in authorized travel to and from such duty, enlisted members of the reserve components designated as officer candidates under the provisions of section 215 (a) of this Act shall have the pay and allowances of their enlisted grade, but not less than the pay and allowances of pay grade E–2 under the Career Compensation Act of 1949, as amended.

"SEC. 243. (a) An officer of a reserve component or of the Army of the United States without component or the Air Force of the United States without component shall be entitled to an initial sum not to exceed $200 as reimbursement for the purchase of required uniforms and equipment, either—

"(1) upon first reporting for active duty for a period in excess of ninety days; or

"(2) upon completion, as a member of a reserve component, of not less than fourteen days' active duty or active duty for training; or

"(3) after the performance of fourteen periods of not less than two hours' duration each of inactive-duty training as a member in the Ready Reserve of a reserve component: *Provided*, That only duty requiring the wearing of the uniform shall be counted for the purpose of this section: *Provided further*, That any initial uniform reimbursement or allowance heretofore or hereafter received as an officer under the provisions of any other law shall be a bar to the entitlement for any initial sum authorized under the provisions of this section: *And provided further*, That any individual who has served on active duty as an officer of a Regular component of the Armed Forces of the United States may not be qualified for entitlement under this section by duty performed within two years after separation from such Regular component.

"(b) An officer of a reserve component shall be entitled to an additional sum of not to exceed $50 for reimbursement for the purchase of required uniforms and equipment, upon completion of each period after the date of enactment of this Act of four years of satisfactory Federal service as prescribed in title III of the Army and Air Force Vitalization and Retirement Equalization Act of 1948, as amended, performed in an active status in a reserve component and which shall include at least twenty-eight days of active duty or active duty for training: *Provided*, That any period of active duty or active duty for training for a period in excess of ninety days shall be excluded in determining the period of four years required for eligibility under this subsection: *Provided further*, That a person who receives or has heretofore received a uniform reimbursement or allowance as an officer shall not be entitled to the reimbursement provided in this subsection until the expiration of not less than four years from the date of entitlement to the last reimbursement or allowance: *And provided further*, That, until four years after the date of enactment hereof, an officer may elect to receive the uniform reimbursement not to exceed $50 to which he may be entitled under existing regulations issued pursuant to section 302 of the Naval Reserve Act of 1938, as amended, or section 11 of the Act of August 4, 1942, as amended.

"(c) An officer of a reserve component or of the Army of the United States without component or of the Air Force of the United States without component entering on active duty or active duty for training on or after June 25, 1950, shall be entitled, for each time of such entry or reentry on active duty or active duty for training of more than ninety days' duration to a further sum not to exceed $100 as reimbursement for additional uniforms and equipment required on such duty: *Provided*, That the reimbursement provided by this subsection shall not be payable to any officer who, under any provision of law, has received an initial uniform reimbursement or allowance in excess of $200 during his current tour of active duty or within a period of two years prior to entering on his current tour of active duty: *Provided further*, That the reimbursement provided in this subsection shall not be payable to any officer entering on active duty or active duty for training within two years after completing a previous period of active duty or active duty for training of more than ninety days' duration.

"(d) The receipt of a uniform and equipment reimbursement as an officer of one of the reserve components shall be a bar to entitlement to a uniform reimbursement upon transfer to or appointment in another, except where a different uniform is required: *Provided*, That reimbursement for uniforms and equipment upon transfer to or appointment in another reserve component within the limits and under the conditions prescribed by subsections (a) and (c) of this section may be made in accordance with regulations approved by the Secretary of Defense or the Secretary of the Treasury in the case of the Coast Guard when the Coast Guard is operating as a service in the Treasury Department.

"SEC. 244. Section 501 of the Career Compensation Act of 1949, as amended, is further amended, by substituting a comma for the colon immediately preceding the proviso in subsection (a) thereof, and inserting the following: 'and additionally, in the discretion of the Secretary concerned, enlisted members of the above services shall be entitled to rations in kind, or a portion thereof, when the instruction or duty period or periods concerned total eight or more hours in any one calendar day:'.

"SEC. 245. (a) All provisions of law applicable to the Organized Reserve Corps or the Air Force Reserve, and to the members thereof and their dependents and beneficiaries, not inconsistent with the provisions of this Act, shall be applicable to the Army Reserve and to the Air Force Reserve referred to in this Act, respectively, and to the members thereof and their dependents and beneficiaries. All provisions of law applicable to the Officers Reserve Corps and to the members thereof or to officers of the Air Force Reserve and their dependents and beneficiaries, not inconsistent with the provisions of this Act, shall be applicable to officers of the Army Reserve and the Air

Force Reserve referred to in this Act, respectively, and their dependents and beneficiaries. All provisions of law applicable to the Enlisted Reserve Corps and to the members thereof or to enlisted members of the Air Force Reserve, and their dependents and beneficiaries, not inconsistent with the provisions of this Act, shall be applicable to enlisted members of the Army Reserve and the Air Force Reserve referred to in this Act, respectively, and their dependents and beneficiaries.

"(b) All provisions of law applicable to the Naval Reserve, Marine Corps Reserve, or the Coast Guard Reserve (other than temporary members of the Coast Guard Reserve), and to the members thereof and their dependents and beneficiaries, not inconsistent with the provisions of this Act, shall be applicable to the Naval Reserve, Marine Corps Reserve, and the Coast Guard Reserve (other than temporary members of the Coast Guard Reserve) referred to in this Act, respectively, and to the members thereof and their dependents and beneficiaries. All provisions of law applicable to officers of the Naval Reserve, Marine Corps Reserve, or of the Coast Guard Reserve (other than temporary officers of the Coast Guard Reserve), and their dependents and beneficiaries, not inconsistent with the provisions of this Act, shall be applicable to officers of the Naval Reserve, Marine Corps Reserve, and of the Coast Guard Reserve (other than temporary officers of the Coast Guard Reserve) referred to in this Act, respectively, and their dependents and beneficiaries. All provisions of law applicable to enlisted members of the Naval Reserve, Marine Corps Reserve, or Coast Guard Reserve (other than temporary members of the Coast Guard Reserve), and their dependents and beneficiaries, not inconsistent with the provisions of this Act, shall be applicable to enlisted members of the Naval Reserve, Marine Corps Reserve, and of the Coast Guard Reserve (other than temporary members of the Coast Guard Reserve) referred to in this Act, respectively, and their dependents and beneficiaries.

"(c) All laws applicable to commissioned, warrant, or enlisted members of the National Guard of the United States and the Air National Guard of the United States, and to their beneficiaries and dependents, not inconsistent with the provisions of this Act, shall be applicable to commissioned, warrant, and enlisted members, respectively, of the National Guard of the United States and the Air National Guard of the United States referred to in this Act, and to their beneficiaries and dependents.

"Chapter 5—Civil employment

"SEC. 246. When not on active duty, members of the reserve components shall not be held or considered to be officers or employees of the United States, or persons holding any office of profit or trust or discharging any official function under or in connection with any department or agency of the United States, solely by reason of their appointments, oaths, commissions, or status as such, or any duties or functions performed or pay and allowances received as such.

"SEC. 247. Members of the reserve components, subject to the approval of the appropriate Secretary, may accept civil employment with and compensation therefor from any foreign government or any concern which is controlled in whole or in part by a foreign government.

"Chapter 6—Separation

"SEC. 248. Subject to the provisions of this Act, the discharge of commissioned officers of the reserve components shall be effected at the pleasure of the President, and the discharge of other members of the reserve components shall be in accordance with regulations promulgated by the appropriate Secretary.

"SEC. 249. (a) An officer of the reserve components who has completed three years of commissioned service shall not be involuntarily discharged or separated except pursuant to the approved recommendation of a board of officers convened by competent authority or the approved sentence of a court-martial: *Provided*, That this subsection shall not apply to separation effected under subsection (b) of this section or section 231 of this Act.

"(b) The President or the appropriate Secretary may drop from the rolls any member of the reserve components who has been absent without authority from his place of duty for a period of three months or more, or who, having been found guilty by the civil authorities of any offense, is finally sentenced to confinement in a Federal or State penitentiary or correctional institution.

"(c) A member of a reserve component discharged or separated for cause other than as specified in subsection (b) of this section shall be given a discharge under honorable conditions unless—

"(1) a discharge under conditions other than honorable is effected pursuant to the approved sentence of a court-martial or the approved findings of a board of officers convened by competent authority, or

"(2) the member consents to a discharge under conditions other than honorable with waiver of court-martial or board proceedings.

"Chapter 7—Administration

"SEC. 250. There shall be no discrimination between and among members of the Regular and reserve components in the administration of laws applicable to both Regulars and Reserves.

"SEC. 251. The Secretary of the Treasury with the concurrence of the Secretary of the Navy, and, subject to such standards, policies, and procedures as may be prescribed by the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force shall make and publish such regulations as he determines necessary to carry out the provisions of this Act. Insofar as practicable, the regulations for all the reserve components shall be uniform.

"SEC. 252. Each of the Armed Forces of the United States shall have officer members of its reserve components on active duty, at the seat of the Government and at such headquarters as are charged with responsibility for reserve affairs, in addition to those authorized pursuant to the provisions of sections 5 and 81 of the National Defense Act, as amended, or any other provision of law, within such numbers and in such grades and duty assignments as the appropriate Secretary shall prescribe, to assist and participate in the preparation and administration of all policies and regulations affecting their reserve component. While so serving such officers shall be considered as additional numbers of the staff with which serving.

"SEC. 253. The appropriate Secretary shall detail such members of the Regular and reserve components as may be necessary for effectively developing, training, instructing, and administering the reserve components.

"SEC. 254. (a) All boards convened for the appointment, promotion, demotion, involuntary release from active duty, discharge, or retirement of members of the reserve components shall include appropriate numbers from the reserve components, as prescribed by the appropriate Secretary in accordance with standards and policies established by the Secretary of Defense.

"(b) The members of all boards convened for selection for promotion or for the discharge or demotion of members of the reserve components shall be senior to the members under consideration, except that a member of a board serving in a legal advisory capacity may be junior to any person, other than a judge advocate or a law specialist, being considered and that a member of a board serving in a medical advisory capacity may be junior to any person, other than a medical officer, being considered.

"SEC. 255. (a) The appropriate Secretary shall make available to each reserve component such supplies, equipment, services, and facilities of the Armed Forces of the United States as he may deem necessary and advisable for the support and development of the reserve components.

"(b) The appropriate Secretary or his authorized representative may issue supplies and equipment of the appropriate Armed Force of the United States to the reserve components without charging the cost or value thereof, or any expenses in connection therewith, against or in any way affecting the appropriation provided for the reserve components: *Provided*, That the appropriate Secretary finds it to be in the best interests of the United States to issue such equipment and supplies: *And provided further*, That any such equipment and supplies so furnished may, pursuant to this section, be repossessed or redistributed as the appropriate Secretary may prescribe. This subsection shall not apply to supplies and equipment issued to the National Guard and Air National Guard of the several States, Territories, and the District of Columbia, under sections 67 and 84, National Defense Act, as amended, but applies to supplies and equipment issued in addition thereto.

"(c) Nothing in this section shall be construed to repeal, limit, or modify in any manner the provisions of sections 67 and 84, National Defense Act, as amended.

"(d) It is the sense of the Congress that the National Defense Facilities Act of 1950 be authorized to be implemented immediately upon the enactment of this Act.

"SEC. 256. (a) The Secretary of Defense shall designate an Assistant Secretary of Defense who shall, in addition to other duties, have the principal responsibility for all Reserve affairs of the Department of Defense. The Secretary of each military department and, when the Coast Guard is not operating as a service in the Navy, the Secretary of the Treasury, or, as such Secretary may prescribe for his department, the Under Secretary or an Assistant Secretary of such department, shall, in addition to other duties, have the principal responsibility for supervision of all activities of the reserve components under the jurisdiction of that department.

"(b) The Secretary of each military department and, when the Coast Guard is not operating as a service in the Navy, the Secretary of the Treasury shall designate a general or flag officer of each Armed Force of the United States therein who shall be directly responsible for reserve affairs to the Chief of Staff of the Army, the Chief of Naval Operation, the Commandant of the Marine Corps, the Chief of Staff of the Air Force, and the Commandant of the Coast Guard, as appropriate. Nothing in this subsection shall be deemed to curtail or infringe upon the present missions and functions of the Chief of the National Guard Bureau.

"SEC. 257. (a) There is hereby established in the Office of the Secretary of Defense a Reserve Forces Policy Board consisting of—

"(i) a civilian chairman appointed by the Secretary of Defense;

"(ii) the Secretary, the Under Secretary, or an Assistant Secretary of each military department designated pursuant to section 256 (a) of this Act;

"(iii) one Regular officer from each military department designated by the appropriate Secretary;

"(iv) four Reserve officers appointed by the Secretary of Defense upon recommendation of the Secretary of the Army, two of whom shall be members of the National

Guard of the United States and two of whom shall be members of the Army Reserve;

"(v) four Reserve officers appointed by the Secretary of Defense upon recommendation of the Secretary of the Navy, two of whom shall be members of the Naval Reserve and two of whom shall be members of the Marine Corps Reserve;

"(vi) four Reserve officers appointed by the Secretary of Defense upon recommendation of the Secretary of the Air Force, two of whom shall be members of the Air National Guard of the United States and two of whom shall be members of the Air Force Reserve; and

"(vii) a Reserve officer of general or flag officer grade appointed by the chairman of the Board with the approval of the Secretary of Defense, who shall act as military adviser to the chairman and shall serve as executive officer of the Board without vote.

"(b) When the Coast Guard is not operating as a service in the Navy, the Secretary of the Treasury may designate a Regular or Reserve officer of the Coast Guard to serve with the Reserve Forces Policy Board but he shall not be a voting member.

"(c) The Reserve Forces Policy Board, acting through the Assistant Secretary of Defense designated pursuant to section 256 (a) of this Act, shall be the principal policy adviser to the Secretary of Defense on matters pertaining to the reserve components.

"(d) Nothing in this section shall be construed to limit or modify in any manner the functions of the committees on reserve policies established pursuant to section 5 of the National Defense Act, as amended, or by this Act: *Provided*, That nothing herein shall prevent a member of those committees from serving as a member of the Reserve Forces Policy Board.

"(e) The semiannual report of the Secretary of Defense as required by the National Security Act of 1947, as amended, shall contain a chapter which shall be a report of the Reserve Forces Policy Board on the status of the reserve programs of the Department of Defense.

"SEC. 258. Each Armed Force of the United States shall maintain adequate and current personnel records of each member of its reserve components, indicating the physical condition, dependency status, military qualifications, civilian occupational skills, availability, and such other data as the appropriate Secretary may prescribe.

"SEC. 259. The Secretary of Defense is directed to require the complete and up-to-date dissemination of information of interest to the reserve components to all members of the reserve components and to the public in general.

"PART III—RESERVE COMPONENTS OF THE ARMY

"SEC. 301. The National Guard of the United States and the Army Reserve are reserve components of the Army. All officers and enlisted members of the National Guard of the United States and all officers and enlisted members of the Army Reserve are Reserve officers and Reserve enlisted members, respectively, of the Army.

"SEC. 302. The Organized Reserve Corps is redesignated as the Army Reserve.

"SEC. 303. The Army Reserve includes all Reserve officers and Reserve enlisted members of the Army other than those who are members of the National Guard of the United States.

"SEC. 304. Except as otherwise specifically provided, all laws now or hereafter applicable to male officers and former officers of the Army Reserve, to enlisted men and former enlisted men of the Army Reserve, and to their dependents and beneficiaries shall in like cases be applicable respectively to female Reserve officers and female former Reserve officers of the Army Reserve, to Reserve enlisted women and former Reserve enlisted women of the Army Reserve, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the female persons in the Army Reserve. The husbands of women members of the Army Reserve shall not be considered dependents unless they are in fact dependent on their wives for over half of their support, and the children of such members shall not be considered dependents unless they are in fact dependent on their mother for over half of their support.

"PART IV—RESERVE COMPONENTS OF THE NAVY, MARINE CORPS, AND COAST GUARD

"SEC. 401. The Naval Reserve is the reserve component of the Navy.

"SEC. 402. The Marine Corps Reserve is the reserve component of the Marine Corps.

"SEC. 403. The Coast Guard Reserve is the reserve component of the Coast Guard.

"SEC. 404. The Naval Reserve shall be organized, administered, trained, and supplied under the direction of the Chief of Naval Operations. The bureaus and offices of the Navy shall hold the same relation and responsibility to the Naval Reserve as they do to the Regular Establishment.

"SEC. 405. The Marine Corps Reserve shall be organized, administered, trained, and supplied under the direction of the Commandant of the Marine Corps. The departments and offices of the Marine Corps shall hold the same relation and responsibility to the Marine Corps Reserve as they do to the Regular Establishment.

"SEC. 406. The Coast Guard Reserve shall be organized, administered, trained, and supplied under the direction of the Commandant of the Coast Guard. The departments and offices of the Coast Guard shall hold the same relation and responsibility to the Coast Guard Reserve as they do to the Regular Establishment.

"SEC. 407. For the purpose of considering, recommending, and reporting to the appropriate Secretary on reserve policy matters, there shall be convened at least annually, at the seat of government, a Naval Reserve Policy Board, a Marine Corps Reserve Policy Board, and a Coast Guard Reserve Policy Board. At least half of the members of each such Reserve policy board shall be officers of the appropriate reserve component.

"SEC. 408. The Act of March 17, 1949 (ch. 23; 63 Stat. 14), is amended by striking out the first proviso thereof.

"SEC. 409. The Secretary of the Navy shall prescribe a suitable flag to be known as the Naval Reserve flag. This flag may be flown by seagoing merchant vessels—

"(a) documented under the laws of the United States, which have been designated by the Secretary of the Navy under such regulations as he may prescribe as suitable for service as naval auxiliaries in time of war, and

"(b) the master or commanding officer and not less than 50 per centum of the other licensed officers of which are members of the Navy or Naval Reserve.

"SEC. 410. The Secretary of the Navy shall prescribe a suitable pennant to be known as the Naval Reserve yacht pennant. This pennant may be flown by yachts and similar-type vessels—

"(a) documented under the laws of the United States, which have been designated by the Secretary of the Navy under such regulations as he may prescribe as suitable for service as naval auxiliaries in time of war, and

"(b) the captain or owner of which is a member of the Navy or Naval Reserve.

"SEC. 411. In time of national emergency declared by the President or by the Congress and in time of war, the President is authorized to appoint qualified persons (including persons who hold no Regular or Reserve status) as temporary officers in the Naval Reserve and the Marine Corps Reserve in any of the several commissioned officer grades, and persons so appointed may be ordered to active duty for such periods of time as the President may prescribe. The appointment of such a temporary officer, if not sooner vacated, shall continue during the national emergency or war in which the appointment was made and for six months thereafter. All such temporary appointments may be vacated at any time by the President. Temporary officers so appointed may, upon application, and, if selected, be commissioned as a Regular or Reserve officer of the Armed Force of the United States in which he served as provided by law.

"SEC. 412. Temporary members now or hereafter enrolled in the Coast Guard Reserve are excluded from the provisions of this Act.

"SEC. 413. (a) Members of the Naval Reserve and the Marine Corps Reserve who have performed a total of not less t an thirty years' active Federal service; or who have had not less than twenty years' active Federal service, the last ten years of which shall have been performed during the eleven years immediately preceding their transfer to a Retired Reserve; may be placed in a Retired Reserve upon their request.

"(b) Except while on active duty, personnel transferred to a Retired Reserve as provided by this section shall be entitled to pay at the rate of 50 per centum of their active-duty rate of pay.

"(c) If a performance of duty for which commended occurred not later than December 31, 1946, officers specially commended for a performance of duty in actual combat with the enemy by the head of the executive department under whose jurisdiction such duty was performed shall be advanced to the next higher grade when placed in a Retired Reserve. However, officers heretofore holding rank or grade on the honorary retired lists of the Naval Reserve or Marine Corps Reserve or hereafter holding rank or grade in a Retired Reserve pursuant to this section above captain in the Naval Reserve or above colonel in the Marine Corps Reserve solely by virtue of such commendation, if hereafter recalled to active duty, may, in the discretion of the Secretary of the Navy, be recalled either in the rank or grade to which they would otherwise be entitled had they not been accorded higher rank or grade by virtue of such commendation, or in the rank or grade held by them in a Retired Reserve.

"(d) The provisions of this section shall not be applicable to any person who is not a member of the Naval Reserve or Marine Corps Reserve on the effective date of this Act.

"(e) The provisions of this section shall terminate twenty years from the effective date of this Act, but such termination shall not affect any accrued rights to retired pay.

"(f) Nothing contained in this section shall be construed as prohibiting any person eligible for retirement under the provisions of this section from retiring under the provisions of any other law under which he may be eligible.

"SEC. 414. Except as otherwise specifically provided, all laws now or hereafter applicable to male officers and former officers of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve; to enlisted men and former enlisted men of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve; and to their dependents and beneficiaries shall in like cases be applicable respectively to female Reserve officers and female former Reserve officers of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve, as appropriate, to Reserve enlisted women and former Reserve enlisted women of the Naval Reserve, Marine Corps Reserve, and Coast Guard Reserve, as appropriate, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the female persons. The husbands of women members of the Naval Reserve,

Marine Corps Reserve, and Coast Guard Reserve shall not be considered dependents unless they are in fact dependent on their wives for over half of their support, and the children of such members shall not be considered dependents unless they are in fact dependent on their mother for over half of their support.

"PART V—THE NAVAL MILITIA

"SEC. 501. The Naval Militia consists of the Naval Militia of the States, Territories, and the District of Columbia.

"SEC. 502. The Secretary of the Navy may appoint any officer or enlisted member of the Naval Militia to the rank, grade, or rating for which qualified in the Naval Reserve or Marine Corps Reserve.

"SEC. 503. When ordered to active duty in the service of the United States, members of the Naval Reserve or Marine Corps Reserve who are members of the Naval Militia of any State, Territory, or the District of Columbia shall stand relieved from all service or duty in the Naval Militia from the active duty date of the orders and for so long as they remain on active duty.

"SEC. 504. Such vessels, material, armament, equipment, and other facilities of the Navy and Marine Corps as are or may be made available to the Naval Reserve and the Marine Corps Reserve may also be made available in accordance with regulations prescribed by the Secretary of the Navy for issue or loan to the several States, Territories, or the District of Columbia for the use of the Naval Militia if—

"(a) at least 95 per centum of the personnel of the portion or unit of the Naval Militia to which such facilities would be made available are members of the Naval Reserve or Marine Corps Reserve, and

"(b) the organization, administration, and training of the Naval Militia conform to standards prescribed by the Secretary of the Navy.

"PART VI—RESERVE COMPONENTS OF THE AIR FORCE

"SEC. 601. The Air National Guard of the United States and the Air Force Reserve are reserve components of the Air Force. All officers and enlisted members of the Air National Guard of the United States and all officers and enlisted members of the Air Force Reserve are Reserve officers and Reserve enlisted members, respectively, of the Air Force.

"SEC. 602. The Air Force Reserve includes all Reserve officers and Reserve enlisted members of the Air Force other than those who are members of the Air National Guard of the United States.

"SEC. 603. Except as otherwise specifically provided, all laws now or hereafter applicable to male officers and former officers of the Air Force Reserve, to enlisted men and former enlisted men of the Air Force Reserve, and to their dependents and beneficiaries shall in like cases be applicable respectively to female Reserve officers and female former Reserve officers of the Air Force Reserve, to Reserve enlisted women and former Reserve enlisted women of the Air Force Reserve, and to their dependents and beneficiaries except as may be necessary to adapt said provisions to the female persons in the Air Force Reserve. The husbands of women members of the Air Force Reserve shall not be considered dependent unless they are in fact dependent on their wives for over half of their support, and the children of such members shall not be considered dependents unless they are in fact dependent on their mother for over half of their support.

"PART VII—THE NATIONAL GUARD OF THE UNITED STATES AND THE AIR NATIONAL GUARD OF THE UNITED STATES

"SEC. 701. The National Guard of the United States and the Air National Guard of the United States are reserve components of the Army and the Air Force, respectively, and references in this Act, in the absence of express provision otherwise, are to be construed accordingly. Whenever joint reference is made to the National Guard of the United States and the Air National Guard of the United States on any matter of common concern together with reference to the Army and Air Force or other component thereof, the reference in the case of the National Guard of the United States shall be construed to be to the Army and in the case of the Air National Guard of the United States to be to the Air Force.

"SEC. 702. (a) The National Guard of the United States shall consist of all federally recognized units, organizations, and members of the National Guard of the several States, Territories, and the District of Columbia, who, in addition to their status as such, are Reserves of the Army in the same commissioned, warrant, or enlisted grade as they hold in the National Guard of the several States, Territories, or the District of Columbia.

"(b) The Air National Guard of the United States shall consist of all federally recognized units, organizations, and members of the Air National Guard of the several States, Territories, and the District of Columbia, who in addition to their status as such, are Reserves of the Air Force in the same commissioned, warrant, or enlisted grade as they hold in the Air National Guard of the several States, Territories, or the District of Columbia.

"SEC. 703. (a) To be federally recognized, a member of the National Guard or Air National Guard of any State, Territory, or the District of Columbia must be a member of a federally recognized unit or other federally recognized subdivision of the National Guard or Air National Guard, respectively, and possess the qualifications prescribed by the appropriate Secretary for the grade, branch, position, and type of unit or other subdivision involved, and, in the case of officers, except as provided in section 705 of this Act, successfully pass the examination prescribed by section 75, National Defense Act, as amended.

"(b) Upon being federally recognized, those officers who do not hold appointments as Reserve officers of the appropriate Armed Force of the United States shall be appointed as Reserve officers of the appropriate Armed Force of the United States in the same grade in which they hold federally recognized appointments in the National Guard or Air National Guard of a State, Territory, or the District of Columbia, for service as a member of the National Guard of the United States or Air National Guard of the United States, as appropriate: *Provided*, That the acceptance of an appointment in the same grade and branch as a Reserve officer of the Armed Force of the United States concerned, by an officer of the National Guard or Air National Guard of a State, Territory, or the District of Columbia, shall not operate to vacate his State, Territory, or District of Columbia National Guard or Air National Guard office.

"SEC. 704. The appropriate Secretary may by regulation authorize the temporary extension of Federal recognition to any officer of the National Guard or Air National Guard who shall have successfully passed the examination prescribed in section 75 of the National Defense Act, as amended, pending final determination of his eligibility for, and his appointment as, a Reserve officer of the Army or Air Force in the grade concerned. If and when so appointed the appointment shall be dated as of, shall be considered to have been accepted on, and shall be deemed to have been effective from, the date of uch recognition. However, a temporary extension of Federal recognition shall be granted only when the officer takes oath that during such recognition he will perform all Federal duties and obligations required of him the same as though he was appointed as a Reserve officer of the Army or Air Force in the same grade. Such temporary recognition may be withdrawn at any time and if not sooner withdrawn or replaced by permanent recognition upon appointment as a Reserve officer in the same grade, it shall automatically terminate six months after its effective date: *Provided*, That temporary extension of Federal recognition may, as provided in this section, be granted to Reserve officers pending final determination of their eligibility for such Federal recognition.

"SEC. 705. (a) Notwithstanding the provisions of section 75, National Defense Act, as amended, whenever a member of the Army Reserve or Air Force Reserve becomes an officer of the National Guard or Air National Guard of any State, Territory, or District of Columbia in the same grade in which he is appointed as a Reserve officer of the appropriate Armed Force of the United States, he shall, subject to such physical examination as may be prescribed, be extended Federal recognition in such grade as of the date of his appointment in the National Guard or Air National Guard and concurrently become a member of the National Guard of the United States or Air National Guard of the United States, as appropriate, and ceases to be a member of the Army Reserve or of the Air Force Reserve.

"(b) Whenever a member of the Army Reserve or of the Air Force Reserve is duly enlisted in the National Guard or Air National Guard of any State, Territory, or the District of Columbia, and is a member of a federally recognized unit or organization thereof, in the same grade in which he is a Reserve of the appropriate Armed Force of the United States, he becomes a member of the National Guard of the United States or of the Air National Guard of the United States and ceases to be a member of the Army Reserve or of the Air Force Reserve.

"SEC. 706. Under such regulations as the appropriate Secretary may prescribe, and with the consent of the Governor or other appropriate authority of the State, Territory, or District of Columbia concerned, a member of the National Guard of the United States or of the Air National Guard of the United States may be transferred in grade at any time to the Army Reserve or the Air Force Reserve, and such transfer shall terminate his federally recognized National Guard or Air National Guard status. Upon the transfer of any person whose service has been honorable, from the National Guard of the United States or from the Air National Guard of the United States to the Army Reserve or to the Air Force Reserve, he shall be eligible for promotion to the highest permanent grade previously held in the Army or any component thereof or in the Air Force or any component thereof.

"SEC. 707. Unless discharged from his appointment or enlistment as a Reserve officer or Reserve enlisted member, respectively, whenever a member of the National Guard of the United States or of the Air National Guard of the United States ceases to hold a status as a federally recognized member of the National Guard or of the Air National Guard of any State, Territory, or the District of Columbia, he becomes a member of the Army Reserve or of the Air Force Reserve and ceases to be a member of the National Guard of the United States or of the Air National Guard of the United States.

"SEC. 708. Notwithstanding any other provisions of this Act, warrant officers and enlisted members of the National Guard of the United States and of the Air National Guard of the United States may, without affecting such status, hold appointments as Reserve commissioned officers of the Army or of the Air Force in the grade of second lieutenant or first lieutenant without vacating their warrant or enlisted grades and ratings

in the National Guard or Air National Guard of the appropriate State, Territory, or the District of Columbia.

"SEC. 709. Except when ordered thereto in accordance with law, members of the National Guard of the United States and of the Air National Guard of the United States shall not be on active duty in the service of the United States. When not on active duty in the service of the United States, they shall be administered, armed, uniformed, equipped, and trained in their status as members of the National Guard and Air National Guard of the several States, Territories, and the District of Columbia.

"SEC. 710. When ordered to active duty in the service of the United States, members of the National Guard of the United States and of the Air National Guard of the United States shall stand relieved from duty in the National Guard and Air National Guard of their respective States, Territories, and the District of Columbia from the active-duty date of the orders and for so long as they remain on active duty in the service of the United States. During such active duty in the service of the United States, they shall be subject to the laws and regulations applicable to members of the Army and Air Force.

"SEC. 711. Upon ordering any portion of the National Guard of the United States or of the Air National Guard of the United States into the active military service of the United States, the President may relieve the State, Territory, or District of Columbia concerned of such accountability and liability under such terms and conditions as he may prescribe for any United States property theretofore issued to it for the use of such portion of the National Guard of the United States or of the Air National Guard of the United States.

"SEC. 712. (a) During the initial mobilization, insofar as practicable, the organization of units of the National Guard of the United States and of the Air National Guard of the United States existing at the date of an order to active Federal service shall be maintained intact.

"(b) Upon being relieved from active duty, insofar as practicable, units, organizations, and individuals shall be returned to the National Guard and Air National Guard in their respective States, Territories, and the District of Columbia, together with sufficient arms and equipment as determined by the appropriate Secretary to accomplish their peacetime mission.

"SEC. 713. (a) When officers and enlisted members of the National Guard of the United States or the Air National Guard of the United States are ordered into Federal service they shall be ordered to active duty in their status as Reserve officers and Reserve enlisted members of the Army or Air Force.

"(b) When the National Guard of the United States or the Air National Guard of the United States is ordered into the active military service of the United States, officers of the National Guard and of the Air National Guard who do not hold appointments as Reserve officers of the Army or Air Force may be so appointed by the President in the same grade and branch held by them in the National Guard or Air National Guard.

"SEC. 714. For the purposes of all laws now or hereafter enacted providing benefits for members of the National Guard of the United States and of the Air National Guard of the United States and their dependents and beneficiaries—

"(a) All military training, duties, and service performed by members of the National Guard of the United States or members of the Air National Guard of the United States while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia, for which they are entitled by law to receive pay from the United States, shall be considered military training, duties, and service in the service of the United States performed by them as Reserve members of the Army or Air Force.

"(b) The full-time training or other full-time duty performed by members of the National Guard of the United States or members of the Air National Guard of the United States while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia pursuant to sections 94, 97, 99, and 113 of the National Defense Act, as amended, for which they are entitled to receive pay from the United States, or without pay as provided in section 240 of this Act shall be considered active duty for training in the service of the United States as Reserve members of the Army or Air Force: *Provided*, That from the date of enactment of this Act such duty for a period of thirty days or more shall be considered active service as members of the Armed Forces for the purposes of the Armed Forces Leave Act of 1946 (60 Stat. 963) as amended (37 U. S. C. 31a et seq.).

"(c) The inactive-duty training performed by members of the National Guard of the United States or members of the Air National Guard of the United States while in their status as members of the National Guard or Air National Guard of the several States, Territories, and the District of Columbia under regulations prescribed by the appropriate Secretary pursuant to section 92 of the National Defense Act, as amended, or other express provision shall be considered inactive-duty training in the service of the United States as Reserve members of the Army or Air Force.

"PART VIII—APPROPRIATIONS, REPEALS, AMENDMENTS, AND MISCELLANEOUS PROVISIONS

"SEC. 801. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

"SEC. 802. Except as otherwise specifically provided, this Act shall become effective on the first day of the sixth month following the month of enactment.

"SEC. 803. The following Acts and parts of Acts are repealed.

"The Naval Reserve Act of 1938, as amended, except for all provisions of title II and section 304 of title III. Notwithstanding the repeal of section 1 and section 4 of title I of the Naval Reserve Act of 1938, as amended, the Fleet Reserve established by said Act, as amended, shall be composed of persons transferred thereto in accordance with title II of said Act, as amended, including (a) those former members of the Fleet Naval Reserve as a result of sixteen or more years of active naval service who were transferred to the Fleet Reserve in accordance with the said Act, and (b) citizens of the Philippine Islands who were in the naval service or July 4, 1946, or who, having been discharged from the naval service on or prior to that date, reenlisted therein subsequent to July 4, 1946, but before the expiration of three months following discharge. The unrepealed provisions of the Naval Reserve Act of 1938, as amended, shall continue to apply to the Marine Corps as well as the Navy.

"The Act of March 17, 1941 (ch. 19, 55 Stat. 43, as amended; 34 U. S. C. 855c–2).

"Section 10 of the Naval Aviation Cadet Act of 1942 (56 Stat. 738; 34 U. S. C. 850 (i)).

"Section 1 of the Act of December 18, 1942 (56 Stat. 1066; 34 U. S. C. 853c–5).

"The Act of January 20, 1942 (ch. 12, 56 Stat. 10; 34 U. S. C. 853a–1).

Title 14, United States Code, sections 751, 752, 753, and 759.

"Sections 37, 37a, 38, 55a, and 111 of the National Defense Act, as amended.

"The second paragraph of section 58 of the National Defense Act, as amended (32 U. S. C. 4a).

"Paragraph (b) of section 71 of the National Defense Act, as amended (32 U. S. C. 4b).

"The last paragraph of section 75 of the National Defense Act, as amended (32 U. S. C. 113).

"The second sentence of section 77 of the National Defense Act, as amended (32 U. S. C. 114).

"That portion of section 109 of the National Defense Act, as amended, which precedes the final proviso of the section (32 U. S. C. 143).

"Section 11 of the Act of August 4, 1942 (56 Stat. 738, as amended; 34 U. S. C. 850j).

"Sections 2, 3, and 4 of the Act of December 4, 1942 (56 Stat. 1039–1040; 10 U. S. C. 904b, c, and d).

"Section 117 of the Army-Navy Nurses Act of 1947 (61 Stat. 47, as amended; 10 U. S. C. 377).

"Sections 109 and 310 of the Women's Armed Services Integration Act of 1948 (62 Stats. 362 and 374; 10 U. S. C. 378, 5 U. S. C. 627i).

"SEC. 804. (a) The third and fourth paragraphs under the subheading 'Ordnance Stores and Equipment for Reserve Officers' Training Corps' of the Act of May 12, 1917 (40 Stat. 72), as amended (10 U. S. C. 371 and 371b), are further amended by striking out the words 'Officers' Reserve Corps or Enlisted Reserve Corps' wherever they appear therein and by inserting in lieu thereof the words 'reserve components of the Armed Forces' and by inserting in the third paragraph after the word 'ordered' where it first appears the words 'to active duty for training, or active duty, or'.

"(b) Section 412 of the Mutual Defense Assistance Act of 1949 (63 Stat. 721; 22 U. S. C. 1584) shall not apply to any person, not on active duty in the Armed Forces, solely by reason of his having served on active duty or active duty for training as a member of a reserve component within the preceding two years.

"SEC. 805. The Army-Navy Nurses Act of 1947, as amended (10 U. S. C. 374–377), is further amended as follows:

"(a) Section 115 is amended to read: 'Except as otherwise specifically provided, all laws and regulations now or hereafter applicable to commissioned officers and former commissioned officers of the Army Reserve and to their dependents and beneficiaries, shall, in like cases, be applicable respectively to commissioned officers and former commissioned officers of the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Army Reserve and to their dependents and beneficiaries.'

"(b) Section 116 is amended to read: 'Appointments of Reserve officers for service in the Army Nurse Corps Section and the Women's Medical Specialist Corps Section of the Army Reserve may be made in such grades and under such regulations as may be prescribed by the Secretary of the Army from female citizens of the United States who have attained the age of twenty-one years and who possess such physical and other qualifications as may be prescribed by the Secretary of the Army: *Provided*, That female officers appointed pursuant to the Act of June 22, 1944, and honorably separated from the service thereafter may, if otherwise qualified be appointed as Reserve officers in the highest grade satisfactorily held by them in active service.'

"SEC. 806. The National Defense Act, as amended, is further amended as follows:

"(a) Section 69, as amended (32 U. S. C. 124), is further amended by striking out the words 'and in the National Guard of the United States'.

"(b) Section 70, National Defense Act, as amended (32 U. S. C. 123), is further amended by striking out the language contained therein and inserting in lieu thereof the following:

"'Men enlisting in the National Guard and Air National Guard of the several States, Territories, and the District of Columbia shall sign an enlistment contract and subscribe to the following oath or affirmation:

"'"I do hereby acknowledge to have voluntarily enlisted this day of , 19 , in the National Guard (Air National Guard) of the State of for a period of year(s) under the conditions prescribed by law, unless sooner discharged by proper authority.

"'"I, , do solemnly swear (or affirm) that I will bear true faith and allegiance to the United States of America and to the State of ; that I will serve them honestly and faithfully against all their enemies whomsoever; and that I will obey the orders of the President of the United States and the Governor of and the orders of the officers appointed over me, according to law and regulations."

"'The oath of enlistment prescribed in this section may be taken before any officer of the National Guard (Air National Guard) or any other person authorized to administer oaths of enlistments in the National Guard of the several States, Territories, and the District of Columbia, by respective laws thereof.'

"(c) The first paragraph of section 73, as amended (32 U. S. C. 112), is further amended by striking the words 'and in the National Guard of the United States' and the words 'in the National Guard of the United States and'.

"(d) Section 72, as amended (32 U. S. C. 125), is further amended by striking out the words 'and the National Guard of the United States'.

"(e) Section 76, as amended (32 U. S. C. 115), is further amended by striking out the words 'the National Guard of the United States' in the second sentence thereof and inserting in lieu thereof the words 'his appointment as a Reserve of the Armed Forces concerned' and by striking out the words 'in the National Guard of the United States' in the third sentence thereof and inserting in lieu thereof the words 'as a Reserve of the Armed Forces concerned'.

"(f) Section 78, as amended (32 U. S. C. 132, 133, 134), is further amended by striking out the words 'and in the National Guard of the United States' in paragraph 1 thereof, and by striking out the words 'or the National Guard of the United States' in paragraph 2 thereof.

"(g) Section 81, as amended (32 U. S. C. 172 and 175), is further amended by striking out the words 'The Chief of the National Guard Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of officers of the National Guard of the United States recommended as suitable for such appointment by their respective governors, and who have had ten or more years' commissioned service in the active National Guard at least five of which have been in the line, and who have attained at least the grade of colonel. The Chief of the National Guard Bureau shall hold office for four years unless sooner removed for cause, and shall be eligible to succeed himself, and when sixty-four years of age shall cease to hold such office. Upon accepting his office, the Chief of the National Guard Bureau shall be appointed a major general in the National Guard of the United States, and commissioned in the Army of the United States, and while so serving he shall have the rank, pay, and allowances of a major general, provided by law, but shall not be entitled to retirement or retired pay.' and inserting in lieu thereof the following: 'The Chief of the National Guard Bureau shall be appointed by the President, by and with the advice and consent of the Senate, by selection from lists of officers of the National Guard of the United States or Air National Guard of the United States recommended as suitable for such appointment by their respective governors, and who have had ten or more years' commissioned service in the active National Guard or Air National Guard or any combination thereof, and who have attained at least the grade of colonel. The Chief of the National Guard Bureau shall hold office for four years unless sooner removed for cause, and shall be eligible to succeed himself and when sixty-four years of age shall cease to hold such office. Upon accepting his office, the Chief of the National Guard Bureau shall be appointed as a Reserve officer of the appropriate Armed Force in the grade of major general, and shall be commissioned in the Army of the United States, and shall be a member of the National Guard of the United States or Air National Guard of the United States, as appropriate.' in paragraph 1 thereof, and by striking out the words 'hold appointments in' and inserting in lieu thereof the following words: 'are members of' in paragraph 2 thereof, and by inserting after the word 'States' where it first appears in paragraph 3 thereof, the words 'or the Air National Guard of the United States,', and by striking out the words 'provided in this section' in the last sentence of said paragraph, and in the same sentence after the word 'States' by inserting the words 'or Air National Guard of the United States', and by striking the period at the end of the sentence and adding the words 'or Air National Guard.'

"(h) The seventh paragraph of section 127 (a), as amended (10 U. S. C. 513), is further amended by deleting the period at the end thereof and substituting a colon and adding the following: *'Provided further,* That persons may be appointed as Reserve officers of the Army or the Air Force in times of war.'

"(i) Section 55, as amended (10 U. S. C. 421, 423, 424, 425), is further amended by deleting all of the section except the last sentence thereof; and the last sentence of section 55, as amended, is further amended by deleting the comma first appearing therein and the words 'whether' and 'or the Enlisted Reserve Corps', and by inserting after the words 'Regular Army' the words 'or in the Regular Air Force'.

"(j) Section 58, as amended (32 U. S. C. 4), is further amended by striking the word 'twenty-one' appearing in the first sentence thereof and inserting in lieu thereof the word 'eighteen'.

"Sec. 807. (a) Subsection (b) of section 2 of the Army Organization Act of 1950 is amended by inserting after the words 'in any of the components of the Army;' the words 'all persons appointed or enlisted as Reserves of the Army, including persons transferred to such status under any provision of law;'.

"(b) Section 301 of the Army Organization Act of 1950 is amended—

"(1) by striking out the words 'Organized Reserve Corps' and inserting in lieu thereof the words 'Army Reserve'; and

"(2) by inserting after the words 'above-named components;' the words 'all persons appointed or enlisted as Reserves of the Army, including persons transferred to such status under any provision of law;'.

"Sec. 808. Section 205 of the Naval Reserve Act of 1938 (34 U. S. C. 854 (d)) is amended by deleting the second proviso therein and inserting in lieu thereof: *'Provided further,* That men so transferred to the Fleet Reserve for the four-year period and officers and men otherwise assigned thereto pursuant to title II of this Act, or other provision of law, may be ordered by competent authority to active duty without their consent (a) in time of war or national emergency declared by the Congress for the duration of the war or national emergency, and for six months thereafter, and (b) in time of national emergency declared by the President or when otherwise authorized by law; and, except as otherwise provided in this title, shall be under no obligation to perform training duty or drill, and shall be paid in advance $20 per annum: *And provided further,* That the Secretary of the Navy may release any member of the Fleet Reserve from active duty or active duty for training at any time, except that, in time of war or national emergency hereafter declared by the Congress, or in time of national emergency hereafter proclaimed by the President, a member of the Fleet Reserve who is serving on active duty shall be released from active duty only on the approved recommendation of a board of officers convened by competent authority if the member requests such action, if such release from active duty is not during a period of demobilization or reduction in strength of the Navy.'

"Sec. 809. All provisions of law which refer to appointment or enlistment in or transfer to any of the reserve components shall be deemed to refer to appointment or enlistment as a Reserve or transfer to such status in the appropriate Armed Force of the United States. All provisions of law which refer to persons enlisted or appointed in or transferred to any of the reserve components shall be deemed to refer to persons appointed or enlisted as Reserves or transferred to such status in the appropriate Armed Force of the United States.

"Sec. 810. Any right accrued or any proceeding commenced before this Act takes effect is not affected by the provisions of this Act, but all procedure thereafter taken, shall conform to the provisions of this Act.

"Sec. 811. (a) Nothing in this Act shall be construed to repeal, limit, or modify, in any manner, the authority to order persons or units to active military service or training pursuant to the Universal Military Training and Service Act, as amended.

"(b) Except as otherwise specifically provided in section 806 (g), nothing in this Act shall be construed as changing existing laws pertaining to the Chief of the National Guard Bureau.

"Sec. 812. Except as otherwise provided in this Act, no back pay or allowances shall be held to have accrued under the provisions of this Act for any period prior to the effective date thereof.

"Sec. 813. Section 4 (d) (3) of the Universal Military Training and Service Act, as amended, is further amended by striking out the words 'appointed in the Armed Forces' where first appearing therein and by inserting in lieu thereof the words 'appointed under any provision of law, in the Armed Forces, including the reserve components thereof,'. This section shall be effective as of June 19, 1951."

And the Senate agree to the same.

OVERTON BROOKS,
O. C. FISHER,
L. GARY CLEMENTE,
JAMES E. VAN ZANDT,
Managers on the Part of the House.

LESTER C. HUNT,
RUSSELL B. LONG,
HARRY P. CAIN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5426) relating to the Reserve components of the Armed Forces of the United States submit the following statement in explanation of the effect of the action agreed upon by the con-

ferees and recommended in the accompanying conference report:

LEGISLATION IN CONFERENCE

On October 15, 1951, the House of Representatives passed H. R. 5426, relating to the Reserve Components of the Armed Forces of the United States. On June 27, 1952, the Senate considered the House bill and amended it by striking all after the enacting clause and inserting different language as a Senate version.

As a result of the foregoing action on the part of the Senate, many differences between the Senate language and the House language resulted. Many of these differences were technical in nature, such as correction of typographical mistakes, clarification of language and other similar type corrections. In addition, some rewriting was necessary, on the part of the Senate, because almost a year had elapsed between the time of passage of the bill by the two Houses. In the intervening period, Universal Military Training had been presented to the House and had failed of passage. Consequently, some of the Senate provisions written after the failure of Universal Military Training legislation to be enacted into law were necessary and proper. In those instances where the Senate language was more appropriate, the House receded. However, it should be noted that on the main provisions of this bill, the very backbone of the legislation, the House provisions prevail.

The House bill (sec. 234 (a)) provides that members of the Reserve components in an inactive or retired status shall not be involuntarily ordered to active duty unless the appropriate Secretary determines that no qualified Reservists in an active status in the required category are available. On the other hand, the Senate amendment provides that no Reservists on an inactive status list or in a retired status shall be ordered to active duty without their consent unless the appropriate Secretary, with the approval of the Secretary of Defense, determines that adequate numbers of qualified members of the Reserve components in an active status or in the Inactive National Guard in the required category are not available.

The purpose of the Senate change was to make this provision a little more flexible, to require the Secretary of Defense to supervise its administration, and to assure that the availability of the Inactive National Guard is not harmed thereby. The House recedes.

Section 255 of the House bill provides that boards for the promotion, demotion, and discharge, etc., of Reservists shall include appropriate numbers of Reservists and that the members of such boards shall be senior to the persons being considered thereby. This provision was modified in the Senate amendment so as to provide more flexibility by allowing the Reserve representation on such boards to be established by regulation, and to authorize medical and legal members of such boards to be junior to the person being considered, except where the person being considered is in the same category. The House recedes with an amendment.

The House bill (sec. 256 (d)) contains a statement that the National Defense Facilities Act of 1950 should be immediately implemented. That act authorizes the construction of armories and other Reserve facilities. The Senate bill contains no similar provision. This provision was originally written into the House bill because of the language in Conference Report No. 3026 which accompanied H. R. 8594 in the Eighty-first Congress, which, in turn, became the National Defense Facilities Act of 1950. The language in the report is as follows:

"In agreeing to the compromise position as adopted by the Conferees, it is the intent of the Conferees that none of the funds authorized will be made available through appropriations until such consideration is justified by a lessening of the international tension, and particularly the Korean situation."

The House, in adopting its version, was of the opinion that the National Defense Facilities Act should be implemented because many of the draftees who were inducted shortly after the beginning of Korean hostilities will be coming out of the active service with an obligation to serve in a Reserve component. It is axiomatic that facilities must be provided for the Reserve components if adequate training is to be offered. Since the conference report, which accompanied the bill which was to become the National Defense Facilities Act of 1950, contained the restricting provisions that none of the funds authorized would be made available through appropriations, it was felt that the sense of the Congress should be expressed to the effect that funds should be made available under the authorization of that Act, if justified, for the construction of Reserve facilities. The provision was rewritten for the purposes of clarity. The Senate recedes with an amendment.

The House bill (sec. 260) requires the Secretary of Defense to submit to the Congress legislative recommendations for the promotion of Reserve officers and to equalize benefits of Reservists and Regulars. The Senate amendment deleted this provision, since the Department of Defense has complied and already submitted its legislative recommendations. They are H. R. 7856 and 7002, now pending in the House. Inasmuch as this provision of the bill is no longer necessary, the House conferees agreed to delete the provision. The House recedes.

The bill, as passed by the House (sec. 211), established the inactive status list which would consist of those members of the Reserve components who are unable to participate in training and, in addition, the House bill (sec. 227) provides for persons with physical disabilities which could be remedied within 1 year, to be placed on the inactive status list. The Senate amendment provides that no person who has an obligated period of service shall be placed on an inactive status list. Although the regulations of the Secretary of Defense, which the House bill provided for, should adequately take care of this matter, it was agreed that the Senate language was safer and that personnel with obligated periods of service would, by law, be prevented from transferring to the inactive status list and thus decrease their vulnerability for call to active duty. Furthermore, it was thought, by virtue of their own default, some persons might decrease their liability for active duty by a transfer to the inactive status list and, consequently, the House conferees agreed that the Senate language should prevail. In addition, to make the bill consistent the conferees agreed that the authorization for a transfer for persons with temporary or remedial physical disabilities to the inactive status list should be deleted. The House recedes.

The House bill (sec. 217 (b)) provided that the relative precedence of Reserve officers and Regular officers shall be determined in accordance with date of rank. This provision was deleted from the Senate amendment apparently because it was believed to be more appropriate for inclusion in the Reserve promotion bill. It is true that the matter of precedence is covered in the Reserve promotion bill which has been submitted to Congress, but inasmuch as that legislation has not been acted upon, it was thought that this provision should stay in pending a thorough study of the matter when hearings on Reserve promotion legislation are held. The Senate recedes.

The House bill makes no specific reference to the Inactive National Guard. The Senate amendment retains the Inactive National Guard in its present status, that is, as a special category within the National Guard where those members of the National Guard who are unable to participate in training may be placed for limited periods. The National Guard favors this provision and the conferees agreed that it should be included. The House recedes.

The House bill contains a provision (sec. 215) which would provide that the organization, operation, administration, training, maintenance and supply of each Reserve component shall be integrated with those of the Regular components. The Senate amendment did not contain such an amendment since it was objected to by the National Guard on the grounds that it might tend to federalize the Guard. The conferees felt that the section was merely a statement of policy and denotes something that is already being done administratively, so that the inclusion of the controversial problem was not necessary. The House recedes.

Section 217 (c) of the House bill provides that wherever and whenever Regular officers have been given constructive credit for previous professional training, Reserve officers shall receive the same credit. The Senate amendment contained no provision. The Senate Conferees pointed out that any such legislation should be properly taken up in a promotion bill and inasmuch as the Reserve Officers Personnel Act was pending, the matter should be considered in conjunction with that legislation. Furthermore, the provision of the House bill is very broad and would provide constructive credit for all present and future Reserve officers while the Regular officers, who receive credit in the Navy which was not extended to Reserve officers, were a limited group holding particular assignments at a particular time. The conferees were of the opinion that although the provision in the House bill would benefit a few, it might well discriminate against many. Consequently, it was thought that this provision should be deleted from the bill and made the subject of a special study when hearings on the Reserve Officers Personnel Act are held at some later date. The House recedes.

The House bill repealed the dual oaths now required for members of the National Guard and Air National Guard, because such is a matter for State legislation to provide for State oaths. However, in the hearings before the Senate committee, the National Guard asked that the State oaths for the members of the National Guard and Air National Guard be made a part of this legislation. While it would appear that the State oath is a matter of State legislation, in order to avoid placing a special burden on the States, the Senate amendment continued, with minor amendments, the present oaths for members of the National Guard and Air National Guard. The House recedes.

The House bill (sec. 225) provides that hereafter all appointments as Reserve officers shall be for an indefinite term and further provides that present Reserve officers who do not now have indefinite appointments, will have their present appointments automatically changed to indefinite appointments, unless, within 6 months after notification by the Armed Service concerned, which shall be given within 6 months from the effective date of the act, they decline to have their current appointments changed. This provision would affect only members of the Officers Reserve Corps of the Army, Air Force Reserve, and the Coast Guard Reserve, since appointments in those components are the only appointments which are not for an indefinite term, as now established by statute. The Senate amendment provides that present Reserve officers will not have the terms of their current appointments changed unless the officer concerned accepts an indefinite appointment. By the terms of the Senate amendment, an officer woud be required

to accept an indefinite appointment within 6 months after notice by competent authority which is required to be given within 6 months from the effective date of the act. The language difference of the two sections may seem inconsequential, but considerable controversy among the conferees was aroused by this portion of the bill. Finally speaking, the two provisions mean that, as to the House version, an officer will be blanketed into an indefinite Reserve appointment unless he makes some affirmative action to discontinue his Reserve commission and insofar as the Senate amendment is concerned, the officer will not be given an indefinite appointment unless he makes some affirmative action indicating his desire for same.

The House conferees could not help but feel the responsibility they undertook when originally conducting hearings on the Armed Forces Reserve Act and that was to assist the Reservist in every way possible and to remove every stumbling block to his future well-being as a member of a Reserve component. Since the House version would place a greater burden upon the Reserve officer, and indeed might blanket him into the Reserve indefinitely, through error or procrastination on his part, the House conferees agreed with the Senate amendment. The House recedes with an amendment.

Section 257 of the House bill requires a general officer of each Armed Service to be appointed to be responsible for all Reserve affairs of that Armed Service to the Chief of Staff or Commandant, as appropriate. The Senate amendment provided that this provision should not impinge in any way upon the duties of the Chief of the National Guard Bureau in order to meet the National Guard objection that this provision might be construed by the military departments to reduce the status of the Chief of the National Guard Bureau. This problem was covered in the House Report and the Senate amendment merely writes into the bill what was stated to have been the House position. The House recedes.

The House bill (sec. 228) provides that all enlistments and all required periods of obligated service in the Reserve components in effect at the beginning of, or entered into, during time of war, national emergency declared by the Congress, or national emergency proclaimed by the President, shall continue for the duration of the war or national emergency and for 6 months thereafter. The Senate amendment did not provide for the extension of enlistments or periods of obligated service during a period of Presidential emergency. It is true that the authority granted by the House bill would allow the Department of Defense to hold in service those persons who had been adequately trained during a threat of hostilities. On the other hand, the Senate conferees pointed out that this authority should not be granted during limited Presidential emergencies, but that Congress should determine whether enlistments should be extended. Inasmuch as the House conferees were strongly in favor of retaining a maximum of control in the Legislative Branch, they agreed to the Senate amendment. The House recedes.

The Senate amendment included provisions that the secretaries of the military departments shall establish adequate provisions with respect to female Reserve officers to insure that such personnel shall not be declared ineligible for appointment or enlistment in the Reserve solely on the basis of having minor or dependent children and that such personnel shall not be discharged involuntarily solely because of the birth or assumption of care or custody of children.

The Senate provisions, in this respect, result from a floor amendment and were never considered by the conferees during hearings on the bill in the House committee. The conferees agreed that additional study should be given to this matter and since it was controversial, hasty action should not be taken. The Senate recedes.

The Senate amendment includes a provision which would credit all service performed as a cadet at the United States Military Academy pursuant to an appointment made prior to August 24, 1912, and all service performed as a midshipman in the United States Navy pursuant to an appointment made prior to March 4, 1913, in determining the amount of retirement pay, including longevity pay, to which officers in the Reserve components of the Armed Forces may be entitled under any provision of law. This provision of the Senate amendment was also offered on the Senate floor and, consequently, did not have study by either committee which held hearings on the Armed Forces Reserve Act. This provision of the Senate amendment would give creditable service to academy graduates, appointed prior to certain dates, for retirement purposes under Public Law 810, Eighty-second Congress. The conferees do not believe that retirement provisions of the Reserve Retirement Act should be opened in this act inasmuch as they can be made the subject of future legislation. The Senate recedes.

The House bill contains provisions (secs. 204–210) which would establish within each Armed Service two categories of Reservists based upon availability for active duty. These categories are known as the Ready Reserve and the Standby Reserve. The Ready Reserve would be available for active duty in time of war or national emergency declared by the Congress, in time of national emergency declared by the President, and when otherwise authorized by law. The Standby Reserve would be available for active duty only in time of war or national emergency declared by the Congress or when otherwise authorized by law, or to phrase that liability in another way, only in time of full mobilization or when more than the Ready Reserve would be needed. The House was careful to include a limitation so that before any member of the Ready Reserve could be called to active duty in time of national emergency declared by the President, the Congress would have the right to authorize the numbers of persons which would be subject to such call.

The Senate amendment contains no provisions relating to the Ready and Standby Reserves. The effect of the Senate amendment is to leave the Reserve components in the same condition as before the beginning of the Korean hostilities. The House, by passing H. R. 5426, had indicated that it wanted no more of the old Reserve concept but rather the establishment of specific categories so that each Reservist would know his liability for future duty.

There is no doubt that the concept of the Ready and Standby Reserves is the crux of the entire Armed Forces Reserve Act. It was decided to accept the House version of the bill with minor changes, that is, the term of service which would allow a person to transfer to the Standby Reserve would be changed from 6 years to 5 years and a combination of active duty service and Reserve service totaling 5 years would be sufficient to allow a Reservist to transfer to the Standby Reserve and thus complete his period of obligated service under Public Law 51, Eighty-second Congress. The Senate recedes with an amendment.

After the recession of the Senate conferees on the concept of a Ready and Standby Reserve, some provisions of the legislation followed naturally. The House bill provided that one of the differences between the two categories was the degree of vulnerability for future recall to active duty. It was established that the Ready Reserve should be called first. Therefore, the House bill contained a provision which would allow the President to call members of the Ready Reserve, but only in such numbers as might be authorized by Congress. Therefore, Congress retains its traditional control, but the provisions of the House bill provided a different method for calling the Standby Reserve by specifying that that category could only be activated after a national emergency declared by Congress. The Senate amendment had no such provisions. It provided that all Reservists should only be called to active duty after a declaration of emergency by the Congress, thus making no distinction between any of the individual members of the Reserve components regardless of their period of prior service. Inasmuch as the Senate conferees had agreed to the House version of a Ready and Standby Reserve concept, the theory of calling the Ready Reserve, as contained in the House bill, was agreed to by the Senate conferees. The Senate recedes with an amendment.

Both conferees of the House and Senate were disturbed about the involuntary recall of both Standby and Ready Reservists and, therefore, wrote two provisions into the bill. The first deals with the involuntary recall of Ready Reservists and has for its intent the protection of all persons in this category and particularly those Ready Reservists who have served in Korea. The provision establishes a policy of Congress because of the hardship situations developed by the Korean hostilities so that attention shall be given to the duration and nature of previous service, to family responsibilities, and to employment found to be necessary to the maintenance of the national health, safety or interest. Furthermore, the Secretary of Defense must promulgate policies and procedures as may be required to carry out the congressional intent and, from time to time, and at least annually, report to the appropriate Committees on Armed Services of the Congress respecting same.

The Senate amendment contained a provision which would protect those who had served in the combat zone in Korea from further recall. However, the provision was so written that obvious discriminations would exist. For instance, a veteran of World War II with 5 years combat service who was again recalled following the outbreak of hostilities in Korea, but was not assigned to the Korean combat zone, would find himself eligible for recall a third time, before a person who had been drafted and had served some time on the combat zone in Korea. The conferees could not allow such discriminations to exist and, therefore, did not feel that any demarcation line should be drawn between veterans of World War II and Korean veterans. The Senate recedes with an amendment.

The conferees were equally disturbed about the recall of members of the Standby Reserve under the provisions of both the House bill and the Senate amendment. Consequently, it was agreed that except in time of war, or unless otherwise authorized by Congress—(1) no unit of the Standby Reserve organized for the purpose of serving as such nor the members thereof, shall be ordered to active duty unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a military department) determines that adequate numbers of the required types of units of the Ready Reserve are not readily available, and, (2) no other member of the Standby Reserve shall be ordered to active duty as an individual without his consent, unless the appropriate Secretary (with the approval of the Secretary of Defense in the case of a Secretary of a military department) determines that adequate numbers of qualified members of the Ready Reserve in the required category are not readily available.

The foregoing provisions will insure members of the Standby Reserve from recall to active duty before their counterparts in the Ready Reserve have been exhausted, even

though a national emergency by the Congress has been declared.

Finally, the conferees decided that some finite limitation should be placed on the Ready Reserve. The problem was to place a ceiling which would not be too high so that appropriated funds for the training of the Ready Reserve would be spread so thin as to lose effect, nor to make the number so small as to make the striking force of the Ready Reserve ineffective. Consequently, the conferees set a ceiling, on the Ready Reserve, at 1,500,000 authorized personnel strength. It must be remembered that this includes the entire National Guard and Air National Guard and also will include all persons serving on active duty. Furthermore, the authorized strength set herein is a ceiling and can be lowered by administrative discretion.

OVERTON BROOKS,
O. C. FISHER,
L. GARY CLEMENTE,
JAMES E. VAN ZANDT,
Managers on the Part of the House.

Mr. BROOKS. Mr. Speaker, I call up the conference report on the bill (H. R. 5426) relating to the Reserve components of the Armed Forces of the United States, and ask unanimous consent that the statement 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 Louisiana?

There was no objection.

The Clerk read the statement.

Mr. BROOKS (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

Mr. BROOKS. May I say, Mr. Speaker, that this is a report on the Reserve bill, H. R. 5426, which passed the House last fall by unanimous consent, and was recently considered by the Senate. During the interval, of course, a great many things have occurred and there are a good many changes in the language of the Senate bill as compared to the House bill. We have gotten together on all of those changes by consent of all the conferees without sacrificing in any way the position of the House of Representatives in the original bill.

We preserved inviolate the fundamental provisions of the bill, which are: No. 1: That we have a Ready Reserve whose degree of vulnerability for call is set forth in the bill. Second, we have a Stand-by Reserve that is in a sheltered position and not callable except in case of all-out war.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. VAN ZANDT. Am I not correct in stating, this bill, is what we call the Reserve bill of rights, and is designed principally to eliminate the shabby treatment accorded the Reserves since the beginning of the Korean war?

Mr. BROOKS. I thank the gentleman for his statement, and I want to say, Mr. Speaker, that I think this bill goes far toward eliminating the possibility of a recurrence of the disagreeable experiences we had when the Reserves were called into active service at the beginning of the Korean war.

We provide, for instance, in the Ready Reserve, that only in certain ways shall those people be called into active service; and we provide that after 5 years they pass over into the Stand-by Reserve and are not to be called save in all-out war.

We provide in this bill as we did originally when it passed the House, that the Reserves shall not be called except by resolution of Congress.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to my distinguished friend, a member of the Armed Services Committee.

Mr. SHORT. Mr. Speaker, this legislation will eliminate many of the injustices and inequities that the Reserves have suffered in the past.

I merely want to commend both the gentleman from Louisiana [Mr. BROOKS], chairman of the subcommittee, and the gentleman from Pennsylvania [Mr. VAN ZANDT] for the diligent, intelligent, and painstaking work they have done on this matter.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. DINGELL. The gentleman from Pennsylvania said it eliminated some of the inequities and injustices; I would like to know whether it embodies any of the provisions of the Winstead bill which is intended to correct some of the vicious inequalities applicable to doctors and dentists who have already served and who now are subject to call and who, if they are called, will serve longer, will perhaps serve in the neighborhood of 3½ to 4½ years, despite the fact that there is a certain classification of doctors and dentists who have not served a single, solitary day.

Mr. BROOKS. I may say to my friend from Michigan that this bill does not embody the Winstead bill. The Winstead bill sought to amend the Medical Draft Act. This bill does not change the Medical Draft Act which is an entirely separate act. The conferees in considering the Winstead bill felt that they could not come within the limitations of the authority they had in considering the House and Senate bills, seek to amend the Medical Draft Act.

There is a lot of merit to what the gentleman has to say with reference to the recall of doctors who went to school either entirely or partially at the expense of the United States and who now are being recalled because they were educated either in full or in part by the United States Government and are required to serve a while. But we did not feel that we had authority to go into the matter of amendments to the Medical Draft Act.

Mr. DINGELL. But it is definitely recognized that there is an injustice to certain classifications of these reservists who are in the medical and dental field.

Mr. BROOKS. Yes.

Mr. DINGELL. Am I correct?

Mr. BROOKS. There is a great deal to what the gentleman has said. This report does go far toward eliminating general inequities in the recall system. Take for instance the Korean amendment involving the Korean veteran reserves, we provided that the Korean veteran who comes out of that war should be put at the bottom of the list of these Ready Reserves and called only when nobody else who has the same qualifications is available.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. When this bill becomes law isn't it a fact we will then go to work on a bill known as the ROTC bill, a promotion bill and a bill establishing an equality of rights and benefits for the reserves and regulars. When these 3 bills are laws then we will have a completely rounded out program for the reserves of this country.

Mr. DINGELL. Does that provide justice for the medical reserves?

Mr. BROOKS. We will take them up in due course. This is the first bill we have been working on to round out the entire reserve program. It is difficult to go ahead with the rest of the legislation, which is so important until this bill becomes law. The Defense Department has sent us the promotion bill, which is awaiting hearings; it sent to us a bill to equalize all of the rights and benefits of the reserves in the Regular Establishment and the ROTC bill, which are awaiting hearings. The Congress will take those bills up, and other bills to equalize all of the inequities of the reserves as against the Regular Establishment and to round out the entire reserve program.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from Indiana.

Mr. BRAY. Does the bill we are working on give the President or the three Secretaries any right to give an enlisted man a dishonorable discharge without a court martial or hearing? It will be recalled that was eliminated here by committee amendment in the House.

Mr. BROOKS. We made no change in the House provision.

Mr. BRAY. As the bill now stands they do not have that right?

Mr. BROOKS. There is no change in that respect.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. BROOKS. I yield to the gentleman from South Carolina.

Mr. RIVERS. The House will never know of the accomplishments of the committee headed by its distinguished chairman, the gentleman from Louisiana [Mr. BROOKS]. That committee has worked for many, many hours, and many, many days on an almost insuperable task to reconcile many pieces of crazy-quilt regulations to help the Reserves. They worked many nights burning the midnight oil. This is the first step in a new deal for the men who fight our wars. The House will never realize

the great step forward which the gentleman from Louisiana [Mr. BROOKS], has made possible in all categories of our Reserve components. And to all members who served on that committee I want to express my appreciation for the fine job they have accomplished on behalf of this category of fighting men.

Mr. BROOKS. I thank the gentleman very much. I want to say in conclusion, and I say this advisedly and I want the Members of the House to remember it, that when this bill becomes law as I feel now it must surely become law, you can go home and tell your reservists in all sincerity that we have taken a long step forward in the elimination of all of the injustices and all of the mishandling which lack of law in the past has made possible, and that we have in the framework of this bill a skeleton outline of at least a real, vitalized Reserve for national safety and security.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GRANTING OF PERMANENT RESIDENCE IN THE CASE OF CERTAIN ALIENS

Mr. WALTER submitted the following conference report and statement on House Concurrent Resolution 191, favoring the granting of the status of permanent residence to certain aliens:

CONFERENCE REPORT (H. REPT. No. 2446)

The committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. Con. Res. 191) Favoring the granting of the status of permanent residence to certain aliens, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendments, insert the following: "That the Congress favors the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 4 of the Displaced Persons Act of 1948, as amended (62 Stat. 1011; 64 Stat. 219; 50 App. U. S. C. 1953):

"A-6427738, Abu-Zannad, Fakhri Eddin.
"A-6775706, Albrecht, Bohumil.
"A-9542215, Balodis, Eduards.
"A-6886819, Beck, Helene.
"A-6886821, Beck, Cecile.
"A-6886820, Malek, Serena Beck.
"A-6470386, Bednar, Zdenek Frantisek.
"A-6779245, Berkovic, Isaac.
"A-6780732, Berkovic, Mulvina.
"A-6811524, Cihovicz, Anna or Sister Maria Urbana Cihovicz.
"A-6618832, Czuker, Jan.
"A-6841088, Deutsch, Jozsef Gabor or Joseph Gabriel Deutsch.
"A-6794942, El-Hindi, Ahmad Eff Mohamed.
"A-6870402, Falkowski, Zdzislaw.
"A-6870403, Falkowski, Maria Janina.
"A-6953383, Falkowski, Malgorzata Maria Rosa.
"A-9716783, Falk, Bernard Alojzy.
"A-6503646, Friedman, Evzen.
"A-6389949, Friedman, Ruzena or Rose.
"A-6757652, Goldburd, Zundel.
"A-6757998, Goldburd, Basia.
"A-9652186, Grinbergs, Manfreds.
"A-6780725, Grunfeld, Alzbeta.
"A-6740921, Gurwicz, Meir.
"A-6707452, Gurwicz, Serena.
"A-7095745, Haas, Erzsebet or Elizabeth.
"A-6794893, Heller, Livia.
"A-6702147, Hendeles, Lajzer.
"A-6823660, Hendeles, Moselle (nee Cohen).
"A-7283102, Hrdinova, Milena Marie Anna.
"A-6860904, Iwensky, Saja.
"A-6694231, Kalisz, Icchok.
"A-6905321, Kaplanek, Ruzena.
"A-6760574, Kesler, Michael, or Michael Kesler-Guberman.
"A-7828443, Kostins, Vladimirs.
"A-6481280, Kovacs, Anna, or Maria Anna Crescentia Kovacs.
"A-6403567, Kwan, Wei.
"A-6627366, Kwan, Yun-Sun Hsieh.
"A-6819609, Lazar, Irene Theresa.
"A-6935235, Mach, Antonin.
"A-6704679, Magrys, Janina.
"A-6685998, Malach, Jinkas.
"A-7095744, Maly, Oldrich.
"A-6704677, Michniak, Felicia Theresa.
"A-6937218, Nagy, Tibor Julius.
"A-6983577, Roth, Herman.
"A-6765745, Schneider, Bluma Salzberg.
"A-6762002, Schneider, Chaim.
"A-6854619, Schwerd, Leopold.
"A-6854620, Schwerd, Bernard.
"A-6854621, Schwerd, Abraham.
"A-6804007, Segal, Simon.
"A-6726993, Seidl, Zdzislaw.
"A-6726994, Seidl, Margit.
"A-6704246, Sikora, Genowefa.
"A-6598476, Silbiger, Edith (Edita Silberger).
"A-7053523, Spiegel, Alexander Schlomo.
"A-7053521, Spiegel, Olga Wald.
"A-7941113, Spiegel, Edith.
"A-6759333, Szalai, Georgine Marie Etel Ida or Georgine Szalay.
"A-6636178, Szczepanski, Izrael.
"A-6739561, Szczepanski, Elka.
"A-7841770, Urga, Johans Jekabs.
"A-6775595, Vietorisz, Thomas Adam.
"A-7176736, Walder, Gyula.
"A-7176735, Walder, Ilona Dubik.
"A-6610297, Weinfeld, Ernest.
"A-6662194, Wenger, Szmul.
"A-6654356, Wenger, Kenia.
"A-6991753, Zaleski, Pawel or Paul Zaleski or Edward Novak.
"A-6714888, Zonabend, Zofia Felicja Zawadzka.
"A-6850602, Zupnick, Dora A.
"A-9543111, Altmark, Leo.
"A-6843513, Beer, Susan (nee Eisdorfer).
"A-6609639, Gottlieb, Marcel.
"A-6886816, Halpert, Ludwik or Leonard Halpert.
"A-6911231, Jakobi, Anna.
"A-6708652, Kawer, Benjamin.
"A-6886817, Klecki, Choma.
"A-6490332, Koppel, Izidor or Isidore.
"A-6523412, Kustin, Dina.
"A-7457274, Kustin, Abram.
"A-6523411, Kustin, Galina.
"A-6839294, Laturski, Tadeusz Stefan.
"A-6715860, Mauskopf, Mailich.
"A-6886814, Miller, Akiwa.
"A-6883775, Miller, Anna (nee Brander).
"A-6883774, Miller, Szabsy.
"A-6991757, Pap, Gabor Tivadar.
"A-6991758, Pap, Ilona.
"A-9776585, Partyka, Paul William, also Wilhelm Pawel Partika.
"A-6515510, Skotchko, Evelyn.
"A-6897055, Steinberger, Bela.
"A-6903667, Steinberger, Jeno.
"A-6440950, Verderber, Rachela.
"A-6440951, Verderber, Rechava.
"A-7073952, Wolinski, Edward.
"A-7863546, Wolinski, Henryka Wanda.
"A-6881417, Shapira, Clara.
"A-6361759, Bernardowicz, Wladislaw.
"A-6361760, Bernardowicz, Helena Sosnowitch.
"A-9776569, Burak, Josef Julian.
"A-7849973, Catarahia, Panait.
"A-7841917, Latkovic, Ilija.
"A-6780707, Neuman, Rachel.
"A-9727767, Onichimowski, Saturnin.
"A-6662205, Parkany, Janos.
"A-9543193, Pitka, Andreas.
"A-9556582, Sarr, Ludvig.
"A-7125497, Schick, Bedrich or Fritz Schick.
"A-7052319, Singer, Markus.
"A-7110845, Sinunu, Jacoub Badie.
"A-7095960, Sinunu, Alexander Badie.
"A-6860796, Teleki, Suzanne.
"A-9010488, Vajak, Jacob (Wajak).
"A-6910034, Wallner, Istvan or Stephen Wallner.
"A-6861909, Zanka, Jaroslav or Jerry.
"A-6891829, Bers, Naum Saia.
"A-6704679, Dorosz, Bozenna, Anna.
"A-6771742, Dudum, Manawell.
"A-6704687, Gawel, Zofai.
"A-9801211, Hermits, August.
"A-7079989, Hrdlicka, Richard Frantisek.
"A-6689608, Krajnik, Iszak.
"A-6193516, Lakovic, Rajko S.
"A-6685877, Leibowitz, Nochim.
"A-6676326, Leibowitz, Sara.
"A-9777236, Paala, Evald Aleksander.
"A-9831393, Faju, Arnold.
"A-6291887, Piasecki, Witold Marian.
"A-6291890, Piasecka, Helena.
"A-6691306, Purec, Hersz.
"A-7802322, Saar, Evald.
"A-6794819, Schwarcz, Emil.
"A-6991809, Schwarcz, Ruzena.
"A-7957361, Schwarcz, Maxmilian.
"A-6662192, Stupacezewski, Abram.
"A-9678258, Tapp, Augustine.
"A-9682086, Trella, Felika.
"A-6830450, Awad, Ishak Said.
"A-6499960, Basch, Abraham Hersh.
"A-6383642, Blat, Pinchos.
"A-7118810, Borsay, Maria Anna.
"A-6937571, Borsody, Istvan Karoly or Stephen Borsody.
"A-6937572, Borsody, Charlotte or Sarolta Borsody (nee Herzka).
"A-6937573, Borsody, Eva Katalin.
"A-6937574, Borsody, Hanna Erzsebet.
"A-6771769, Burianek, Otto.
"A-7057913, Calauz, Rozalie Fekete.
"A-6241050, Fen Wu Chi or Cary Wu.
"A-6944214, Hanak, Karla.
"A-6944213, Hanak Michael.
"A-6749974, Hauer, Miklos.
"A-7821840, Ingr, Sergej Jan.
"A-6829981, Klein, Jozef.
"A-6775565, Klima, Slava.
"A-6911181, Kolev, Ilia Gichev.
"A-9836601, Kowalczyk, Wladyslaw.
"A-7427257, Laats, Jyri Georg.
"A-6427743, Lorenzo, Jack Mubarak.
"A-6794698, Machek, Otakar.
"A-6896050, Niculescu, Barbu.
"A-6617281, Odeh, Aziz Salim.
"A-6985602, Perlmutter, Laszlo.
"A-6985601, Perlmutter, Katalin (nee Stern).
"A-7941872, Perlmutter, Aniko.
"A-6232285, Piekarski, Stanislaw Witold.
"A-6851559, Ping, Wong Wai.
"A-6622756, Raad, George Khalik.
"A-6816851, Rybarova, Anna or Anna Rybar.
"A-6344908, Rydz, Zygmunt.
"A-6803953, Rywkin, Mordchai or Mordchai Rivkin.
"A-6855954, Rywkin, Dvosia.
"A-7138279, Klimek, Adolf.
"A-9777307, Sum, Ho.
"A-6231163, Swastek, Franciszek Antoni.
"A-6688244, Szterenzer, Szymon.
"A-6912090, Szterenzer, Sonia.
"A-9663929, Varnag, Enn or Samuel Mool.
"A-74912670, Vesik, Mihkel.
"A-6461146, Vrastilova, Marie Alzbeta or Marie Vrastilova.
"A-7520334, Vymetalik, Henry or Jindrich Alos Mazarek.
"A-6536908, Weisz, Ignatz.

"A-7088157, Ziffer, Walter.
"A-7095722, Ardavanu, Nicolae alias Nicolae Rene Ardavanu.
"A-7095721, Ardavanu, Irina (nee Profeta).
"A-7052394, Benes, Rudolf.
"A-6848038, Chang, Chi-Jen.
"A-1804201, Chang, Wen Ti alias John Wen Ti Chang.
"A-7095968, Duchacek, Ivo.
"A-6694107, Dyksztejn, Idel.
"A-7439091, Fan, Mabel Shun Wha.
"A-6962949, Foris, Peter.
"A-7138234, Gold, Michel.
"A-6689553, Gross, Moric.
"A-6644593, Grunwald, Peter.
"A-6534204, Guttman, Irma.
"A-7717655, Hu, Betty Mayling (formerly Stella Wang).
"A-9582853, Ivellio, Joseph.
"A-6044017, Jablonska, Wladyslawa.
"A-6044580, Jablonska, Eleonora.
"A-6903683, Janicki, Andrzej.
"A-6491962, Kaevats, Ilmar.
"A-6491963, Kaevats, Ella.
"A-6491961, Kaevats, Juri.
"A-6727314, Kann, Eduard.
"A-7184190, Kase, Francis Joseph.
"A-6868638, Klopman, Eliase.
"A-7858008, Klunic, Anton or Tony.
"A-6419788, Laren, Kuno Boris.
"A-6778968, Lauko, Vladimir.
"A-7934744, Lazarevic, Ivo.
"A-9564652, Leppik, Artur or Arthur Lepik.
"A-6729775, Loblovics, Robert.
"A-6549173, Lu, Kuo Chin.
"A-9777296, Lukowski, Zbigniew.
"A-6390519, Macek, Vlado alias Vladimir Macek.
"A-6744210, Macek, Josipa Ivan (nee Jurak).
"A-6744283, Macek, Agnes Ljerka alias Agneza Ljerka Macek or Agnes Macek.
"A-6744284, Macek, Andre alias Andrej Macek or Andre Matchek.
"A-7132174, Mazur, Zbigniew Kandyt.
"A-7248035, Moldoveanu, Toma (Thomas).
"A-7248034, Moldoveanu, Constance.
"A-6481279, Nagy, Maria or Sister Mary Andilla.
"A-6920909, Neumann, Leonie Finali.
"A-6794909, Nubani, Jawdat Ibrahim.
"A-6445457, Okakiewicz, Justyna Joanna.
"A-9528959, Polis, Roberts.
"A-9538292, Rabba, Heinrich Eduard.
"A-7095909, Reimann, Ernest.
"A-7095910, Reimann, Dora (nee Banffy).
"A-7197749, Rekeny, Anna.
"A-6343459, Ranty, Bronislaw George formerly Bronislaw Rubinfeld.
"A-6669273, Rzeszewski, Binem.
"A-6669274, Rzeszewski, Roisa (nee Parriser).
"A-6870015, Sadilek, Zdenek.
"A-9736877, Sai, Rudolf.
"A-9745639, Sarzants, Karlis.
"A-6704468, Schwartz, Peter.
"A-6662195, Semiatychi, Hercel.
"A-6427758, Shiber, Saba George.
"A-6704212, Sibinska, Bozenna (Barbara).
"A-6491960, Siim, Helene.
"A-6491959, Siim, Albert.
"A-6804022, Silberstein, Deszo.
"A-7049560, Silverman, Anna Rudsinsky or Silberman.
"A-6887197, Skala, Imrich.
"A-6887196, Skala, Stefania.
"A-6779237, Slavensky, Pavel, alias Jacob Frielich.
"A-6748490, Steinberg, Gennady Henry Matveievitch.
"A-6508276, Szule, Mihaly or Michael alias Sarossy.
"A-6602324, Szule, Gabriella Morocz.
"A-6497289, Tan, Kim Hoang.
"A-6620586, Tsien, Tang Zing.
"A-9764971, Uhach, Luigi.
"A-6751514, Vanek, Zdenek alias Abraham Grunberger.
"A-9538394, Vesk, Karl.
"A-6803917, Wajnberg, Rywka or Rita Weinberg.
"A-6848669, Lang, Chi Ko.
"A-6403572, Yang, Anchi Wong.
"A-7886918, Ying, Wong Shan (Mrs. B. Y. Woo).
"A-7886918, Woo, Kee Pea or Nancy Woo.
"A-7122699, Zelka, Joseph Yehooda.
"A-9550407, Akula, Nikolai.
"A-7210031, Bartok, Anna.
"A-6760689, Baumohl, Sandor or Alex or Alexander Baumohl.
"A-6461100, Benno, Salman Ezra.
"A-6937370, Bialy, Jerzy Josef.
"A-6798088, Biernbaum, Solomon.
"A-7858185, Bokum, Jozef.
"A-9707201, Boomis, Driscis Zania.
"A-6882107, Brayer, Menachem Mendel.
"A-6576395, Breuer, Emil.
"A-7198815, Chang, Nathan Chong Tsau.
"A-6976880, Chu Bacon.
"A-6523895, Cieplak, Stanislaw Jozef.
"A-6923153, De Warge, Levente (Levente Warga de Sziget).
"A-6712036, Dracoqoulos, John Basil.
"A-6449406, Falkine, Stella or Selima Falkine.
"A-7414979, Fried, Ernst.
"A-6709336, Friend, Balfoura.
"A-6644123, Gottesmann, Maria.
"A-6644124, Gottesmann, Mignon.
"A-6583210, Halata, Vilasta.
"A-6983819, Hecht, Mendel.
"A-6719386, Herskovic, Herman.
"A-7125313, Hodzova, Drahotina.
"A-6627211, Hu, Fu-Nan or (Mrs.) Lan-An Hsu.
"A-6794756, Ilitch, Milorad.
"A-6669708, Ivanoff, Helen Petrovna.
"A-7991219, Kaaman, Hugo.
"A-7879262, Kaddak, Heinrich.
"A-7052316, Kahan, Frida.
"A-7841655, Kahu, Ewald Ewraim.
"A-7121844, Kaibni, Fuad Ibrahim.
"A-6769261, Kaupas, Victor Vladas or Kyburg or Kyburz.
"A-6794761, Keleti, Pierre Georges (George Peter Keleti).
"A-9728279, Kerns, Ansis Roberts or Hans Robert Kern.
"A-7427260, Kielbasa, Joseph.
"A-6949988, Klein, Herman.
"A-6934966, Klein, Edith (nee Edith Roza).
"A-6702193, Koneff, Boris Alexandrovich or Bob or Alexander Koneff.
"A-7858098, Koo, N. Z. (Shen Ven Yeh).
"A-9514992, Kukk, Alexander.
"A-6881672, Kupferstein, Ervin.
"A-6752980, Lantos, Thomas Peter.
"A-6878013, Levita, Olga or Lewita (nee Spitzer).
"A-7985932, Lillimagi, Arthur.
"A-7095793, Lillimagi, Miralda (nee Norden).
"A-9802602, Lillimagi, Leonard.
"A-7863547, Lozicki, Jan.
"A-6248630, Luts, Heino Alfred.
"A-6830003, Maday, Bela Charles or Bela Karoly Maday.
"A-6803924, Maimon, Yeta (nee Jolan or Janta Berger).
"A-6232254, Maksymow, Jozef John.
"A-9673342, Manni, Otto.
"A-7118623, Marsak, Ivo Vaclav.
"A-7985661, Mensik, Bohumil or Francois Segal.
"A-6497208, Mikulasek, Adolf.
"A-6371452, Miller, Sophia Pavlovna (nee Rumarchuk).
"A-6371454, Miller, Rada Alexandrovna.
"A-6555839, Minoot, Rudolf or Rudolf Minuth.
"A-6610312, Miranker-Miranski, Zalman.
"A-6678556, Noulik, Eduard.
"A-6678557, Noulik, Leida Helene.
"A-6537557, Parna, Jaan Voldemar.
"A-6536276, Parna, Lizette (nee Leinberg).
"A-6597438, Pinter, Szymon.
"A-6554216, Piwowoz, Mojzesz.
"A-6740118, Platovsky, Shoshana.
"A-6819144, Pollak, Rosa.
"A-6606627, Porgesz, Herman.
"A-7463690, Posidel, Bartolo.
"A-6803935, Pressler, Stevan.
"A-9825261, Rachuba, Lidia.
"A-6835860, Rago, Louis Joseph.
"A-7849818, Romm, Carl Calle.
"A-6555819, Schiffman, Rose or Roza Schiffman.
"A-6958445, Sierpowski, Jozef.
"A-6564149, Soltan, Eli Boruch.
"A-6669727, Staub, Edith Bohm.
"A-6685994, Zwarcblat, Chaim or Chaim Schwartzblatt.
"A-6984639, Tasev, Athanas Stoyanov.
"A-6843543, Taub, Solomon.
"A-6987828, Todorov, Theodore Ivanov.
"A-6239889, Veedam, Voldemar.
"A-7934148, Vimb, Evald Ferdinand.
"A-6047249, Wandzel, Adam Arthur.
"A-6634021, Weiss, Zlata.
"A-6819102, Weksler, David.
"A-6811475, Weksler, Golda.
"A-6730652, Wu, Ming An (Man On Ng).
"A-6015116, Zucker, Emilie.
"A-7081670, Ajluni, Raymond Marfuz.
"A-6633726, Alter(Szymon.
"A-6479412, Andre, Laszio.
"A-6772246, Ayish, Ahmad Shihadeh.
"A-6949331, Bay, Adela.
"A-6694124, Bergsztyn, Benjamin.
"A-6834685, Boucher, Nathalie Alexandrovna Konzenetsova.
"A-6911189, Demeter, Odon Thomas.
"A-6843541, Deutsch, Cheskel Ezekiel.
"A-7469208, Eid, Anisa Gabriel.
"A-6905019, Friedman, Helen.
"A-6905020, Friedman, Gisella.
"A-6694300, Hsi, Kong-Ming (Paul).
"A-7821166, Hsia, Ting Wei.
"A-6534332, Ifland, Miriam Jacob.
"A-9549897, Karner, Rudolf.
"A-6794968, Kawwas, Naim Jacob.
"A-6805585, Klein, Rosita Erdan.
"A-9656333, Konstantin, Roots.
"A-9679936, Koster, Sergei.
"A-7061798, Krunci, Ladislav Antonin.
"A-9825047, Kwiecinski, Stefan Jozef.
"A-6830509, Ledwon, Pawel Josephat or Frater Josephat Ledwon.
"A-6724356, Lomova, Charlotte.
"A-6956129, Lux, Verona.
"A-7178958, Musallam, Abla Eid.
"A-7879625, Musallam, Najwa Sani.
"A-7879626, Musallam, Suad Sami.
"A-6848834, Nagy, Vince.
"A-6848835, Nagy, Elsa (nee Szevera).
"A-6848846, Nagy, Adam.
"A-9758946, Pagan, Luigi Attilio Mario.
"A-6182828, Pennar, Jean.
"A-6555846, Popov, Alexander Ivan.
"A-6347212, Radsepp, Eugen.
"A-7898926, Rannala, Sten Alexander or Sten Alexander Nyholm.
"A-6821776, Resev, Nikolai or Nicholas.
"A-6860784, Rodzinski, Zyzislaw, Jozef.
"A-6860785, Rodzinski, Jadwiga Halina.
"A-7125370, Saar, Max Emil.
"A-6227908, Tubielewicz, Boguslaw, Ludwik.
"A-7955339, Viede, Erich.
"A-7120688, Wang, An-Pang.
"A-7053579, Waldman, Esther (nee Frenkel).
"A-6886822, Waldman, Mendel.
"A-6857570, Weiss, Lilly.
"A-6955111, Absolon, Karel Bedrich Jaroslav Willibald Jindrich.
"A-9825061, Adamska, Jadwiga.
"A-6866913, Adler, Eva (nee Ladislai).
"A-6990725, Arnost, Milan Jan.
"A-6990754, Arnost, Herta Maria.
"A-6990726, Arnost, Milan Jan, Junior.
"A-6990727, Arnost, Thomas Michael.
"A-6690579, Bitker, Alexandra.
"A-6690578, Bitker, Joseph.
"A-6523944, Bitker, Rachel.
"A-6881809, Braun, Isaac.
"A-6985312, Braun, Ruchlia.
"A-6377034, Cassis, Elias George.
"A-7069276, Celemenski, Jacoh.
"A-7457503, Costea, Alexandru Nicolai.
"A-6834663, Djonovic, Jovan Ivov.
"A-6923757, Edelman, David.
"A-6775676, Egyes, Leslie or Ladislav Egyes.
"A-6509231, Einhorn, Zelig.

"A-6830479, El Farra, Mohammad Hussein.
"A-6923780, Erlachtegerecht, Sonia.
"A-6342965, Feldman, Avner.
"A-6852892, Ferlstein, Berta.
"A-6750390, Flac, Mirko.
"A-7841187, Fong, Tham.
"A-6819650, Friedman, Adolf.
"A-6779244, Friedman, Henriette (nee Waldman).
"A-6923761, Geher, Boruch.
"A-7290199, Godt, Israel Avram.
"A-6511096, Gottesman, Arthur Marceli.
"A-6887539, Gunsburg, Samuel.
"A-6794974, Hagher, Tipora Chane.
"A-7283384, Halasz, Elek Miklos.
"A-6689615, Halberstam, Rachela.
"A-6948549, Hoffmann, Jindrich.
"A-6772233, Horewicz, Julius or Juliusz Hozenpud.
"A-6537074, Huang, Yu Pao Hsu.
"A-6597973, Hujczyc, Boleslaw Adam.
"A-6635678, I, Fu Hsiang.
"A-7046037, Kabbani, Ezra Haroun.
"A-7052499, Kertesz, Stephen.
"A-7890872, Kivitis, Pauls Roberts.
"A-6694404, Klems, Ludmila.
"A-6770458, Kooby, Yacoub Sion or Jack Kooby.
"A-6774490, Kopolowitz, Ludwig.
"A-6460702, Novey, Diana (nee Daniela Slabizner or Daniela Lederman).
"A-6794821, Leitner, Hilda.
"A-7073608, Lettrich, Josef.
"A-9537477, Linkgreim, Karl.
"A-6545325, Lewin, Uszer.
"A-7069592, Morvai, Roza (nee Gero) or Rose Morvay.
"A-6868640, Najder, Konstanty Marceli.
"A-6868639, Najder Leontyna Maria.
"A-6442234, Neubert, Marie.
"A-6448804, Ngai, Shih-Hsun.
"A-6567558, Ngai, Hsueh-Hwa.
"A-6335532, Odescalchi, Paul Gabor or Pal Gabor Odescalchi.
"A-6868641, Pasztory, Catherine Sophie.
"A-6713380, Piile, Ado.
"A-6713379, Piile, Linda Marie.
"A-6740254, Rekant, Chaim.
"A-7858333, Rudnyanszky, Olga.
"A-7858334, Klein, Maria Anna.
"A-7244177, Russo, Anna.
"A-6862610, Sayovicz, Mayer.
"A-9738075, Savovic, Niko Mihailo.
"A-7366402, Sitko, Antoni Ludwik.
"A-6954059, Svozil, Metodej.
"A-6954060, Svozil, Vratislava Jana (nee Smekalova).
"A-6780717, Szorenyi, Emma.
"A-7841882, Tamaro, Pietro.
"A-6927968, Tanav, Heino.
"A-6772299, Teleki, Deneb.
"A-6921249, Toeg, Naima or Naima Menashi.
"A-7131201, Tomaszewski, Stefan.
"A-7903396, Valle, Josip or Giuseppe or Joe.
"A-9541986, Viik, Heinrich.
"A-6985631, Votava, Helena.
"A-6965382, Wacholder, Benzion.
"A-6685999, Wajdenbaum, Towia.
"A-6843065, Wajdenbaum, Sara (nee Dawidowicz).
"A-6831434, Wajdenbaum, Samuel.
"A-6847920, Wen, Victor Yen Hsiung.
"A-7053545, Wosnansky, Hannai or Judith Enricht.
"A-6847812, Yao, Cheng Yu.
"A-2687547, Zarko, Martin.
"A-9764876, Babushkin, Moses Alexander or David Alexander Miller.
"A-6737988, Bialestocki, Morduch.
"A-6606121, Bigo, Olga.
"A-6916676, Chou, Yung Hsuan.
"A-6816289, Cukierman, Chil Wolf.
"A-6566966, Cukierman, Frida.
"A-8021211, Cukierman, Mary.
"A-6453859, Culik, Rudolf.
"A-7184427, Decleva, Paul.
"A-6923754, Dembitzer, Chiel.
"A-6923755, Dembitzer, Rafael.
"A-8984617, Epstein, Dydio or Yedidia Epstein.
"A-6884898, Faytelewicz, David.
"A-6760581, Ferdman, Noach or Feldman.
"A-6751442, Ferdman, Mina (nee Brejzman).
"A-6819651, Fono, Andras.
"A-6843558, Hauer, Rozalie (nee Mozes).
"A-6534330, Huang, Helene Te-Yao.
"A-7284228, Hui, Florence A. or Hsiu Chang Hui.
"A-7361083, Hutt, Juri or George J. Hutt.
"A-7056726, Jaksy, Elsa nee Moskovitz.
"A-6472585, Kadvany, Alexander J.
"A-6472586, Kadvany, Louise.
"A-6990739, Konig, Margit (nee Ausch).
"A-6685985, Lejbiker, Jochanan.
"A-6676396, Lejbiker, Sara.
"A-6544517, Leppma, Zoja.
"A-6849327, Leppma, Tonu Ilmari.
"A-6475641, Maly, Gero.
"A-9825230, Mattessich, Giovanni Andrea.
"A-9727771, Paleta, Jan Piotr.
"A-7941871, Popovich, Slobodan.
"A-6537556, Rehepapp, Aleksander.
"A-6819127, Reich, Lilly (nee Fried).
"A-6819128, Fliegman, Agnes (nee Fried).
"A-6740512, Schiffer, Janos Pal.
"A-6775692, Paul Chu Hsuen.
"A-6794729, Szucs, Tibor Istvan or Tibor Stephen Such.
"A-6760678, Tabak, Maier or Maier Fisch.
"A-7398380, Tamm, Meinhard.
"A-6332586, Turnauer, Martin.
"A-7395209, Udvarnoki, Bela, Junior.
"A-7121716, Wang, Kung Fong.
"A-6886837, Wieczorek, Aleksander.
"A-6837931, Yin, Huo-Chin.
"A-7910377, Yin, Log Yuin How.
"A-7099681, Zenkl, Petr.
"A-7099682, Zenhl, Pavla.
"A-6622735, Abboud, Fuad Labib.
"A-6613211, Aboody, Albert Moshi.
"A-7354343, Andrassy, Elizabeth Maria.
"A-6897916, Aubrecht, Veroslava Anna.
"A-6877413, Barczykowski, Wladyslaw Mieczyslaw.
"A-7463692, Bercari, Louis.
"A-6805598, Berger, Ilona (nee Hoch).
"A-7828767, Berzins, Karlis Arvids.
"A-7402058, Berzins, Roberts (alias Robert Berson).
"A-6953060, Bondo, Isidore Juda.
"A-6383637, Bronsztejn, Szyja.
"A-9203941, Brus, Tobias Albert.
"A-7201405, Brzorad, Vilem Jan.
"A-6668898, Bursbtyn, Nuchim Benjamin.
"A-7828039, Bussanich, Nicolo.
"A-6829982, Butosi, Janos.
"A-7174556, Ch'en, Shih Chen also known as Flora May Ch'en or Flora May Chun.
"A-6606696, Chiang, Sze Jih.
"A-6491659, Czarnecki, Jan.
"A-7069335, Darnoi, Denis Nicholas.
"A-6685878, Dolinski, Josef.
"A-6984654, Dolinski, Inda.
"A-6697383, Doman, Francis Steve or Ferenc Doman.
"A-7115666, Dowek, Judel.
"A-7115667, Dowek, Elyasz.
"A-6463167, Ehrenfeld, Sandor.
"A-6616297, Elissa, Jeanette Joseph.
"A-6595048, Fajwusowicz, Zalman.
"A-6574575, Fajwusowicz, Ewa.
"A-6574574, Fajwusowicz, Cyla.
"A-6142241, Fang, Pao-Hsien.
"A-6804019, Fernbach, Sarolta (nee Blau).
"A-6819045, Fischman, Helen.
"A-7144010, Gabor, John Michael Joseph.
"A-9769829, Gartman, Stanislaw.
"A-6716261, Gerganoff, Stoyan Tsonu.
"A-6716262, Gerganoff, Zdravko Tsonu.
"A-6819649, Gluck, Hedy Cseszne.
"A-7046277, Goda, Erno.
"A-7046278, Goda, Olga.
"A-6903762, Goldstein, Andrej.
"A-6953264, Goldwag, Matys.
"A-7138289, Goldwag, Sylwka.
"A-7299341, Grabowski, Wojciech Waclaw.
"A-6855674, Gross, John (nee Janos Grosz).
"A-6862640, Gross, Margrit.
"A-6621147, Gutlejzr, Szanja.
"A-6490311, Gutlejzer, Enia (nee Lebensold).
"A-9777256, Gyorffy, Gabriel Emery.
"A-6922075, Haim, Haskel Joseph.
"A-6685996, Halpern, Kalman.
"A-6847991, Hardoon, Hisqail Hougie.
"A-6819097, Hauer, Erwin.
"A-7991864, Hauer, Juresz.
"A-698584, Hauer, Gisella.
"A-6570459, Hendrikson, Oskar Rudolf.
"A-6570460, Hendrikson, Mary Henriette.
"A-6838671, Hendrikson, Matti.
"A-7210071, Hesser, Andre.
"A-6877764, Holt, Charles Chi-Chien, alias Chi-Chien Ho and Kai-Him Ho.
"A-6794990, Horowitz, Tauba Padawer (nee Herschthal).
"A-6534359, Ivanoff, George Georgevich.
"A-6622742, Jbeily, Joseph Ibrahim.
"A-7097890, Jungreisz, Tibor.
"A-6843557, Jurkanski, Blanka Malek (nee Blanka Malek).
"A-0199301, Jurkovic, Vincenc Martin.
"A-7982539, Juskiewicz, Bronislaw.
"A-6383406, Kao, Chao Ming alias Robert Kao.
"A-6991788, Karman, Rozsi alias Rozsi Kohn and Rozsi Farkas.
"A-6622739, Karram, Mussa Hussein.
"A-7129579, Karram, Mariam Mussa.
"A-8021522, Karram, Monia Mussa.
"A-6369727, Kask, Karl.
"A-6985793, Katz, Ruzena.
"A-6990779, Katz, Desider Simonovic.
"A-6524393, Kavardjieva, Lilia Vlachova.
"A-6943767, Klein, Michal or Miksa.
"A-7841916, Kneisch, Luciano.
"A-6803926, Koenigsberg, Eugene or Eugene Konigsberg.
"A-6953005, Kohn, Alexander.
"A-2712646, Koo, Sheu Tse.
"A-9802872, Kowalski, Boleslaw.
"A-98225141, Kozloski, Stanislaw.
"A-6770126, Krek, Mihael (Michael).
"A-5915370, Krek, Amalia.
"A-6043936, Krek, Alex.
"A-8001000, Krotowski, Stanislaw.
"A-8021889, Krowtowska, Alicja (nee Landowska).
"A-9542199, Krumins, Karlis Valdemars.
"A-7841411, Kujovic, Radoslav Radoje.
"A-6390161, Laevsky, Israel Henry.
"A-9582579, Latkovic, Filip.
"A-6537889, Lebovic, Edith (nee Edith Sicherman or Edith Sichermann).
"A-6827138, Lewanska, Franciszka.
"A-6760596, Liebling, Joel.
"A-6765747, Liebling, Zelda.
"A-6330125, Macuka, Darinka.
"A-6286699, Magi, Kaljo.
"A-6662179, Margolin, Mowsza.
"A-6652101, Margolin, Ester.
"A-6652100, Margolin, Ejdla.
"A-6819164, Mayyasi, Sami Ali H.
"A-6837572, Meisels, Fani.
"A-7128147, Mendel, Desideriu.
"A-6771762, Meo, Leila Marie-Thesese.
"A-6620565, Miller, David Solomon.
"A-6620555, Miller, Lydia Semon Rivkin.
"A-6830207, Miodonski, Ted George or Tadeusz Szymon Miodonski.
"A-9635262, Morawski, Jozef.
"A-7383020, Mravak, Dragutin.
"A-8238144, Narel, Aleksander.
"A-9728202, Nestorowicz, Marian.
"A-7849802, Nomm, August.
"A-6992471, Ohmer, Sofka or Sofia (nee Pentcheva).
"A-6929684, Onody, Desider Andrew.
"A-6606301, Orleanski, (Brother) Casimir Karol.
"A-7841141, Natkanski, Wincenty.
"A-9550887, Ostrowski, Ignagy.
"A-7078165, Piatkowski, Juliusz Konstanty.
"A-9825018, Pionko, Jerzy.
"A-7244264, Podlewski, Stefan.
"A-6991768, Prec, Klara Judith.
"A-6794989, Prec, Oldrich.
"A-7886182, Rochowczyk, Jozef.
"A-6700642, Rosenbloom, Elie Samuel,

"A-6496749, Rubin, Anna (nee Halberstam).
"A-6953463, Saltoun, Violette Haron.
"A-7095742, Salzmann, Zdenek.
"A-6984637, Samter, Louise.
"A-6440743, Shohet, Naim Rouben (nee Chohate).
"A-9770509, Sillak, Joosep.
"A-6709294, Smirnoff, Oleg Gabriel.
"A-7809072, Socha, Kazimierz.
"A-6857654, Smutny, Jerzy Mieczyslaus.
"A-6612870, Steinmetz, Heinrich.
"A-6845778, Stenzler, Clara or Klara.
"A-6903753, Sterling, Harry alias Hersch Sterlung.
"PR-947098, Stolz, Jiri.
"A-5914235, Stolz, Marta (nee Bergmann).
"A-7043949, Stolz, Jiri Junior.
"A-7043950, Stolz, Eva.
"A-7828824, Strak, Michal.
"A-6643498, Suchestow, Judyta Jeannette.
"A-9632473, Tamm, Waino alias August Eduard Tamm.
"A-5911908, Tarkas, Erich.
"A-6544383, Tiivel, Jaan.
"A-7138041, Toffler, Arthur.
"A-7138042, Toffler, Lily.
"A-9740112, Trantmann, Otto.
"A-6304578, Tsan, Chu Hsi alias Hsi Tsan Chu.
"A-7676457, Vulicecic, Baldo.
"A-7057932, Vyssokotsky, Sergius Constantine also known as Serge Vyssokotsky.
"A-7057933, Vyssokotsky, Jenny Christine (nee Neggo) also known as Jenny Christine Neggo-Vyssokotsky.
"A-7056048, Weil, Vitezslav.
"A-7056049, Weil, Margaret.
"A-6886848, Weiner, Abraham Abby alias Abraham Abi Weiner.
"A-6619083, Weiss, David.
"A-6551930, Weitz, Louis.
"A-6551931, Weitz, Regina.
"A-7133269, Wen, Chang Hsien (Sister Mary Cyrilla).
"A-6791636, Winkler, Joseph.
"A-6791637, Winkler, Aniela.
"A-6791638, Winkler, Maria Paula.
"A-7415146, Yee, Ping Kou.
"A-7135691, Yin, Huo-Min.
"A-6847817, Yu, Kwok Tung alias Mason Yu.
"A-7802470, Arge, Heinrich Leonhard.
"A-7457686, Betlejewski, Waclaw.
"A-9825097, Bochenski, Michal Walenty.
"A-6897515, Bondo, Ilona Polatsek.
"A-9825180, Bussanich, Martino.
"A-7206034, Cerna, Zorka Maria.
"A-7083852, Chescowski, Nicholas.
"A-1620402, Dambski, Apolonia Maria.
"A-1249547, Dambski, Kazimierz Jozef.
"A-6887744, Dancziger, Ferenc alias Fred Dancziger.
"A-7058911, Drabek, Jaroslav.
"A-7096050, Drabek, Jaromira.
"A-7056912, Drabek, Jaroslav Adolf, Junior.
"A-7351219, Drabek, Jan Adolf.
"A-6305595, Faber, Ruzena (nee Gross).
"A-7354828, Frnadi-Dietl, Fedor.
"A-6938000, Flaks, Jacob, David.
"A-7879332, Friedman, Joseph.
"A-7095797, Gidzinski, Kazimierz.
"A-7074033, Hillel, Victoria Zaharia.
"A-6968051, Hrazdilova, Jirina Marie.
"A-6301097, Jalinskas, Ceslovas.
"A-6301096, Jalinskas, Brone.
"A-6432770, Jaouni, Taysir Muhammad.
"A-6949316, Jiruska, Frantisek Jaroslav.
"A-6635258, Kalnay, George.
"A-6886924, Klein, Emil.
"A-6891807, Lefkovic, Akiba.
"A-7520872, Lew, Katherine.
"A-6924587, Lipnicki, Michael.
"A-9542040, Lucis, Janis.
"A-7054514, Machek, Miroslava (nee Mericka).
"A-7177878, Mikulik, Lubomir.
"A-7049979, Mojsilovic, Blagöje.
"A-6371460, Mul, Hersz.
"A-6762548, Muniak, Jan.
"A-6590279, Orlandic, Pavle.
"A-6899266, Plater - Zyberk, Marguerite Wielopolska.
"A-6960366, Scharl, Maria.
"A-6989080, Silhavy, Josef.
"A-6989078, Silhavy, Amalie.
"A-6989079, Silhavy, Pavel.
"A-6689775, Stanisavljevich, Nikola Dragisha.
"A-6232252, Sukiennick, Mieczyslaw.
"A-7282655, Szefner, Szyfra.
"A-6805582, Teitelbaum, Lipot.
"A-7197697, Tiit, Elmar.
"A-6855683, Tomashevich, George V.
"A-6967361, Tsou, Tcheng-Hoa alias Michael Tsou.
"A-7802495, Vaherpold, Jaan Iver.
"A-7383195, Vikulis, Pauline (nee Gailis).
"A-7143023, Waters, Elmer alias Ervin Wassermann.
"A-6766905, Wulc, Stanislaw, Samuel.
"A-6567543, Yao, Vida.
"A-6694102, Zabare, Jankiel Joseph.
"A-6748822, Brtan, Vladimir.
"A-7095994, Cserna, Eugene.
"A-7095995, Cserna, Zoltan.
"A-7873136, Fermeglia, Sergio.
"A-6704042, Froomkin, Joseph Nathanovich.
"A-9759383, Heinvali, Arnold George.
"A-8001563, Ignac, Stanislaw or Ignac Stanislaw.
"A-7955272, Kanski, Frank (Franciszek Konrad Kanski).
"A-6633720, Karas, Zelman.
"A-6688188, Klein, Tereza.
"A-6688184, Klein, Mauritiu or Mor Klein.
"A-7284783, Lawler, Roland Shang-Yong.
"A-6918456, Moskovitz, Roza Grunfeld.
"A-7138291, Peress, Widad Reuben.
"A-6570439, Photos, Basil John alias Vasilios Ioannis Potos.
"A-9670060, Rebane, Albert Johannes.
"A-6918481, Renner, Teresa.
"A-6912550, Renner, Alexander.
"A-6903689, Sze, Victor Tsu-Ying.
"A-9727426, Tift, Mihkel.
"A-7133284, Tsung, Huai Wei (Sister Mary Innocence).
"A-7809282, Vaga, Matvei.
"A-7809011, Vagvalgyi, Valerie.
"A-7050713, Vracar, Aleksander Mile or Alexander Vracar.
"A-7056849, Wertman, Murray or Motel Wertman.
"A-6923733, Wertman, Isaac.
"A-9803392, Zalitis, Heines Hugo Hermans.
"A-7802092, Abraham, Meir Shaoul.
"A-7802090, Abraham, Maima Sason Chlomo David.
"A-7802091, Abraham, Madeleine Meir Shaoul.
"A-7225058, Botez, Theodor.
"A-6967733, Chiang, Helen T'Ieh-Yun.
"A-7118674, Chu, Chung Ying.
"A-7095953, Feleky, Kornelia.
"A-9748640, Ivin, Josip.
"A-6903776, Jager, Hersz.
"A-64088046, Jarvis, Arnold.
"A-7133264, Kan, Kung Ming or Kan Kung Ming (Sister Mary Irene).
"A-7097823, Kelemen, Peter Andreas George or Peter Kelemen.
"A-7095979, Kovacs, Arpad Imre.
"A-7366481, Krivik, Halina or Halina Pecenka.
"A-7139011, Lengyel, Alexander.
"A-7139012, Lengyel, Suzanne.
"A-7941169, Makkay, Elizabeth.
"A-6721757, Melamed, Mojzesz or Moses or Mosess Melamed.
"A-7356261, Metes, Olivia.
"A-8057878, Paszkiewicz, Roman.
"A-7841140, Polli, Karl Voldemar.
"A-7886676, Reibus, Arnold.
"A-6990741, Reron, Aniela Rosalia Szalay.
"A-6857549, Robitschek, Emmerich.
"A-6843478, Roh, Josef.
"A-6852890, Rosenberg, Miriam Perlstein.
"A-6613209, Saleh, Es-Saleh, Rasim.
"A-7138015, Stawska, Bronislawa.
"A-7802532, Stawska, Anita.
"A-6997928, Stern, Aranka (nee Aufrichtig).
"A-7133283, Tsung, Li Chih (Sister Mary Carmel).
"A-7182599, Zachary, Jadwiga.
"A-7202565, Zajczyk, Baczewa (nee Kuszner).
"A-7139015, Zajlof, Josef Ber.
"A-6689509, Zimmerman, Isaiah Morris.
"A-7197385, Zywialowski, Jerzy Waclaw.
"A-6588202, Akrabova, Boika Svetoslavova or Akraboff.
"A-6985760, Alimanestianu, Dinu-Constantin.
"A-7828348, Alimanestianu, Barbu.
"A-6760577, Arar, Raymond Moise.
"A-7439282, Babarfcich, Albino.
"A-6425831, Bamieh, Nashuh Adib.
"PR-935172, Benes, Bohus Antonia.
"PR-935173, Benes, Mrs. Emile Berta Zedna.
"A-7243448, Bolek, Anastasia (Sister Barbara).
"A-7873185, Brejt, David.
"A-7874914, Bubich, Ludwig.
"A-7057868, Danielewski, Sylvia Jadwige (nee Lakomska).
"A-7057870, Danielewski, Tadeusz Zbigniew.
"A-7069307, Farcasanu, Mihail.
"A-7193848, Farcasanu, Pia Maria.
"A-7174330, Foldy, Ilona Maria.
"A-6942779, Ghilezan, Emil.
"A-7053573, Ghilezan, Rodica.
"A-6534350, Grynberg, Szmul.
"A-6708762, Hager, Nathan Hers.
"A-6627396, Hahn, Chen Kya.
"A-6528724, Halpern, Jakob Salomon alias Jacob Halpern.
"A-6856802, Hollossy, Zoltan.
"A-6856801, Hollossy, Erzsebet.
"A-6618510, Hsiu, Nai Shen.
"A-9825315, Iglinski, Antoni.
"A-6942790, Ipolo, Tania.
"A-6942791, Bouianovsky, Lana.
"A-6620853, Jiranek, Miroslav Vaclav.
"A-6534353, Jouraval, Albert.
"A-5611152, Kari, Johannes.
"A-6159693, Klepfisz, Roza (nee Perczykow).
"A-7193909, Klepfisz, Irena.
"A-7283395, Koo, Jennie Jan Yu.
"A-7202262, Krajcirovic, Viliam.
"A-6011300, Kuo, Ping Wen.
"A-6011302, Kuo, Ruth How.
"A-7069364, Kwiatkowski, Alexander Joseph.
"A-6369941, Li, Sing-Bay.
"A-7073735, Lindenbaum, Bronia (nee Swiatlowska).
"A-9683229, Loob, Juri.
"A-6934991, Majer, Salamon.
"A-6354829, Maluga, Ludwik alias Zygmunt Lasota.
"A-6354830, Maluga, Jadwiga alias Monica Lasota (nee Kulinska).
"A-8082936, Mayer, Karol.
"A-6997863, Mayer, Miroslawa (see Jordan).
"A-6526908, Muzaffar, Baha Ed Din.
"A-6742100, Nagy, Joseph Bela Ervin.
"A-4463157, Narajowski, Waclaw Jan.
"A-6967511, Nieu, Chang-Teh T.
"A-6694210, Niu, Frances Teh-I Yin.
"A-6211935, Pai, Sung, Ching.
"A-7890609, Parmac, Philip.
"A-7874962, Pasztory, Balazs Gabor.
"A-6855669, Pinter, Pinkas Majlech.
"A-6285493, Piscikas, Alfonsas.
"A-6534317, Poliak, Aron alias Sam Vech.
"A-6740117, Poliakin, Robert.
"A-6768099, Potasz, Jankiel.
"A-6903688, Sher, Lola (Lola Czarna).
"A-7491017, Slugocki, Wojciech Bratislaw or Wojciech Telesfor Slugocki or Albert Slugocki.
"A-6862612, Stanescu, Alexander Paul.
"A-7097810, Sulkowski, Zdislaw Edward.
"A-6638073, Szabo, Tibor.
"A-6997894, Talacko, Joseph.
"A-7193865, Talacko, Kvetoslava (nee Jahl).

"A-7193864, Talacko, Jan.
"A-6961800, Talacko, Anezka.
"A-7367854, Verebes, Salamon.
"A-7367855, Verebes, Margit.
"A-7367954, Verebes, Erzsebet Georgette.
"A-6916040, Wagszal, Chaskel.
"A-6819099, Wagszal, Anna (nee Grunzweig).
"A-6379028, Zablocki, Aron.
"A-6887730, Zand, Mordka alias Mordcha Zand.
"A-7849171, Zand, Braindla alias Brajndla Zand (nee Bruan).
"A-6772225, Ansari, Ibrahim Abdel-Kader.
"A-6694161, Aronovsky, George Nathan.
"A-6887570, Berkovitz, Terez or Berkowitz.
"A-9702512, Chong, Loh Hain.
"A-6694195, Fastag, Azbil Dawid (Phastag).
"A-6933876, Kaczmarczyk, Bronislaus Lawrence.
"A-6992867, Kertesz, Laszlo formerly Laszlo Kohn.
"A-6680587, Kirszencwajg, Michal Hersz.
"A-6680609, Kirszencwajg, Chaim.
"A-6680588, Kirszenswajg, Chana Sura.
"A-7802320, Kustera, Slavko.
"A-6405964, Kwei, Tu.
"A-7138281, Lehman, Morris alias Mieczyslaw Lehman.
"A-7138282, Lehman, Louise alias Ludwika Halberstadt.
"A-7910500, Lehman, Norbert.
"A-6613284, Long, Sam Tack.
"A-6976770, Lonyay, Carl.
"A-6743161, Nordenshuld, Valentine or Valentine Kozakevitch.
"A-6983576, Rajnman, Hersz.
"A-6904295, Rajnman, Fryda.
"A-7283186, Reider, Hani.
"A-7178643, Reider, Tivadar.
"A-7283188, Rieder, Olga.
"A-7095964, Rieder, Zoltan.
"A-7802323, Roman, Ahlberk.
"A-6761967, Schlesinger, Andrei Sanders.
"A-7934030, Skorobogaty, Boleslaw.
"A-6445137, Szabo, Andras (Endre) alias Andreas as Andrew Szabo.
"A-6967644, Tang, Nola I-Nan.
"A-7136909, Veske, Alenander.
"A-6953000, Wiesenfeld, Jacob Reiner.
"A-6984444, Wilner, Abraham.
"A-6983563, Wilner, Gabriel.
"A-6896024, Fisner, Elisabeth.
"A-6618493, Steinfeld, Chana Koviensky.
"A-6620438, Steinfeld, Avram.
"A-6620440, Steinfeld, Chaim.
"A-6620441, Steinfeld, Elchonon.
"A-6707108, Galas, Emma Roth.
"A-6829041, Gordon, Szepsel.
"A-6937216, Socoloff, Michael Alexander.
"A-6937217, Socoloff, Nadejda M.
"A-7193802, Wedzicha, Wladyslaw.
"A-7193803, Wedzicha, Sabina.
"A-7828630, Klawitter, Aniela.
"A-7383388, Beno, Jan.
"A-7383489, Beno, Zofiz.
"A-7383490, Beno, Pavel Stefan.
"A-7383491, Beno, Jan Roman.
"A-6819121, Kaufman, Rozsi (nee Cseszne).
"A-6819123, Neustein, Anni (nee Cseszne).
"A-6685984, Kejsman, Juda.
"A-6704220, Wasilejko, Halina Cristina.
"A-6661938, Ekland, Catherine.
"A-7197376, Herman, Frantisek Ladislav.
"A-6802109, Oselka, Henryk.
"A-6966575, Mascarin, Giovanni.
"A-6249447, Bergmann, Witold Ulrich alias Witold Boleslaw Uderski.
"A-6851463, King, K. Ting.
"A-6484319, Bielecki, Lucjan.
"A-7283196, Tsai, Christiana.
"A-6897686, Vitek, Vera Anne.
"A-6897691, Vitek, Ferdinand Jaroslav.
"A-9550888, Paprocki, Karol.
"A-6740257, Koenig-Mayer, Bernard.
"A-9325008, Gasiorowska, Konstancja.
"A-6887756, Steyer, Danuta.
"A-6887757, Steyer, Marek Tomas.
"A-6887758, Steyer, Stanislaw.
"A-6884228, Low, Laszlo.
"A-7197372, Pei, Tsuyee.
"A-7210069, Britanisky, Leon Gregory.
"A-7210068, Britanisky, Lucy.
"A-7193955, Britanisky, Rose-Marie.
"A-7193956, Britanisky, Mark (Marek).
"A-7828442, Wexler, Dora nee Auer.
"A-7828406, Wexler, Levi Itic.
"A-6917609, Wong, Pao Tee or Wong Pao Tee."

And the Senate agree to the same.

FRANCIS E. WALTER,
J. FRANK WILSON,
HAROLD D. DONOHUE,
LOUIS E. GRAHAM,
RUTH THOMPSON,
Managers on the Part of the House.

PAT MCCARRAN,
JAMES O. EASTLAND,
WILLIS SMITH,
HOMER FERGUSON,
WILLIAM E. JENNER,
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 concurrent resolution (H. Con. Res. 191) favoring the granting of the status of permanent residence to certain aliens, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The amendments of the Senate would have deleted from this resolution certain names of displaced persons where the Senate believed that such persons, although their applications were forwarded to the Congress by the Attorney General with his favorable recommendation, were not possessed of sufficiently strong equities which would warrant the granting of the status of permanent residence.

The conferees have carefully gone over the records of such persons as submitted by the Attorney General and have agreed, upon reconsideration of the merits involved in each individual case, to reinstate a certain number of names while deciding to sustain action taken by the Senate in a number of other cases.

The conferees are now fully satisfied that they can recommend for approval the list of names contained in the accompanying conference report.

In order to facilitate the task of the administrative agencies which, upon passage of this resolution, will have to create records of admission for permanent residence for every one of the aliens whose names appear on House Concurrent Resolution 191 in its final version, the conferees have decided to incorporate in the conference report the entire list of aliens whose records of entry would be affected by this measure.

FRANCIS E. WALTER,
J. FRANK WILSON,
HAROLD D. DONOHUE,
LOUIS E. GRAHAM,
RUTH THOMPSON,
Managers on the Part of the House.

Mr. WALTER. Mr. Speaker, I call up the conference report on House Concurrent Resolution 191 favoring the granting of the status of permanent residence to certain aliens, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

Mr. WALTER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATIONS ACT AMENDMENTS, 1952

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 658) to further amend the Communications Act of 1934, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(The conference report and statement are as follows:)

CONFERENCE REPORT (H. REPT. No. 2426)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 658) to further amend the Communications Act of 1934, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: in lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the 'Communications Act Amendments, 1952'.

"SEC. 2. Section 3 of such Act is amended by adding after paragraph (aa) the following:

"'(bb) "Station license", "radio station license", or "license" means that instrument of authorization required by this Act or the rules and regulations of the Commission made pursuant to this Act, for the use or operation of apparatus for transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission.

"'(cc) "Broadcast station", "broadcasting station", or "radio broadcast station" means a radio station equipped to engage in broadcasting as herein defined.

"'(dd) "Construction permit" or "permit for construction" means that instrument of authorization required by this Act or the rules and regulations of the Commission made pursuant to this Act for the construction of a station, or the installation of apparatus, for the transmission of energy, or communications, or signals by radio, by whatever name the instrument may be designated by the Commission.'

"SEC. 3. (a) Subsection (b) of section 4 of such Act is amended by striking out the last two sentences thereof and inserting in lieu of such sentences the following: 'Such commissioners shall not engage in any other business, vocation, profession, or employment; but this shall not apply to the presentation or delivery of publications or papers for which a reasonable honorarium or compensation may be accepted. Any such commissioner serving as such after one year from the date of enactment of the Communications Act Amendments, 1952, shall not for a period of one year following the termination of his services as a commissioner represent any person before the Commission in a professional capacity, except that this

restriction shall not apply to any commissioner who has served the full term for which he was appointed. Not more than four members of the Commission shall be members of the same political party.'

"(b) Paragraph (2) of subsection (f) of section 4 of such act is amended by striking out '(2)' and inserting in lieu thereof '(3)'; and such subsection (f) is further amended by striking out paragraph (1) thereof and inserting in lieu of such paragraph the following paragraphs:

"'(f) (1) The Commission shall have authority, subject to the provisions of the civil-service laws and the Classification Act of 1949, as amended, to appoint such officers, engineers, accountants, attorneys, inspectors, examiners, and other employees as are necessary in the exercise of its functions.

"'(2) Without regard to the civil-service laws, but subject to the Classification Act of 1949, each commissioner may appoint a legal assistant, an engineering assistant, and a secretary, each of whom shall perform such duties as such commissioner shall direct. In addition, the chairman of the Commission may appoint, without regard to the civil-service laws, but subject to the Classification Act of 1949, an administrative assistant who shall perform such duties as the chairman shall direct.'

"(c) The first sentence of subsection (g) of section 4 of such Act is amended to read as follows: 'The Commission may make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for office supplies, law books, periodicals, and books of reference, for printing and binding, for land for use as sites for radio monitoring stations and related facilities, including living quarters where necessary in remote areas, for the construction of such stations and facilities, and for the improvement, furnishing, equipping, and repairing of such stations and facilities and of laboratories and other related facilities (including construction of minor subsidiary buildings and structures not exceeding $25,000 in any one instance) used in connection with technical research activities), as may be necessary for the execution of the functions vested in the Commission and as from time to time may be appropriated for by Congress.'

"(d) Subsection (k) of section 4 of such Act is amended to read as follows:

"'(k) The Commission shall make an annual report to Congress, copies of which shall be distributed as are other reports transmitted to Congress. Such reports shall contain—

"'(1) such information and data collected by the Commission as may be considered of value in the determination of questions connected with the regulation of interstate and foreign wire and radio communication and radio transmission of energy;

"'(2) such information and data concerning the functioning of the Commission as will be of value to Congress in appraising the amount and character of the work and accomplishments of the Commission and the adequacy of its staff and equipment: *Provided,* That the first and second annual reports following the date of enactment of the Communications Act Amendments, 1952, shall set forth in detail the number and caption of pending applications requesting approval of transfer of control or assignment of a broadcasting station license, or construction permits for new broadcasting stations, or for increases in power, or for changes of frequency of existing broadcasting stations at the beginning and end of the period covered by such reports;

"'(3) information with respect to all persons taken into the employment of the Commission during the year covered by the report, including names, pertinent biographical data and experience, Commission positions held and compensation paid, together with the names of those persons who have left the employ of the Commission during such year: *Provided,* That the first annual report following the date of enactment of the Communications Act Amendments, 1952, shall contain such information with respect to all persons in the employ of the Commission at the close of the year for which the report is made;

"'(4) an itemized statement of all funds expended during the preceding year by the Commission, of the sources of such funds, and of the authority in this Act or elsewhere under which such expenditures were made; and

"'(5) specific recommendations to Congress as to additional legislation which the Commission deems necessary or desirable, including all legislative proposals submitted for approval to the Director of the Bureau of the Budget.'

"SEC. 4. Section 5 of such Act is amended to read as follows:

"'ORGANIZATION AND FUNCTIONING OF THE COMMISSION

"'SEC. 5. (a) The members of the Commission designated by the President as chairman shall be the chief executive officer of the Commission. It shall be his duty to preside at all meetings and sessions of the Commission, to represent the Commission in all matters relating to legislation and legislative reports, except that any commissioner may present his own or minority views or supplemental reports, to represent the Commission in all matters requiring conferences or communications with other governmental officers, departments or agencies, and generally to coordinate and organize the work of the Commission in such manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission. In the case of a vacancy in the office of the chairman of the Commission, or the absence or inability of the chairman to serve, the Commission may temporarily designate one of its members to act as chairman until the cause or circumstance requiring such designation shall have been eliminated or corrected.

"'(b) Within six months after the enactment of the Communications Act Amendments, 1952, and from time to time thereafter as the Commission may find necessary, the Commission shall organize its staff into (1) integrated bureaus, to function on the basis of the Commission's principal workload operations, and (2) such other divisional organizations as the Commission may deem necessary. Each such integrated bureau shall include such legal, engineering, accounting, administrative, clerical, and other personnel as the Commission may determine to be necessary to perform its functions.

"'(c) The Commission shall establish a special staff of employees, hereinafter in this Act referred to as the "review staff", which shall consist of such legal, engineering, accounting, and other personnel as the Commission deems necessary. The review staff shall be directly responsible to the Commission and shall not be made a part of any bureau or divisional organization of the Commission. Its work shall not be supervised or directed by any employee of the Commission other than a member of the review staff whom the Commission may designate as the head of such staff. The review staff shall perform no duties or functions other than to assist the Commission, in cases of adjudication (as defined in the Administrative Procedure Act) which have been designated for hearing, by preparing a summary of the evidence presented at any such hearing, by preparing, after an initial decision but prior to oral argument, a compilation of the facts material to the exceptions and replies thereto filed by the parties, and by preparing for the Commission or any member or members thereof, without recommendations and in accordance with specific directions from the Commission or such member or members, memoranda, opinions, decisions, and orders. The Commission shall not permit any employee who is not a member of the review staff to perform the duties and functions which are to be performed by the review staff; but this shall not be construed to limit the duties and functions which any assistant or secretary appointed pursuant to section 4 (f) (2) may perform for the commissioner by whom he was appointed.

"'(d) (1) Except as provided in section 409, the Commission may, when necessary to the proper functioning of the Commission and the prompt and orderly conduct of its business, by order assign or refer any portion of its work, business, or functions to an individual commissioner or commissioners or to a board composed of one or more employees of the Commission, to be designated by such order for action thereon, and may at any time amend, modify, or rescind any such order of assignment or reference. Any order, decision, or report made, or other action taken, pursuant to any such order of assignment or reference shall, unless reviewed pursuant to paragraph (2), have the same force and effect, and shall be made, evidenced, and enforced in the same manner, as orders, decisions, reports, or other action of the Commission.

"'(2) Any person aggrieved by any such order, decision, or report may file an application for review by the Commission, within such time and in such form as the Commission shall prescribe, and every such application shall be passed upon by the Commission. If the Commission grants the application, it may affirm, modify, or set aside such order, decision, report, or action, or may order a rehearing upon such order, decision, report, or action under section 405.

"'(3) The secretary and seal of the Commission shall be the secretary and seal of each individual commissioner or board.

"'(e) Meetings of the Commission shall be held at regular intervals, not less frequently than once each calendar month, at which times the functioning of the Commission and the handling of its work load shall be reviewed and such orders shall be entered and other action taken as may be necessary or appropriate to expedite the prompt and orderly conduct of the business of the Commission with the objective of rendering a final decision (1) within three months from the date of filing in all original application, renewal, and transfer cases in which it will not be necessary to hold a hearing, and (2) within six months from the final date of the hearing in all hearing cases; and the Commission shall promptly report to the Congress each such case which has been pending before it more than such three- or six-month period, respectively, stating the reasons therefor.'

"SEC. 5. Subsection (d) of section 307 of such Act is amended to read as follows:

"'(d) No license granted for the operation of a broadcasting station shall be for a longer term than three years and no license so granted for any other class of station shall be for a longer term than five years, and any license granted may be revoked as hereinafter provided. Upon the expiration of any license, upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed three years in the case of broadcasting licenses, and not to exceed five years in the case of other licenses, if the Commission finds that public interest, convenience, and necessity would be served thereby. In order to expedite action on applications for renewal of broadcasting station licenses and in order to avoid needless expense to applicants for such renewals, the Commission shall not require any

such applicant to file any information which previously has been furnished to the Commission or which is not directly material to the considerations that affect the granting or denial of such application, but the Commission may require any new or additional facts it deems necessary to make its findings. Pending any hearing and final decision on such an application and the disposition of any petition for rehearing pursuant to section 405, the Commission shall continue such license in effect.'

"SEC. 6. (a) So much of subsection (a) of section 308 of such Act as precedes the second proviso is amended to read as follows: 'The Commission may grant construction permits and station licenses, or modifications or renewals thereof, only upon written application therefor received by it: *Provided*, That (1) in cases of emergency found by the Commission involving danger to life or property or due to damage to equipment, or (2) during a national emergency proclaimed by the President or declared by the Congress and during the continuance of any war in which the United States is engaged and when such action is necessary for the national defense or security or otherwise in furtherance of the war effort, or (3) in cases of emergency where the Commission finds, in the nonbroadcast services, that it would not be feasible to secure renewal applications from existing licensees or otherwise to follow normal licensing procedure, the Commission may grant construction permits and station licenses, or modifications or renewals thereof, during the emergency so found by the Commission or during the continuance of any such national emergency or war, in such manner and upon such terms and conditions as the Commission shall by regulation prescribe, and without the filing of a formal application, but no authorization so granted shall continue in effect beyond the period of the emergency or war requiring it:'

"(b) The first sentence of subsection (b) of section 308 of such Act is amended by striking out the words 'All applications shall set forth' and inserting in lieu thereof 'All applications for station licenses, or modifications or renewals thereof, shall set forth'.

"SEC. 7. Section 309 of such Act is amended to read as follows:

"'ACTION UPON APPLICATIONS; FORM OF AND CONDITIONS ATTACHED TO LICENSES

"'SEC. 309. (a) If upon examination of any application provided for in section 308 the Commission shall find that public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.

"'(b) If upon examination of any such application the Commission is unable to make the finding specified in subsection (a), it shall forthwith notify the applicant and other known parties in interest of the grounds and reasons for its inability to make such finding. Such notice, which shall precede formal designation for a hearing, shall advise the applicant and all other known parties in interest of all objections made to the application as well as the source and nature of such objections. Following such notice, the applicant shall be given an opportunity to reply. If the Commission, after considering such reply, shall be unable to make the finding specified in subsection (a), it shall formally designate the application for hearing on the grounds or reasons then obtaining and shall notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally. The parties in interest, if any, who are not notified by the Commission of its action with respect to a particular application may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest at any time not less than ten days prior to the date of hearing. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate but in which both the burden of proceeding with the introduction of evidence upon any issue specified by the Commission, as well as the burden of proof upon all such issues, shall be upon the applicant.

"'(c) When any instrument of authorization is granted by the Commission without a hearing as provided in subsection (a) hereof, such grant shall remain subject to protest as hereinafter provided for a period of thirty days. During such thirty-day period any party in interest may file a protest under oath directed to such grant and request a hearing on said application so granted. Any protest so filed shall contain such allegations of fact as will show the protestant to be a party in interest and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. The Commission shall, within fifteen days from the date of the filing of such protest, enter findings as to whether such protest meets the foregoing requirements and if it so finds the application involved shall be set for hearing upon the issues set forth in said protest, together with such further specific issues, if any, as may be prescribed by the Commission. In any hearing subsequently held upon such application all issues specified by the Commission shall be tried in the same manner provided in subsection (b) hereof, but with respect to all issues set forth in the protest and not specifically adopted by the Commission, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the protestant. The hearing and determination of cases arising under this subsection shall be expedited by the Commission and pending hearing and decision the effective date of the Commission's action to which protest is made shall be postponed to the effective date of the Commission's decision after hearing, unless the authorization involved is necessary to the maintenance or conduct of an existing service, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing.

"'(d) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject: (1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein; (2) neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this Act; (3) every license issued under this Act shall be subject in terms to the right of use or control conferred by section 606 hereof.'

"SEC. 8. Subsection (b) of section 310 of said Act is amended to read as follows:

"'(b) No construction permit or station license, or any rights thereunder, shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such permit or license, to any person except upon application to the Commission and upon finding by the Commission that the public interest, convenience, and necessity will be served thereby. Any such application shall be disposed of as if the proposed transferee or assignee were making application under section 308 for the permit or license in question; but in acting thereon the Commission may not consider whether the public interest, convenience, and necessity might be served by the transfer, assignment, or disposal of the permit or license to a person other than the proposed transferee or assignee.'

"SEC. 9. Section 311 of such Act, as amended, is amended to read as follows:

"'SEC. 311. The Commission is hereby directed to refuse a station license and/or the permit hereinafter required for the construction of a station to any person (or to any person directly or indirectly controlled by such person) whose license has been revoked by a court under section 313.'

"SEC. 10. Section 312 of such Act is amended to read as follows:

"'ADMINISTRATIVE SANCTIONS

"'SEC. 312. (a) Any station license or construction permit may be revoked—

"'(1) for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to section 308;

"'(2) because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license or permit on an original application;

"'(3) for willful or repeated failure to operate substantially as set forth in the license;

"'(4) for willful or repeated violation of, or willful or repeated failure to observe, any provision of this Act or any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States; and

"'(5) for violation of or failure to observe any cease and desist order issued by the Commission under this section.

"'(b) Where any person (1) has failed to operate substantially as set forth in a license, or (2) has violated or failed to observe any of the provisions of this Act, or (3) has violated or failed to observe any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States, the Commission may order such person to cease and desist from such action.

"'(c) Before revoking a license or permit pursuant to subsection (a), or issuing a cease and desist order pursuant to subsection (b), the Commission shall serve upon the licensee, permittee, or person involved an order to show cause why an order of revocation or a cease and desist order should not be issued. Any such order to show cause shall contain a statement of the matters with respect to which the Commission is inquiring and shall call upon said licensee, permittee, or person to appear before the Commission at a time and place stated in the order, but in no event less than thirty days after the receipt of such order, and give evidence upon the matter specified therein; except that where safety of life or property is involved, the Commission may provide in the order for a shorter period. If after hearing, or a waiver thereof, the Commission determines that an order of revocation or a cease and desist order should issue, it shall issue such order, which shall include a statement of the findings of the Commission and the grounds and reasons therefor and specify the effective date of the order, and shall cause the same to be served on said licensee, permittee, or person.

"'(d) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission.

"'(e) The provisions of section 9 (b) of the Administrative Procedure Act which apply with respect to the institution of any proceeding for the revocation of a license or permit shall apply also with respect to the institution, under this section, of any proceeding for the issuance of a cease and desist order.'

"Sec. 11. Section 315 of the Communications Act of 1934 is amended to read as follows:

"'FACILITIES FOR CANDIDATES FOR PUBLIC OFFICE

"'SEC. 315. (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station: *Provided*, That such licensee shall have no power of censorship over the material broadcast under the provisions of this section. No obligation is hereby imposed upon any licensee to allow the use of its station by any such candidate.

"'(b) The charges made for the use of any broadcasting station for any of the purposes set forth in this section shall not exceed the charges made for comparable use of such station for other purposes.

"'(c) The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section.'

"SEC. 12. Such Act is amended by adding after section 315 the following section:

"'MODIFICATION BY COMMISSION OF CONSTRUCTION PERMITS OR LICENSES

"'SEC. 316. (a) Any station license or construction permit may be modified by the Commission either for a limited time or for the duration of the term thereof, if in the judgment of the Commission such action will promote the public interest, convenience, and necessity, or the provisions of this Act or of any treaty ratified by the United States will be more fully complied with. No such order of modification shall become final until the holder of the license or permit shall have been notified in writing of the proposed action and the grounds and reasons therefor, and shall have been given reasonable opportunity, in no event less than thirty days, to show cause by public hearing, if requested, why such order of modification should not issue: *Provided*, That where safety of life or property is involved, the Commission may by order provide for a shorter period of notice.

"'(b) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission.'

"SEC. 13. (a) The first sentence of subsection (a) of section 319 of such Act is amended by striking out the words 'upon written application therefor.'

"(b) Subsection (a) of section 319 of such Act is amended by striking out the second sentence thereof, and the third sentence thereof is amended by striking out 'This application shall set forth' and inserting in lieu thereof 'The application for a construction permit shall set forth.'

"(c) Subsection (b) of section 319 of such act is amended by striking out the second sentence thereof.

"(d) Such section 319 is amended by striking out the last two sentences of subsection (b) thereof, and by inserting at the end of such section the following subsection:

"'(c) Upon the completion of any station for the construction or continued construction of which a permit has been granted, and upon it being made to appear to the Commission that all the terms, conditions, and obligations set forth in the application and permit have been fully met, and that no cause or circumstance arising or first coming to the knowledge of the Commission since the granting of the permit would, in the judgment of the Commission, make the operation of such station against the public interest, the Commission shall issue a license to the lawful holder of said permit for the operation of said station. Said license shall conform generally to the terms of said permit. The provisions of section 309 (a), (b), and (c) shall not apply with respect to any station license the issuance of which is provided for and governed by the provisions of this subsection.'

"SEC. 14. Section 402 of such act is amended to read as follows:

"'PROCEEDINGS TO ENJOIN, SET ASIDE, ANNUL, OR SUSPEND ORDERS OF THE COMMISSION

"'SEC. 402. (a) Any proceedings to enjoin, set aside, annul, or suspend any order of the Commission under this act (except those appealable under subsection (b) of this section) shall be brought as provided by and in the manner prescribed in Public Law 901, Eighty-first Congress, approved December 29, 1950.

"'(b) Appeals may be taken from decisions and orders of the Commission to the United States Court of Appeals for the District of Columbia in any of the following cases:

"'(1) By any applicant for a construction permit or station license, whose application is denied by the Commission.

"'(2) By any applicant for the renewal or modification of any such instrument of authorization whose application is denied by the Commission.

"'(3) By any party to an application for authority to transfer, assign, or dispose of any such instrument of authorization, or any rights thereunder, whose application is denied by the Commission.

"'(4) By any applicant for the permit required by section 325 of this Act whose application has been denied by the Commission, or by any permittee under said section whose permit has been revoked by the Commission.

"'(5) By the holder of any construction permit or station license which has been modified or revoked by the Commission.

"'(6) By any other person who is aggrieved or whose interests are adversely affected by any order of the Commission granting or denying any application described in paragraphs (1), (2), (3), and (4) hereof.

"'(7) By any person upon whom an order to cease and desist has been served under section 312 of this Act.

"'(8) By any radio operator whose license has been suspended by the Commission.

"'(c) Such appeal shall be taken by filing a notice of appeal with the court within thirty days from the date upon which public notice is given of the decision or order complained of. Such notice of appeal shall contain a concise statement of the nature of the proceedings as to which the appeal is taken; a concise statement of the reasons on which the appellant intends to rely, separately stated and numbered; and proof of service of a true copy of said notice and statement upon the Commission. Upon filing of such notice, the court shall have jurisdiction of the proceedings and of the questions determined therein and shall have power, by order, directed to the Commission or any other party to the appeal, to grant such temporary relief as it may deem just and proper. Orders granting temporary relief may be either affirmative or negative in their scope and application so as to permit either the maintenance of the status quo in the matter in which the appeal is taken or the restoration of a position or status terminated or adversely affected by the order appealed from and shall, unless otherwise ordered by the court, be effective pending hearing and determination of said appeal and compliance by the Commission with the final judgment of the court rendered in said appeal.

"'(d) Upon the filing of any such notice of appeal the Commission shall, not later than five days after the date of service upon it, notify each person shown by the records of the Commission to be interested in said appeal of the filing and pendency of the same and shall thereafter permit any such person to inspect and make copies of said notice and statement of reasons therefor at the office of the Commission in the city of Washington. Within thirty days after the filing of an appeal, the Commission shall file with the court a copy of the order complained of, a full statement in writing of the facts and grounds relied upon by it in support of the order involved upon said appeal, and the originals or certified copies of all papers and evidence presented to and considered by it in entering said order.

"'(e) Within thirty days after the filing of any such appeal, any interested person may intervene and participate in the proceedings had upon said appeal by filing with the court a notice of intention to intervene and a verified statement showing the nature of the interest of such party, together with proof of service of true copies of said notice and statement, both upon appellant and upon the Commission. Any person who would be aggrieved or whose interest would be adversely affected by a reversal or modification of the order of the Commission complained of shall be considered an interested party.

"'(f) The record and briefs upon which any such appeal shall be heard and determined by the court shall contain such information and material, and shall be prepared within such time and in such manner as the court may by rule prescribe.

"'(g) At the earliest convenient time the court shall hear and determine the appeal upon the record before it in the manner prescribed by section 10 (e) of the Administrative Procedure Act.

"'(h) In the event that the court shall render a decision and enter an order reversing the order of the Commission, it shall remand the case to the Commission to carry out the judgment of the court and it shall be the duty of the Commission, in the absence of the proceedings to review such judgment, to forthwith give effect thereto, and unless otherwise ordered by the court, to do so upon the basis of the proceedings already had and the record upon which said appeal was heard and determined.

"'(i) The court may, in its discretion, enter judgment for costs in favor of or against an appellant, or other interested parties intervening in said appeal, but not against the Commission, depending upon the nature of the issues involved upon said appeal and the outcome thereof.

"'(j) The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 1254 of title 28 of the United States Code, by the appellant, by the Commission, or by any interested party intervening in the appeal, or by certification by the court pursuant to the provisions of that section.'

"SEC. 15. Section 405 of such Act is amended to read as follows:

"'REHEARINGS BEFORE COMMISSION

"'SEC. 405. After a decision, order, or requirement has been made by the Commission in any proceeding, and party thereto, or any other person aggrieved or whose interests are adversely affected thereby, may petition for rehearing; and it shall be lawful for the Commission, in its discretion, to grant such a rehearing if sufficient reason therefor be made to appear. Petitions for rehearing must be filed within thirty days from the date upon which public notice is given of any decision, order, or requirement complained of. No such application shall excuse any person from complying with or obeying any decision, order, or requirement of the Commission, or operate in any manner to stay or postpone the enforcement thereof, without the special order of the Commission. The filing of a petition for rehearing shall not be a condition precedent to judicial review of any such decision, order, or requirement, except where the party seeking such review (1) was not a party to the proceedings resulting in such decision, order, or requirement, or (2) relies on questions of fact or law upon which the Commission has been afforded no opportunity to pass. Rehearings shall be governed by such general rules

as the Commission may establish, except that no evidence other than newly discovered evidence, evidence which has become available only since the original taking of evidence, or evidence which the Commission believes should have been taken in the original proceeding shall be taken on any rehearing. The time within which a petition for review must be filed in a proceeding to which section 402 (a) applies, or within which an appeal must be taken under section 402 (b), shall be computed from the date upon which public notice is given of orders disposing of all petitions for rehearing filed in any case, but any decision, order, or requirement made after such rehearing reversing, changing, or modifying the original order shall be subject to the same provisions with respect to rehearing as an original order.'

"SEC. 16. (a) Section 409 (a) of such Act is amended to read as follows:

"'SEC. 409. (a) In every case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, the hearing shall be conducted by the Commission or by one or more examiners provided for in section 11 of the Administrative Procedure Act, designated by the Commission.

"'(b) The officers conducting a hearing to which subsection (a) applies shall prepare and file an initial decision, except where the hearing officer becomes unavailable to the Commission or where the Commission finds upon the record that due and timely execution of its functions imperatively and unavoidably require that the record be certified to the Commission for initial or final decision. In all such cases the Commission shall permit the filing of exceptions to such initial decision by any party to the proceeding and shall, upon request, hear oral argument on such exceptions before the entry of any final decision, order, or requirement. All decisions, including the initial decision, shall become a part of the record and shall include a statement of (1) findings and conclusions, as well as the basis therefor, upon all material issues of fact, law, or discretion, presented on the record; and (2) the appropriate decision, order, or requirement.

"'(c) (1) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, no examiner conducting or participating in the conduct of such hearing shall, except to the extent required for the disposition of ex parte matters as authorized by law, consult any person (except another examiner participating in the conduct of such hearing) on any fact or question of law in issue, unless upon notice and opportunity for all parties to participate. In the performance of his duties, no such examiner shall be responsible to or subject to the supervision or direction of any person engaged in the performance of investigative, prosecutory, or other functions for the Commission or any other agency of the Government. No examiner conducting or participating in the conduct of any such hearing shall advise or consult with the Commission or any member or employee of the Commission (except another examiner participating in the conduct of such hearing) with respect to the initial decision in the case or with respect to exceptions taken to the findings, rulings, or recommendations made in such case.

"'(2) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, no person who has participated in the presentation or preparation for presentation of such case before an examiner or examiners of the Commission, and no member of the Office of the General Counsel, the Office of the Chief Engineer, or the Office of the Chief Accountant shall (except to the extent required for the disposition of ex parte matters as authorized by law) directly or indirectly make any additional presentation respecting such case, unless upon notice and opportunity for all parties to participate.

"'(3) No person or persons engaged in the performance of investigative or prosecuting functions for the Commission, or in any litigation before any court in any case arising under this Act, shall advise, consult, or participate in any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, except as a witness or counsel in public proceedings.

"'(d) To the extent that the foregoing provisions of this section are in conflict with provisions of the Administrative Procedure Act, such provisions of this section shall be held to supersede and modify the provisions of that Act.'

"(b) Subsections (b), (c), (d), (e), (f), (g), (h), (i), and (j) of section 409 are hereby redesignated as subsections (e), (f), (g), (h), (i), (j), (k), (l), and (m), respectively.

"SEC. 17. Section 410 (a) of such Act is amended by striking out the first sentence thereof, and by inserting in lieu of such sentence the following: 'Except as provided in section 409, the Commission may refer any matter arising in the administration of this Act to a joint board to be composed of a member, or of an equal number of members, as determined by the Commission, from each of the States in which the wire or radio communication affected by or involved in the proceeding takes place or is proposed. For purposes of acting upon such matter any such board shall have all the jurisdiction and powers conferred by law upon the Commission, and shall be subject to the same duties and obligations.'

"SEC. 18. (a) Title 18, United States Code, 'Crimes and Criminal Procedure', is amended by adding the following new section immediately after section 1342:

"'§ 1343. Fraud by wire, radio, or television.

"'Whoever, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of interstate wire, radio, or television communication, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice, shall be fined not more than $1,000 or imprisoned not more than five years, or both.'

"(b) The analysis of chapter 63 of title 18, United States Code, is amended by adding at the end thereof the following new item:

"'1343. Fraud by wire, radio, or television.'

"SEC. 19. This Act shall take effect on the date of its enactment, but—

"(1) Insofar as the amendments made by this Act to the Communications Act of 1934 provide for procedural changes, requirements imposed by such changes shall not be mandatory as to any agency proceeding (as defined in the Administrative Procedure Act) with respect to which hearings have been commenced prior to the date of enactment of this Act.

"(2) The amendments made by this Act to section 402 of the Communications Act of 1934 (relating to judicial review of orders and decisions of the Commission) shall not apply with respect to any action or appeal which is pending before any court on the date of enactment of this Act."

And the House agree to the same.

J. PERCY PRIEST,
OREN HARRIS,
HOMER THORNBERRY,
CHARLES A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

ERNEST W. MCFARLAND,
LESTER C. HUNT,
EDWIN C. JOHNSON,
CHARLES W. TOBEY,
HOMER E. CAPEHART,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 658) to further amend the Communications Act of 1934, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment, and the House agrees to the same.

The differences between the House amendment and the substitute agreed to in conference are explained below, except for incidental changes made necessary by reason of agreements reached by the conferees and clerical and minor clarifying changes.

DEFINITION OF "BROADCASTING"

The Senate bill proposed to rewrite the definition of "broadcasting" in section 3 of the Communications Act of 1934. The term is now defined to mean "the dissemination of radio communications intended to be received by the public, directly or by the intermediary of relay stations". As changed by the Senate bill it would have been defined to mean "the dissemination of radio communications intended to be received directly by the general public". In the House amendment the term was defined to mean "the dissemination of radio communications intended to be received directly by the public".

There was considerable discussion in the committee of conference as to how much, and in what respects, the present law would be changed by the Senate and House versions of this definition. The conferees concluded that it was not advisable at this time to make any change in the definition in the present law. The definition, and the interpretations thereof heretofore made, will therefore remain unchanged.

FORMER COMMISSIONERS—REPRESENTATION OF PERSONS BEFORE THE COMMISSION

Section 4 (a) of the Senate bill proposed to add to section 4 (b) of the Communications Act of 1934 a new provision providing that any commissioner serving as such after 1 year from the date of enactment of the legislation here proposed could not for, a period of 1 year following the termination of his services as a commissioner, represent before the Commission in a professional capacity any person, including all persons under common control, subject to the provisions of that act, except that this restriction would not apply to any commissioner who had served the full term for which he was appointed. This provision was omitted from the House amendment.

The conference substitute includes this provision from the Senate bill, with only slight language changes. The members of the committee of conference feel that, for this purpose, representation of persons before the Commission includes appearance as a matter of record on applications, briefs, and other matters, as well as personal appearances.

PREPARATION OR DELIVERY OF PAPERS OR PUBLICATIONS BY COMMISSIONERS

Section 4 (b) of the Communications Act of 1934 now provides that members of the Commission "shall not engage in any other business, vocation, or employment." Section 4 (a) of the Senate bill proposed to add at the end of this provision a clause providing that "this shall not apply to the preparation of technical or professional publications for which reasonable honorarium or compensation may be paid." This provision is included in the House amendment with only slight changes.

In the conference substitute the provision has been somewhat modified in order to clarify its purpose and meaning. It is deemed advisable to permit not only the preparation of publications but also their delivery or presentation at, for example, public meetings.

APPOINTMENT OF CERTAIN PERSONNEL BY INDIVIDUAL COMMISSIONERS

Section 4 of the Senate bill proposed to amend section 4 (f) (1) of the Communications Act of 1934, relating to the appointment of personnel.

One provision of the bill would have authorized each commissioner to appoint, without regard to the civil-service laws or the Classification Act of 1949, a legal assistant and a secretary, and it was provided that a commissioner could fix the salary of the legal assistant at not to exceed $10,000 per annum and the salary of the secretary at not to exceed $5,600 per annum. In the House amendment this provision was modified so as to omit any reference to the appointment of a secretary. Instead of providing for appointment of a "legal assistant" to be appointed at not more than a specified salary it provided that each commissioner, without regard to the civil-service laws but subject to the Classification Act of 1949, could appoint and fix the compensation of a "professional assistant."

The conference substitute, in lieu of these provisions, authorizes each commissioner, without regard to the civil-service laws but subject to the Classification Act of 1949, to appoint a legal assistant, an engineering assistant, and a secretary, each to perform such duties as the commissioner shall direct. In addition it is provided that the Chairman of the Commission may appoint, without regard to the civil-service laws but subject to the Classification Act of 1949, an administrative assistant who is to perform such duties as the Chairman shall direct.

ORGANIZATION OF THE COMMISSION

Section 5 of the Senate bill would have amended section 5 of the Communications Act of 1934 so as to include, among other things, a provision requiring the Commission, within 60 days after the enactment of this legislation, to organize its legal, engineering, and accounting staff into integrated divisions to function on the basis of the Commission's principal work-load operations, and into such other divisional organizations as the Commission deemed necessary to handle that part of its work which did not lend itself to the integrated division type of organization. These provisions were included in the House amendment with certain modifications which were mostly for the purpose of clarification and the elimination of certain provisions which seemed to be unnecessary. The conference substitute retains this provision as it appears in the House amendment except that certain language specifying in detail the function of divisional organizations has been omitted as surplusage.

The Senate bill directed the Commission to establish a staff, directly responsible to it, to prepare drafts of the Commission's decisions, orders, and other memoranda as directed by the Commission in the exercise of its quasi-judicial duties. These provisions relating to the establishment of a review staff were considerably modified in the House amendment, but the modifications had to do primarily with details rather than the changing of the basic purposes intended to be accomplished by the Senate bill. In the House amendment it was provided, among other things, that the review staff should perform no duties or functions other than to assist the Commission in cases of adjudication (as defined in the Administrative Procedure Act) which have been designated for hearing by preparing, without recommendations, a summary of the evidence presented at such hearing, by preparing, without recommendations, after an initial decision but prior to oral argument, a compilation of the facts material to the exceptions and replies thereto filed by the parties, and by preparing for the Commission or any member or members thereof, without recommendations and in accordance with specific directions from the Commission or such member or members, memoranda, opinions, decisions, and orders. In the conference substitute this provision is modified by the elimination of the words "without recommendations," in that part of the provision dealing with the preparation of a summary of the evidence and in that part dealing with the preparation of a compilation of the facts material to the exceptions and replies thereto.

ASSIGNMENT OF WORK, BUSINESS, AND FUNCTIONS

Section 405 of the Communications Act of 1934 now authorizes the Commission, subject to certain conditions and limitations, to assign any of its work, business, or functions to divisions, to individual commissioners, or to boards of employees.

The Senate bill proposed to rewrite section 405 by substituting provisions authorizing the Commission, when necessary to the proper functioning of the Commission and the prompt and orderly conduct of its business, to assign any portion of its work, business, or functions to an individual commissioner or commissioners or to a board composed of one or more employees of the Commission. It was provided that any order, decision, or report made or other action taken pursuant to any such assignment should have the same force and effect as if made by the Commission. This provision of the Senate bill also contained a proviso that any person aggrieved by any such order, decision, or report could file a petition for review by the Commission, and it was provided that every such petition should be passed upon by the Commission. The Senate provision by making this authority subject to the provisions of the amended section 409 of the act, would have denied to the Commission the authority to assign, under this provision, the function of conducting a hearing in any case of adjudication (as defined in the Administrative Procedure Act).

The House amendment, in lieu of the Senate provision, contained a section more nearly like that in the present law in that it would have included separate provisions for panels of the Commission.

The provisions on this subject which are included in the conference substitute are substantially the same as the provisions in the Senate bill, except that the provision as to the right of an aggrieved person to file a petition for review has been modified to read as follows:

"(2) Any person aggrieved by any such order, decision, or report may file an application for review by the Commission, within such time and in such form as the Commission shall prescribe, and every such application shall be passed upon by the Commission. If the Commission grants the application, it may affirm, modify, or set aside such order, decision, report, or action, or may order a rehearing upon such order, decision, report, or action under section 405."

PURCHASE OF PLANT AND EQUIPMENT OF UNSUCCESSFUL APPLICANT

Section 6 (b) of the House amendment proposed to add to section 307 of the Communications Act of 1934 a new subsection as follows:

"(f) If the Commission, instead of granting the application of a licensee for the renewal of its station license, grants to another applicant a station license for the same or mutually exclusive facilities, and if the applicant for renewal has operated substantially as set forth in the license and has not willfully violated or failed to observe any of the restrictions and conditions of this act or of any regulation of the Commission authorized by this Act or by a treaty ratified by the United States, then, if the applicant for renewal so requests, the grant of the station license to the other applicant shall be conditioned upon the purchase, by the other applicant, of the physical plant and equipment theretofore used for station purposes by the applicant for renewal, at a price equal to the fair value of such plant and equipment, as determined by the Commission."

No such provision was included in the Senate bill and the provision is not included in the conference substitute. The Senate members of the committee of conference felt that this was too important and far-reaching a provision to enact into law unless interested persons were given the opportunity to present their views on it in a public hearing. They pointed out that the matter had not been brought up in the Senate hearings or during Senate consideration of this legislation.

"NEWSPAPER" AMENDMENT

The House amendment (sec. 7 (c)) proposed to add to section 308 of the Communications Act of 1934 a new subsection (d), sometimes referred to as the "newspaper" amendment, reading as follows:

"(d) The Commission shall not make or promulgate any rule or regulation, of substance or procedure, the purpose or result of which is to effect a discrimination between persons based upon interest in, association with, or ownership of any medium primarily engaged in the gathering and dissemination of information and no application for a construction permit or station license, or for the renewal, modification, or transfer of such a permit or license, shall be denied by the Commission solely because of any such interest, association, or ownership."

The Senate bill contained no such provision, and the provision is not included in the conference substitute. This provision was omitted from the conference substitute because the committee of conference felt that it was unnecessary. It is the view of the conference committee that under the present law the Commission is not authorized to make or promulgate any rule or regulation the effect of which would be to discriminate against any person because such person has an interest in, or association with, a newspaper or other medium for gathering and disseminating information. Also the Commission could not arbitrarily deny any application solely because of any such interest or association.

ANTITRUST PROVISION

Section 10 of the Senate bill proposed to rewrite section 311 of the Comunications Act of 1934. Under the present law the text of that section is as follows:

"SEC. 311. The Commission is hereby directed to refuse a station license and/or the permit hereinafter required for the construction of a station to any person (or to any person directly or indirectly controlled by such person) whose license has been revoked by a court under section 313 and is hereby authorized to refuse such station license and/or permit to any other person (or to any person directly or indirectly controlled by such person) which has been finally adjudged guilty by a Federal court of unlawfully monopolizing or attempting unlawfully to monopolize, radio communication, directly or indirectly, through the control of the manufacture or sale of radio apparatus, through exclusive traffic arrangements, or by any other means, or to have been using unfair methods of competition. The granting of a license shall not estop the United States or any person aggrieved from proceeding against such person for violating the law against unfair methods of competition or for a violation of the law against unlawful

restraints and monopolies and/or combinations, contracts, or agreements in restraint of trade, or from instituting proceedings for the dissolution of such corporation."

The Senate bill would have eliminated the last sentence of the section as now in effect and, in addition, would have eliminated the second part of the first sentence, namely, that part which authorizes the Commission to refuse a license or permit to any person which has been convicted of unlawfully monopolizing or attempting to monopolize radio communication through the control of the manufacture or sale of radio apparatus, through exclusive traffic arrangements, or by other means, or of having used unfair methods of competition.

This section of the Senate bill was omitted from the House amendment, but is included in the conference substitute.

To the extent that this section of the conference substitute will eliminate from section 311 of the present law the last sentence, which is quoted above, the committee of conference does not feel that this is of any legal significance. It is the view of the members of the conference committee that the last sentence of the present section 311 is surplusage and that by omitting it from the present law the power of the United States or of any private person to proceed under the antitrust laws would not be curtailed or affected in any way.

With respect to the omission of the provision which now authorizes the Commission to refuse a license under the circumstances above described, the committee of conference agrees with the statement contained in the report of the Senate Committee on Interstate and Foreign Commerce, on this bill, that "the Commission's existing authority under law to examine into the character of a licensee or permittee in granting a license or a renewal is in no way impaired or modified by the change here recommended in section 311 * * *."

ADMINISTRATIVE SANCTIONS

Section 11 of the Senate bill proposed to rewrite section 312 of the Communications Act of 1934, and would have modified somewhat the grounds on which the Commission could revoke licenses and added new provisions authorizing the Commission to issue cease and desist orders in certain specified situations.

The House substitute also proposed to rewrite section 312 of present law. Among other things, it would have provided in most cases that revocation would be permissible only for acts willfully, knowingly, or repeatedly committed. In addition, the modified section would have authorized, for certain specified grounds or reasons, (1) suspension of station licenses for not to exceed 90 days, (2) revocation of construction permits, (3) issuance of cease and desist orders, and (4) imposition of penalties in the nature of forfeitures.

The section as it is retained in the conference substitute is the same as the House amendment insofar as the grounds for revocation are concerned, but the provisions which would have authorized the Commission to suspend licenses or to impose forfeitures have been eliminated. It is believed that the authority to issue cease and desist orders will give the Commission a means by which it can secure compliance with the law and regulations by licensees. As an alternative to revoking the license in case of failure to obey a cease and desist order, the Commission will be able to invoke the aid of the courts, under section 401 (b) of the act, to secure compliance. The courts will be able to enforce compliance through their power to punish for contempt.

FACILITIES FOR CANDIDATES FOR PUBLIC OFFICE

Section 11 of the House amendment would have amended section 315 of the Communications Act of 1934 which relates to the utilization of broadcasting facilities by candidates for public office. The Senate bill did not propose to amend section 315.

Under the present law section 315 provides that if any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, the licensee must afford equal opportunities to all other candidates for that office in the use of such broadcasting station; and it is further provided that the licensee shall have no power of censorship over the material broadcast under the section. The House amendment would have provided that equal opportunity must be afforded to all other candidates or their authorized spokesmen also in those cases in which a spokesman for a candidate for public office has been permitted to use a broadcasting station. The House amendment would further have added to the present law a provision providing that the licensee should not be liable in any civil or criminal action in any local, State, or Federal court because of any material in such a broadcast, except in cases where the licensee willfully, knowingly, and with intent to defame, participated in the broadcast. The section as modified by the House amendment also provided that the charges made for the use of any broadcasting station for any of the purposes set forth in the section should not exceed the minimum charges made for comparable use of such station for other purposes. The conference substitute omits the provisions contained in the House amendment with respect to equal opportunity on account of broadcasts made by spokesmen for candidates and the provision above described with respect to liability in civil and criminal actions. The provision with respect to charges made by broadcasters for political broadcasts has been retained but has been modified by striking out the word "minimum." The committee of conference agreed to omit the provision with respect to liability of licensees in civil or criminal actions and the extension of the present law to include spokesmen for candidates because these subjects have not been adequately studied by the Committees on Interstate and Foreign Commerce of the Senate and House of Representatives. This proposal was adopted in the House after the bill had been reported from the House committee. The proposal involves many difficult problems and it is the judgment of the committee of conference that it should be acted on only after full hearings have been held.

REHEARINGS

Section 405 of the Communications Act of 1934 now provides that in case a rehearing is granted the proceedings thereupon shall conform as nearly as may be to the proceedings in an original hearing except as the Commission may otherwise direct. The Senate bill, in rewriting this section, provided that rehearings shall be governed "by such general rules as the Commission may establish: *Provided*, That, except for newly discovered evidence or evidence otherwise available only since the original taking, no evidence shall be taken on any rehearing."

The House amendment, in rewriting the section, did not contain this proviso. The conference substitute retains this provision from the Senate bill but adds an additional provision to the effect that the Commission in case of rehearing may take evidence which the Commission believes should have been taken in the original proceeding.

SEPARATION OF FUNCTIONS

The Communications Act of 1934 does not contain any provisions with respect to "separation of functions" in adjudication cases which have been designated for a hearing by the Commission. Provisions to that effect are contained, however, in section 5 (c) of the Administrative Procedure Act. The Senate bill provided that the Commission shall not employ attorneys or other persons for the purpose of reviewing transcripts or preparing intermediate reports of final decisions, except that this shall not apply to the review staff provided for in the Senate bill, and to legal assistants assigned separately to a Commission member who may, for such Commission member, review such transcript and prepare such drafts. The House amendment provided that in any case of adjudication (as defined in Administrative Procedure Act) which has been designated for a hearing by the Commission, no commissioner, and no professional assistant appointed by a commissioner, shall (except to the extent required for the disposition of ex parte matters as authorized by law) consult on any fact or question of law in issue, or receive any recommendations from, any other person, unless upon notice and opportunity for all parties to participate. The House bill provided further that the afore-mentioned provision should not restrict consultation, or the making of recommendations, between a commissioner and another commissioner or between a commissioner and a professional assistant appointed by him. The House bill also provided that the afore-mentioned provision should not restrict commissioners in obtaining from members of the review staff the limited assistance authorized by other provisions of the House amendment.

The conference substitute omits the aforementioned provisions of the Senate bill and the House amendment and includes in lieu of these provisions the following:

(2) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated for a hearing by the Commission, no person who has participated in the presentation or preparation for presentation of such case before an examiner or examiners or the Commission, and no member of the Office of the General Counsel, the Office of the Chief Engineer, or the Office of the Chief Accountant shall (except to the extent required for the disposition of ex parte matters as authorized by law) directly or indirectly make any additional presentations respecting such case, unless upon notice and opportunity for all parties to participate.

This provision is included in the conference substitute because the members of the committee of conference are of the definite opinion that all parties should have a knowledge of, and an opportunity to refute, any matter or argument presented to the Commission.

FRAUD BY RADIO

The Senate bill contained a section 19 which would have made punishable by a fine of not more than $10,000 or imprisonment of not more than 5 years, or both, the transmission or the causing to be transmitted by means of radio communication or interstate wire communication, of any writings, signs, signal, pictures, or sounds for the purpose of executing a scheme to defraud or to obtain money or property by means of false or fraudulent representations or promises. The House amendment omitted this section because the House of Representatives had already passed H. R. 2948 containing substantially similar provisions with respect to fraud by radio. The conference substitute includes a provision with respect to fraud by radio which is substantially the same as H. R. 2948 as it passed the House. The provision differs from that originally contained in the Senate bill primarily with respect to the maximum fine which has been reduced from a maximum of $10,000, to a maximum of $1,000.

EFFECTIVE DATE

The Senate bill did not contain any provision which specified the date on which its provisions should take effect. All of its provisions would therefore have taken effect on the date of enactment.

The House amendment provided that, with two exceptions, the act should take effect on the first day of the first month which begins more than 60 days after the date of its enactment. The first exception provided that insofar as the amendments made to the Communications Act of 1934 provide for procedural changes, requirements shall not be mandatory as to any agency proceeding (as defined in Administrative Procedure Act) initiated prior to the date on which the act takes effect. The second exception provided that the amendments made to section 402 of the Communications Act of 1934 (relating to judicial review of orders and decisions of the Commission) shall not apply with respect to any action or appeal pending before any court on the date on which the act takes effect.

The conference substitute provides, generally, that the provisions of the act shall take effect on the date of its enactment. With respect to procedural changes, however, the conference substitute provides that these changes shall not be mandatory as to any agency proceeding (as defined in the Administrative Procedure Act) with respect to which hearings have been begun prior to the date of enactment of the act. The remainder of the effective date provision included in the conference substitute is the same as the provisions contained in the House amendment relating to the effective date of the provisions dealing with judicial review of orders and decisions of the Commission.

J. PERCY PRIEST,
OREN HARRIS,
HOMER THORNBERRY,
CHARLES A. WOLVERTON,
CARL HINSHAW,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, I yield such time as he may desire to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, yesterday, July 1, Hon. John W. Snyder, the Secretary of the Treasury, made a statement summarizing the financial operations of the United States Government during the past 6 years. The conduct of the Nation's finances is a matter of vital concern to every American citizen. The Secretary's analysis of these finances during the period since he took office in June 1946 is, therefore, of great importance. The highlights of the Secretary's statement are as follows:

First. For the 6 years ending June 30, 1952, taken as a whole, the Secretary reported that the Federal budget has been better than balanced. This means that the total revenues of the Government have exceeded total expenditures. The Government has actually had a budget surplus of more than $3,500,000,000 in these 6 years.

This is the more remarkable, the Secretary pointed out, in view of the sharp changes which have occurred in our economy and in the international climate during this period. These changes have brought with them many complex and difficult problems. Heavy demands have been made upon the finances of the Government. But the funds necessary to finance our defense and security programs have been provided. The credit of the United States Government has been maintained. Our banking and financial structure has continued in a position of unparalleled soundness; and our economy as a whole has proved strongly resistant to the shock of rapidly changing conditions, both here and abroad.

Second. During the past 6 years, the Secretary reported further, the total public debt has been reduced by about $11,000,000,000, from $270,000,000,000 on June 30, 1946, to about $259,000,000,000 at the present time. The budget surplus provided part of the funds used to accomplish this reduction. Most of the remainder came from funds available in the cash balance at the end of World War II financing, in excess of the amount which the Treasury needed to keep on hand under postwar conditions.

Third. In addition to achieving a budget surplus and reducing the total Federal debt by about $11,000,000,000, the Secretary announced that United States Government security holdings of the commercial banking system have been reduced by $24,000,000,000 during the period since June 30, 1946.

These holdings have an inflationary potential; and the sharp cut-back in their amount which has been accomplished since the middle of 1946 has made a significant contribution to the financial health of the economy during these years.

Fourth. An important development which has made it possible for bank ownership of Federal securities to be reduced by a very much larger amount than the reduction in the total debt outstanding, according to the Secretary's statement, has been the increase in savings bond ownership on the part of the American people in the past 6 years.

In June 1946 it was hoped that savings bonds might continue to be a major savings outlet and an important part of the public debt structure. As the postwar period progressed, this hope became a fact. Some bonds were cashed to pay for goods which had been in short supply during the war years, or in connection with other individual expenditure programs. But the wholesale liquidation of savings bonds which had been generally predicted at the close of World War II never occurred. Savings bond ownership, in fact, increased $8,500,000,000—from approximately $49,000,000,000 on June 30, 1946, to more than $57,500,000,000 at the present time. This increase reflected the success of the Treasury's program for encouraging thrift and promoting the widest possible public ownership of the securities of the Government—a program which moves hand in hand with the Treasury's objective of cutting down bank holdings of United States Government obligations.

Fifth. The Secretary pointed out further that the financial policies of the United States Government play an important part in the business life of the Nation; and that these policies during the past 6 years have contributed to a healthy business environment which is totally different from the situation following other major wars in our history. Since the close of World War II, people have gained a new belief in the resilience and strength of the Nation's economic and financial structure. Our American enterprise system, as a whole, has shown that it can adapt itself both to growing civilian needs and to a heavy defense program. Well-maintained confidence in the financial soundness of the Government, in our free-enterprise institutions, and in the prospects for the continued growth and prosperity of our Nation has made possible an unparalleled economic development in this country during the past 6 years.

This confidence is particularly evident in the record volume of new capital investment. Businessmen have been more willing than ever before to risk their capital in building for the future. Their postwar investment in new plant and equipment, up to the time of the Korean attack, totaled nearly $100,000,000,000, exceeding both in dollars and in physical volume the plant expansion of any other similar period in our history. A further great expansion has been made in the past 2 years; in this period the defense program has, of course, been an important influencing factor.

Looking toward the future, Secretary Snyder noted that the possibility of changes in the international outlook must always be given full consideration. Barring serious new developments in this area, however, the Secretary expressed the view that we have every reason to anticipate the continued prosperity and growth of our economy in the years ahead. We are not living in a static economy, but in a strongly dynamic one. Surprisingly few people realize how rapidly our population is growing. Currently our domestic market for all kinds of goods has been enlarged by 2,700,000 people added in the past year alone. This is equivalent to the addition of a new State the size of Florida, or Iowa, or Louisiana. In a country such as ours, with large resources and technical ability, a growing population means an expanding economy.

An equally important dynamic factor is our accelerating rate of growth in new scientific discoveries and new industrial techniques. These promise strong underlying support to industrial activity and new capital investment. With this outlook, one may feel confident about the future business trend.

Sixth. Secretary Snyder, in closing, reviewed the results of the Treasury's most recent financing operation. This operation was undertaken in order to meet the Government's need for funds in fiscal year 1953—a situation brought about largely by the heavy financial requirements of our defense and security program.

The Treasury's "new money" operation, to which the Secretary referred, consisted of an offering on June 19, 1952, of 2⅜-percent Treasury bonds, dated July 1, 1952, and maturing June 15, 1958. The amount of the offering was originally set at $3,500,000,000 or thereabouts. This amount was oversubscribed, however, by more than three times. Subscriptions from nonbank investors alone exceeded the amount of the original offering and were so large that the total allotment had to be expanded in order to provide the minimum allotment announced for commercial banks.

Total subscriptions received aggregated approximately $11,695,000,000. Subscriptions from nonbank investors totaled $3,642,000,000, and these subscriptions were allotted in full. Commercial banks were allotted $507,000,000 of the new securities, and Government investment accounts were allotted $100,000,000, bringing the total finally allotted to $4,249,000,000.

On June 10, at the same time announcement was made relating to the 2⅜-percent bonds, the Treasury announced an offering of an 11-month 1⅞-percent certificate of indebtedness in exchange for certificates bearing the same rate maturing July 1, 1952. Out of a total of $5,216,000,000 in certificates maturing July 1, $4,963,000,000, or over 95 percent, were exchanged for the new certificates.

The success of these recent financing operations is highly gratifying. With continued cooperation on the part of our people, there is every assurance that the finances of the Government can and will be maintained in a sound position, despite the heavy costs of national security under the conditions prevailing in the world today.

Mr. HARRIS. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I know that there are many Members of the House who are very much interested in the amendments to the Communications Act of 1934. You will recall the consideration that we gave to the various proposals before the House a few days ago on Senate 658.

Your conferees have met and diligently endeavored to come to an agreement that we felt would be about the best that we could hope for at this time. There are many provisions in disagreement. Some are substantial and some, of course, are merely for clarification. But nevertheless, we have endeavored to resolve these differences in a manner so that the basic objectives which we sought to accomplish in connection with these amendments would be accomplished.

If my colleagues will bear with me for just a few moments, I assure you I will not detain you very long, but I do want to remind you that I am going to tell you two or three things that I know you are interested in, because I have had many, many Members of this House inquire about it since we passed this bill in the House a few days ago. This is the first time that any attempt has been made by the Congress to enact any substantial changes in the Communications Act since 1934.

We had a difficult job with the Senate conferees because they had their own instructions and viewpoints from the long, tedious, and arduous study that they made of the subject over a number of years. We had our own opinions about the various matters and controversies. But the basic principles with reference to amendments changing the organization and functioning of the Communications Commission are about the same as they were when we passed the bill in the House except that some clarifying changes have been made.

Section 5 (c), as I told you before, was one of the major sections revising the old Communications Act. It has reference to the staff of the commission. Although there were differences in language between the House and the Senate versions, the basic objective was the same in both provisions. The provisions of the House prevailed in that regard because we agreed that they perhaps met the objective better than the provisions of the other body.

The companion section to section 17 in the House bill was section 15 in the Senate bill. These sections relate to the internal organization of the Commission. The Senate had provided that the Commission would have a review staff and that each Commissioner would have his own legal assistant. The House provided that each Commissioner could have a professional assistant and that the Commission would have the review staff. The functions of the review staff were circumscribed in the bill. It was to function at the direction of the Commission. It was to furnish the Commission the information it should have in carrying out its duties in adjudication cases. At the same time, we said that the Commission should not, in adjudication cases, consult any member of the Commission staff, other than the professional assistant of each Commissioner, except upon due notice and opportunity for all parties to participate.

Sharp differences of opinion were presented to the committee regarding the need to separate the Commission from its staff. Commissioner Jones had one viewpoint, and he said that the Commissioners should not under any circumstances be permitted to consult any member of the Commission staff, because there had been, apparently, allegations that some members of the staff rather than the members of the Commission were running the Commission.

The majority of the Commission contended that they should have authority to consult with any member of the Commission staff except those members who were engaged in the investigation or prosecution of the case in question about any question of fact or law on which they needed some information or advice.

In an effort to compromise this difference, we have provided in the conference report that no member of the staff and no person who had participated in the presentation or preparation for presentation of the case before an examiner or before the Commission, and no member of the Office of the General Counsel, the Office of the Chief Engineer, or the Office of the Chief Accountant should make, directly or indirectly any additional presentation respecting such case except upon notice and opportunity for all parties to participate.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Georgia, and I know that he is interested in this subject.

Mr. COX. Are we to understand that the Jones view prevailed in the commission?

Mr. HARRIS. I cannot say that we went as far as the Jones viewpoint wanted us to go.

Mr. COX. I understand, but what you were concerned with then was making certain that there was a fair determination of questions based upon the merits of the case.

Mr. HARRIS. We think the approach we have made to this will accomplish the objectives that the Jones viewpoint seeks to accomplish.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to my colleague on the committee, who has been very helpful and has shown great interest in this problem.

Mr. HINSHAW. I thank the gentleman for his kind remarks. I think the gentleman should add to the statement that the consultation with these people on new matters is intended to be prohibited except where the interested parties all can be present and have opportunity to refute.

Mr. HARRIS. I thank the gentleman for calling that point to my attention. If they give notice to all parties concerned, of course, any new and additional matter may be presented.

Mr. Speaker, there has been much interest in the newspaper amendment, so-called. That is one matter in which many Members of the House have been especially interested. We had a rather sharp discussion on it. We felt, and the report so states, that in view of the law, and in view of the interpretation that the Commission has placed upon the law, there is no such discrimination at this time, and if there ever was such discrimination, there is none now.

Therefore, we felt it was not necessary to include this new provision in the law. We do feel that the action of the Senate committee heretofore and of the House in this particular bill clearly restates that it is the intention of the law—and we do not propose to give any leeway at all for the Commission in that respect—not to discriminate against any applicant, whether it be a newspaper or any other applicant.

Mr. DOLLIVER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. DOLLIVER. I would like to ask the gentleman a question with reference to the conference report. Is there a statement in the conference report as to discrimination against other agencies for the dissemination of public information?

Mr. HARRIS. There is a very clear and definite statement in the conference report.

Mr. DOLLIVER. Would the gentleman be kind enough to read it?

Mr. HARRIS. If the gentleman has a copy of the report, and if he will turn to page 18, omitting the reading of the paragraph, the report states:

> The Senate bill contained no such provision, and the provision is not included in the conference substitute. This provision was omitted from the conference substitute because the committee of conference felt that it was unnecessary. It is the view of the conference committee that under the present

law the Commission is not authorized to make or promulgate any rule or regulation the effect of which would be to discriminate against any person because such person has an interest in, or association with, a newspaper or other medium for gathering and disseminating information. Also the Commission could not arbitrarily deny any application solely because of any such interest or association.

Mr. DOLLIVER. Would the gentleman say that this statement in the report represents the united opinion of the conferees, and that such statement forecloses such discrimination?

Mr. HARRIS. Not only that, but it is the opinion of the conferees that it was the intention of the law and it is now so interpreted by the commission that no such discrimination was intended to be permitted when the act was originally passed.

Mr. DOLLIVER. I thank the gentleman.

Mr. HARRIS. There is one other amendment in which this House is very much interested; that is the section with reference to political broadcasts.

You will recall that the gentleman from Washington [Mr. HORAN] offered an amendment to the bill, and the gentleman from Minnesota [Mr. O'HARA], who is a member of our committee, offered a substitute for that amendment. Those were amendments that would have contrary objectives. The House took the Horan amendment, which would relieve the licensee or the station of any liability whatsoever under State laws for libelous statements, and would not give the station authority to censor political statements or broadcasts. The O'Hara proposal would have given the station the right to eliminate libelous statements, and would have left it to State law whether stations are liable for any obscene or libelous statements.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Michigan.

Mr. DONDERO. Does that not place radio stations and television in a category entirely different from newspapers?

Mr. HARRIS. To which one does the gentleman refer?

Mr. DONDERO. I refer to the Horan amendment.

Mr. HARRIS. Yes, it would have, I suppose, placed them in a category different from the newspapers. Of course, we could not do anything about newspapers in connection with this bill.

Mr. DONDERO. In other words, if they were relieved from liability for libel and slander, is that not an invitation for the lowest kind of campaigning?

Mr. HARRIS. That is the interpretation some have placed on it, yes. There has been much concern expressed about this aspect of the Horan amendment since we passed it in the House some time ago. The conferees felt that it was so important and so highly controversial, and as we had had no hearings on the subject and since it was so involved, we left this matter out of the bill altogether at this time. There was the very definite feeling on the part of all conferees that this is a matter that is so important that it should be taken up at another time after full hearings could be held and the whole matter gone into further. That was the action of the conferees on that particular subject.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Pennsylvania.

Mr. FLOOD. This may not be directly in point, but since the gentleman is so well versed in the communications field, I would like to ask him this question: I represent a district where we have no television licensee as yet. Applications have been filed. We have high frequency allocated channels, but nobody is in business as yet.

Mr. HARRIS. The processing began yesterday.

Mr. FLOOD. Yes. I am advised that the large chains who now have the very high frequencies are insisting or will insist, and the Commission is supporting it, the existing broadcasters who have been in business right along, are going to insist, with the support of the Commission, that additional power and increased power be given to the very high frequencies, and if and when that is done the broadcasting chains now in existence will then say this: "Anybody who has coverage as the result of very high frequency, we will not give any of our programs to." If that is done, the little people who have nothing now will have no place at all, after investing millions of dollars in facilities, because there will be no use for ultra high frequency if there is additional coverage over high frequency, and we are right back where we started.

Mr. HARRIS. Of course, this conference report does not go into that. I might say to the gentleman that is a matter within the province of the Commission. The television allocation plan has already been publicized and the gentleman can get it; perhaps he has a copy of it.

Mr. FLOOD. I have.

Mr. HARRIS. From it you can understand what the intention of the commission is in that respect at this time. But we did not go into that subject here. What we do is to establish a procedure which we think sets up standards that the Commission ought to follow in order to have a fair procedure. That is exactly what we do; we try to set up a standard that will accomplish some of the things the gentleman speaks of, and that is fairness to all applicants.

Mr. DONDERO. Mr. Speaker, will the gentleman yield for a brief question?

Mr. HARRIS. I yield to the gentleman from Michigan.

Mr. DONDERO. Do I understand from what the gentleman has said that the Horan amendment has been left out of the report?

Mr. HARRIS. Yes. The entire matter with reference to political broadcasts has been left out with the exception of the McCormack amendment with reference to charges for political broadcasts, and that is that they cannot charge more for political broadcasts than the usual commercial rate. We did strike out the word "minimum" that was in the amendment.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield.

Mr. COX. I take it that it was the consensus of the conferees that if there was to be no censorship of programs it would be unfair to hold stations liable for slander over which they had no control.

Mr. HARRIS. I could not say that to the gentleman, speaking very frankly, because under the present law in some States there is a possibility that a station might be held liable under State law while Federal law prevents the station from eliminating libelous statements.

Mr. COX. Under State law?

Mr. HARRIS. Yes, that is true; and we did feel that this whole problem of censorship and liability was so involved that we ought not to try to settle it at this time but rather at a later time when we could give it greater attention and study.

Mr. Speaker, I would now like to explain the action of the conference committee on the proposed amendment to the present law, contained in the bill passed by the House, which would have provided that if the Commission, instead of renewing a license on application therefor, granted the facilities, or mutually exclusive facilities, to another applicant, and certain other specified conditions existed, the successful applicant would have to purchase the plant and equipment used for station purposes by the unsuccessful applicant for renewal, if the latter so desired. This would have been so under the amendment only if the unsuccessful applicant for renewal had not willfully violated or failed to observe any of the restrictions and conditions of the act or regulations authorized by the act or by treaty.

This was an amendment offered by the distinguished chairman of our Committee on Interstate and Foreign Commerce, the gentleman from Ohio [Mr. CROSSER], and it was adopted in the committee consideration of the bill.

The members of the committee of conference were not unmindful of the fact that there is an element of hardship involved when a licensee who has complied with the law is refused a renewal of his license because the Commission may happen to find that the public interest would be served by granting to another licensee facilities which make it impossible, at the same time, to permit the applicant for renewal to continue to operate his station.

However, the Senate bill as it came over to the House did not contain any provision which dealt with this problem in any way. The Senate members of the conference committee felt that since the Senate committee had not previously had an opportunity to study the practical situations in which the amendment would operate and what the full consequences of its enactment would be, it would be unwise to enact this provision, or any similar provision, into law until hearings had been held on the subject. Under these circumstances, there was nothing

the House conferees could do but yield on this provision.

There are other provisions in here that are important, but you can look at the conference report and easily determine what they are.

Mr. HARRIS. Mr. Speaker, I yield 20 minutes to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, sometimes in these hurried conferences at the close of a session we find ourselves in the position of not being able to read a conference report until after it has been printed in the RECORD and of course, we have already signed the documents approving such report filed with the two bodies.

I would like to clarify the meaning of certain words that are contained on page 15 of this conference report in the statement of the managers on the part of the House insofar as my own understanding is concerned; and the gentleman from New Jersey [Mr. WOLVERTON] has authorized me to speak in the same way on his behalf. That language is contained in the definition of broadcasting where it will be remembered that in the House version of the bill we made a slight change in the definition of the word "broadcasting" without the intention of making any material change in the definition. Likewise the Senate had made a slight change different from that of the House bill.

In the course of the discussion in the conference the managers for the other body offered certain language to go into the report which was rejected. That language would have intended that the interpretation by the Commission in the Muzak case, to include subscription services as "broadcasting" as a part of the definition of "broadcasting." But that language was not used. The language offered for inclusion in the conference statement of managers but rejected by the conference is as follows:

> The word "general" contained in section 2, subsection (o) of S. 658 was deleted so as not to change the definition of "broadcasting" (except for the deletion of the reference to "relay stations") contained in the Communications Act of 1934 and interpreted by the Commission in the Muzak case to include subscription services.

I find in the second paragraph of the statement of the managers under the definition of the word "broadcasting" the following closing sentence:

> The definition, and the interpretations thereof heretofore made, will therefore remain unchanged.

Mr. Speaker, I certainly understand that language to mean: not that we give our approval to any definition that has been made by the Commission as in the Muzak case but to leave the matter entirely open.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. PRIEST. May I say to the distinguished gentleman from California that I share his opinion fully in that respect with reference to that sentence. I feel that it should be made very clear at this point in the RECORD that this does not express any approval whatsoever of any interpretation which the Commission has heretofore made. It does not express approval or disapproval; neither does it suggest how the Commission should interpret or apply the definition in the future. I think we ought to make it very clear that this bill states that the law as it is today remains unchanged, that and nothing more.

Mr. HINSHAW. That is my understanding, and I am glad to have the concurrence of the gentleman from Tennessee.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Arkansas.

Mr. HARRIS. I should like to say that from my own personal viewpoint I do not feel that this sentence in the conference report changes the intention in any way whatsoever. In fact, it is my opinion it does not make any difference whether the language is in or not. I do not think it does any good or harm. I do not think it binds the conferees with reference to intention and I do not think it changes the present law. It was the intention of the conferees not to change the law but to leave it as it is. I think the Muzak case was determined under present law and it is my opinion that they decided it according to present law; consequently it was the intention of the conferees that the present law remain as it is.

Mr. HINSHAW. I am glad to have those words from the gentleman from Arkansas. It will be remembered that the decision in the Muzak case was a memorandum decision on an application for an experimental license, and that the authorization was issued upon the express understanding that it did not constitute a finding by the Commission that the operation authorized would be in the public interest beyond the express terms of the grant.

Mr. Speaker, a letter was presented to the chairman of our committee the gentleman from Ohio, Hon. ROBERT CROSSER, by the Federal Communications Commission, under date of July 25, 1951, on this subject. The last paragraph of that letter is quite important to this point.

On page 3 of the letter it is stated:

> The Commission feels that it will be in a better position as a result of such proceedings to resolve the problem of the proper classification of subscription television as a broadcast service, common-carrier service, or some other type of service.

Mr. Speaker, the entire letter is as follows:

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D. C., July 25, 1951.

Hon. ROBERT CROSSER,
Chairman, Committee on Interstate and Foreign Commerce, House Office Building, Washington, D. C.

DEAR CONGRESSMAN CROSSER: The Commission has your letter of May 24, 1951, in which you request the Commission's opinion with respect to whether or not the term "broadcasting" as used in S. 658, an act to further amend the Communications Act of 1934, would include subscription television services such as phonevision. Your letter also requests the changes in the definition of "broadcasting" in S. 658 which would be required to encompass subscription television services if the Commission should find that the present language of S. 658 is not sufficiently broad.

In the *Muzak case* (8 FCC 581) to which you refer in your letter, the Commission held that the subscriber service there proposed was broadcasting within the definition of section 3 (o) of the Communications Act of 1934. It is important to note, however, that in that case the decision pointed out that the frequency assigned, 117.85 megacycles, was in a part of the spectrum devoted to other than broadcast services and the Commission stated that "* * * if it should develop that a service of this nature is practicable, frequencies therefor would probably have to be allocated from other portions of the radio spectrum." Accordingly, the grant was conditioned expressly that it "is not to be construed as a finding by the Commission that the operation of the proposed station upon the frequency authorized is or will be in the public interest beyond the expression terms of the grant," and that it was on an experimental basis only and subject to change or cancellation without advance notice or hearing.

The question whether a subscription service is broadcasting as that term is presently defined in the Communications Act has not been finally determined. In *Bremer Broadcasting Co.* (2 FCC 79, 83 (1935)) this Commission decided that a coded broadcast could not be considered to come within the definition of broadcasting even though it would appear that any member of the general public could have purchased the code. More recently the question was presented again to the Commission by a petition filed August 3, 1949, by Zenith Radio Corp. requesting authority to conduct tests of phonevision on a limited commercial basis. The Commission granted Zenith Radio Corp. special temporary authority to conduct experimental operations of phonevision. However, the Commission made its grant subject to the express condition that "this action shall not be construed as a determination or finding as to whether or not phonevision or any other existing 'subscription television' constitutes a 'broadcast' service, 'common carrier' service or some other classification. The Commission expressly reserves its determination as to this issue." On November 22, 1950, the Commission also grants special temporary authority to General Teleradio, Inc., to conduct experimental operation of its Skiatron Subscriber-Vision System under conditions similar in nature and purpose to those imposed upon the phonevision grant.

As you are aware, the subscription television services which have been brought to the Commission's attention involve the use of some additional equipment at the subscriber's television receiver and the payment of a monthly or per program charge by the viewer directly to the operator of the service for the privilege of viewing certain television programs. This contracts with the customary broadcast service in which there is no direct charge paid by the viewer and the owner of any standard television receiver can receive any of the programs broadcast. The basic question raised by your inquiry is, therefore, whether subscription television services can be said to fall within that category of services which are "intended to be received directly by the general public." This determination, is one which despite the previous pronouncements of the Commission referred to above, the Commission feels is of such importance and difficulty as to preclude its solution without further detailed consideration on the basis of the fullest possible factual record.

The determination whether a subscription service is broadcasting as that term is pres-

ently defined or whether it comes within some other service will, of course, result in important consequences. The definition of the type of service will bear directly upon the frequencies which might be assigned to phonevision and other subscription television services. If, however, it is determined that subscription services do not properly constitute broadcast services and frequencies outside of the broadcasting bands are assigned to such subscription services, reception on the television receivers presently being manufactured will not be possible. On the other hand, since section 3 (h) of the Communications Act specifically provides that a person engaged in radio broadcasting shall not, insofar as such person is so engaged, be deemed a common carrier, a determination that subscription services come within the definition of broadcasting, in the absence of amendment of section 3 (h), might preclude the Commission from exercising common-carrier regulatory powers over such services, even though further consideration of the matter might indicate that it would be in the public interest for the Commission to exercise such powers over the charges made to the viewing public or other aspects of the subscription service.

The Commission expects that proceedings may be initiated in the near future with respect to the possible establishment of subscription television services on a permanent basis in which the problems raised by subscription television services will be fully explored in the light of the factual data derived as a result of the recent experimental operation of television subscription services. The Commission feels that it will be in a better position as a result of such proceedings to resolve the problem of the proper classification of "subscription television" as a broadcast service, common-carrier service, or some other type of service. As a result of such proceedings it is also expected that the Commission will be able to advise the Congress whether additional legislation is required for the regulation of such service, or whether existing legislation should be modified in any way to take account of this type of service. In the absence of such a factual record, however, the Commission feels that it cannot properly decide the service classification which should be given to subscription television, and that, pending such resolution it would be inadvisable to attempt to draft or adopt legislation defining such services as "broadcasting" or as any other type of service.

By direction of the Commission:

WAYNE COY, *Chairman.*

Mr. Speaker, I desire to give notice at this time that in the next session of the Congress, whenever that may be, it is my intention, if no one else does, to introduce a bill which will provide for a further definition of "broadcasting." I have certain ideas on that which would not include subscription television or subscription radio as broadcasting but probably provide for classification of such service as a common carrier or contract service of some sort. I think it should not be classified in the broadcast field as the Commission has said in the Muzak case that it could be.

I am very happy, therefore, to have these expressions on the part of the Members so that we may have no misunderstanding as to the intention of the conferees.

Mr. HARRIS. I think it is important to make it very clear that in the act of 1924 broadcasting was defined to mean "the dissemination of radio communication intended to be received by the public directly or by intermediary of relay station."

The Senate proposed to change that definition when it passed the act. It would have had it read, "The dissemination of radio communication intended to be received by the general public," leaving out the words "directly or by intermediary of relay stations." I believe the word "directly" was left in.

The House struck out the term "general" and accepted the rest of the Senate language.

In conference there were some questions raised as to whether or not the changing of the word "directly" to precede the term "public or general public" or to follow the word might be subject to some interpretation that we intended to change the meaning of the law. Then the question came up as to what was meant by the use of the term "general." To include it we felt might lead to some interpretation by some, the Commission and its lawyers, and they have good lawyers in this business, that it was intended to change the meaning. Finally, we struck out both provisions of the House and the Senate, and left the law just exactly as it is.

Mr. HINSHAW. Mr. Speaker, the gentleman has correctly stated the case, and I think in the amendment which I propose to introduce at a subsequent time that I shall propose that "broadcasting" shall mean "the dissemination of radio communications intended to be received by the public without restriction," or words to that effect, which will clearly define the term and make it possible to set this subscription service over into the common carrier or other section of the act.

Mr. Speaker, I ask unanimous consent to include the entire letter from the Commission to the chairman of our committee at the point where it was discussed.

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

There was no objection.

Mr. WOLVERTON. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, I am in full accord with the statement made by my distinguished colleague from California [Mr. HINSHAW]. I suggested that he might state to the House that he was authorized to say that I was in full accord with the views that he was expressing in order that we might conserve time.

There is only one additional thought that I would express in connection with what has already been said, and that is the language to which he has already referred, namely, the definition and the interpretations thereof heretofore made will therefore remain unchanged. I was fearful that there might be an inference in the language used that there was a concurrence in the decisions that have been previously made. I am not willing to agree that it carries that inference. I think it has been clearly stated, however, that the intention is to leave the language as it is in the present law for the reason that it was most difficult to find language that would express what was in the minds of several of the conferees during the discussion.

Mr. HARRIS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING MERCHANT MARINE ACT

Mr. HART submitted a conference report and statement on the bill (S. 241) to amend the Merchant Marine Act of 1936, as amended, to further promote the development and maintenance of the American Merchant Marine, and for other purposes.

AMENDING THE PUBLIC HEALTH SERVICE ACT

Mr. PRIEST. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7722) to amend the Public Health Service Act so as to provide for equality of grade, pay, and allowance between the Chief Medical Officer of the Coast Guard and comparable officers of the Army.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, this applies to but one individual position, as I understand.

Mr. PRIEST. This applies to one individual and simply places the medical officer on the same plane as the chief dental officer, and one or two others. It was an oversight. The bill was unanimously reported by our committee.

Mr. MARTIN of Massachusetts. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of subsection (a) of section 206 of the Public Health Service Act, as amended (42 U. S. C., sec. 207), is amended by inserting after "Deputy Surgeon General" the following: "and the Chief Medical Officer of the United States Coast Guard."

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.

COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. HAYS of Arkansas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (S. Con. Res. 86) authorizing the appointment of a committee to attend the general meeting of the Commonwealth Parliamentary Association to be held in Canada.

The Clerk read the title of the concurrent resolution.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, this is the normal resolution for the English speaking parliaments' conference?

Mr. HAYS of Arkansas. It is, Mr. Speaker. It is the arrangement that has been followed in previous years. It is customary, for Canada as the host nation to invite our representatives. The Senate passed the resolution by unanimous consent.

Mr. MARTIN of Massachusetts. I withdraw my reservation of the right to object, Mr. Speaker.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring) That the Vice President and the Speaker of the House of Representatives are authorized to appoint four Members of the Senate and four Members of the House of Representatives, respectively, to attend the next general meeting of the Commonwealth Parliamentary Association to be held in Canada on the invitation of the Canadian branch of the association and to designate the chairmen of the delegations from each of the Houses to be present at such meeting. The expenses incurred by the members of the delegations and staff appointed for the purpose of carrying out this concurrent resolution shall not exceed $4,500 for each of the delegations and shall be reimbursed to them from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

PRINTING, BINDING, AND DISTRIBUTION OF THE STATUTES AT LARGE AND DECISIONS OF THE SUPREME COURT OF THE UNITED STATES

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4109) to amend section 73 of the act of January 12, 1895, as amended, relating to the printing, binding, and distribution of the Statutes at Large, and sections 411, 412, and 413 of title 28, United States Code, relating to the printing, binding, and distribution of decisions of the Supreme Court of the United State, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, strike out line 1.

Page 4, line 3, strike out "building.'" and insert "building."

Page 4, after line 3, insert:

"'The Attorney General and the Director in the procurement of law books, books of reference or periodicals may exchange or sell similar items and apply the allowance or proceeds to payment in whole or in part of the cost of the items procured'."

Page 4, after line 3, insert:

"SEC. 7. Section 56 of the Printing Act, approved January 12, 1895 (28 Stat. 609), as amended, relating to the printing and distribution of public and private laws, postal conventions, and treaties in slip form (44 U. S. C. 191), is hereby further amended to read as follows:

"'SEC. 56. The Public Printer shall print in slip form copies of public and private laws, postal conventions, and treaties, to be charged to the congressional allotment for printing and binding. The number and distribution of copies shall be under the control of the Joint Committee on Printing'."

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

There was no objection.

The Senate amendments were concurred in.

The motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks just before the vote on the conference report on the amendment of the Communications Act.

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

There was no objection.

HON. JACK Z. ANDERSON

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. HAVENNER. Mr. Speaker, I want to join in the chorus of regret which has been expressed by other Members of Congress from California over the voluntary retirement from further service in this House by our distinguished colleague, Hon. JACK Z. ANDERSON. This regret is genuine and nonpartisan. It is unanimous in the California delegation on both sides of the aisle. Regardless of past differences over questions of political procedure or legislative policy, all of us have an affectionate regard for JACK ANDERSON and a great admiration for his ability and integrity. I wish for him and his fine family all the future happiness and success which I know are in store for them.

THE POST OFFICE DEPARTMENT

Mrs. ST. GEORGE. 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 gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, on June 10 I introduced House Resolution 681, a resolution to have the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, investigate the postal service and the Post Office Department.

Mr. Speaker, I think this investigation is long overdue and I ask unanimous consent to insert at this point in the RECORD several exhibits to prove this contention:

EXHIBIT 1

MAY 25, 1952.

Hon. WALTER MYERS,
Assistant Postmaster General,
Post Office Department,
Washington, D. C.

DEAR SIR: I am writing in reference to our meeting with you on Thursday, May 22, relative to your letter of April 17, 1952, to the postmaster of New York City, wherein you directed the positions of dispatcher at the main office be discontinued and the duties now performed be transferred to the main garage. I am submitting the following information for your consideration:

Dispatchers have been assigned at the General Post Office Roadway for the past 33 years, one on each tour. It has proven to be for the best interest of the motor vehicle service that these dispatchers be so assigned. In fact, during the last survey by the post office inspectors it was recommended that three additional dispatchers be authorized, one on each tour, due to the increased volume of mail and other duties performed by these dispatchers.

The duties formerly performed by these dispatchers are now performed by two clerks and a foreman on each tour. It has been recommended that an additional clerk be assigned to each tour and that the foreman be replaced by a general foreman, as a supervisor with more authority, than a foreman.

It is my opinion that these dispatchers have proven their efficient ability in handling our vehicles and personnel during all these years and that it is for the best interest of our service that they continue these duties. Furthermore, it will require of the Department a greater number of personnel to cover these duties and at a cost far greater than if dispatchers are continued at this point.

Thanking you for your kind consideration of this matter, and I can assure you that the morale of our personnel will be increased if this injustice is corrected, I remain,

Very sincerely yours,

EVERETT G. GIBSON,
President.

EXHIBIT 2

POST OFFICE DEPARTMENT,
ASSISTANT POSTMASTER GENERAL,
BUREAU OF FACILITIES,
Washington, D. C., June 20, 1952.

Mr. EVERETT G. GIBSON,
President, National Federation of Post Office Motor Vehicle Employees,
Maspeth, Long Island, N. Y.

DEAR MR. GIBSON: This will have reference to your meeting with me on Thursday, May 22, and your subsequent letter of May 25, relative to the assignment of dispatchers in the vehicle service at the New York, N. Y. post office.

The position of dispatcher involves the checking of trucks in and out of the garage at the beginning and end of tours of duty and the performance of related work such as seeing to it that drivers, mechanics and others properly test vehicles before leaving the garage, which assignments clearly indicate that their duties are confined within the garage areas. In this connection, may I invite your attention to the duties of chief dispatcher as defined in section 14, page 3 of the Rules and Regulations for Government-owned Vehicle Service.

I note that you state that dispatchers for a number of years have been performing duties at the platform and in driveways, and while this may be true, it does not necessarily follow that the same has been an appropriate assignment nor does it relieve the Bureau of the responsibility of changing

the assignment once it has been found to be erroneous. Certainly it cannot be contended that vehicle service dispatchers should assume the responsibilities of seeing to it that mails are appropriately and expeditiously dispatched from loading docks at post offices and stations or at terminals, such duties being within the prerogatives of local postal personnel and employees of the Postal Transportation Service.

In closing it may be stated that it is planned to have representatives of this Bureau visit New York City as soon as conditions here will permit, for the purpose of making a thorough study of the vehicle service in New York, and I can assure you that at that time, as president of the organization, you will be conferred with.

Sincerely yours,

WALTER MYERS,
Assistant Postmaster General.

EXHIBIT 3

MEMORANDUM ON A POST OFFICE DEPARTMENT MATTER REQUIRING CONGRESSIONAL ATTENTION

THE PROBLEM

An administrative order by Assistant Postmaster General Walter Myers has been put into effect at the New York City post office, despite the recommended program of a survey team of postal inspectors and the protests of the postal personnel involved, an order which merits vigorous congressional attention because of the unfortunate pattern this order could, and probably will, set for every other major postal center in the country—unless it is promptly reviewed and rescinded. The order is anything but conducive to economy, to efficiency, and to sound employee and human relations in the postal transportation service. It is arbitrary, unilateral, self-contradictory, and needless.

THE SITUATION

On April 27, 1952, the Assistant Postmaster General, in a letter of instruction to the postmaster at New York City, reversed a successful practice of 33 years of postal transportation by directing that the position of roadway or depot dispatcher in the motor vehicle service be abolished, and the individuals previously performing these duties be (a) transferred to the main garage, and (b) replaced by two clerks under a foreman-supervisor (total three) for each tour of duty. Three men to do the work formerly performed by one with some volunteer assistance. This, in the face of recommendations by expert postal investigators, after a thorough survey of the New York requirements, which advised that the successful dispatcher system be expanded by authorizing additional dispatchers, at least one for each tour of duty, because of the increasing volume of mail and the constantly heavier workload. The local official of the New York City post office concurred in, and urged favorable prompt action on the survey's findings.

Attention is next invited to the attached copies of correspondence, (a) letter of protest to Assistant Postmaster General Myers from Mr. Everett G. Gibson, president of the National Federation of Post Office Motor Vehicle Employees, and (b) Mr. Myers' reply, especially Mr. Myers' statement which reads:

"I note that you state that dispatchers for a number of years have been performing duties at the platform and in driveways, and while this may be true it does not necessarily follow that the same has been an appropriate assignment, nor does it relieve the Bureau of the responsibility of changing the assignment once it has been found to be erroneous."

It is here to be noted that Mr. Myers has been the Assistant Postmaster General in charge of this operation for 11 of these 33 years. If he could be wrong for 11 years, could he be right now? It is possible, but the odds are astronomical.

If the obvious must further be emphasized, the National Federation of Post Office Motor Vehicle Employees has neither the desire nor the purpose to be in controversy with their Assistant Postmaster General. On the contrary, the federation would like to support any directive promoting economy, efficiency, and/or morale. In the public interest it must oppose the reverse.

EFFICIENCY

The transportation of the mails locally in any community is a vitally important part of the postal machinery. The positions and the procedure, so radically affected by the order of the Assistant Postmaster General, have been standard since 1919, tested by time, checked and rechecked by official surveys, and operated satisfactorily throughout the entire United States. Proof of this is that, as recently as 1950, after intensive study by postal investigators, 28 additional depot dispatchers were authorized for the Chicago post office to meet adequately the transportation problems of that major railroad and airline center, with its many depots and postal stations.

These dispatchers at New York and Chicago, or in any other major postal center, have identical purposes, duties, and functions. They are charged with the responsibility of insuring that all mail trucks and other motor vehicles at any given point arrive and depart promptly on schedule, in proper operating condition, and that any unusual circumstance or emergency is met by transferring any vehicle from one assignment to another without interruption of service. Another function is to study improvements in motor-vehicle maintenance and transportation to expedite the economical, efficient handling of the mails. Connections, rail, bus, or air, must be met on schedule; carriers must find pouches on schedule in route boxes; commercial and civilian parcels must move quickly and surely; a missed local, State, or continental connection may cause a day or more delay in delivery depending on distance, and the reputation of the postal service suffers accordingly. When the dispatcher and his staff get it, the mail must move. It has, for 33 years.

MORALE OR VICE VERSA?

In New York City, over the years, a considerable number of motor-vehicle service employees have been accumulating know-how and the experience of the duties of a dispatcher, voluntarily, at no additional compensation to themselves and no cost to the Post Office Department, looking forward to the day their seniority, ability, and experience would enable them to be promoted to dispatchers themselves. On one pretext or another, for at least a dozen years, these men have received no recognition whatsoever for the job they have been doing so well. Now, as their reward, they are automatically relegated, by the Assistant Postmaster General's order, back to just driving a truck. As for the depot dispatchers themselves, they are now surplused back into the garage, with no specific duties to perform. Instead:

ECONOMY?

Here is the bookkeeping, all paid for, naturally, out of the appropriations authorized and granted by the Congress for the Post Office Department, based on justifications of budget offered by the appropriate Assistant Postmaster General in hearings before the Appropriations Committee:

1. One motor-vehicle dispatcher, salary $4,470 per year, but now under the new order, to be replaced, on each tour of duty by:

2. Two clerks, salary $4,070 a year each, and one foreman-supervisor, salary $4,787, total $12,927, or:

3. An increase of $8,457 per year for each tour of duty, which is:

4. Three tours of duty, times $8,457, or $25,371 per year of needless, increased expense.

5. In New York City Post Office alone, this totals approximately $125,000 a year. The projection, across the country, beginning with Chicago, becomes a recognizable percent of the mounting postal deficit.

It would be no departure from certain budget practices if the Assistant Postmaster General in charge of this operation would show, in his next justification, the discontinued roadway or depot dispatchers as an apparent saving in his operation, because—

The increased operating costs will be transferred to the budget of the Assistant Postmaster General in charge of clerks and supervisors; and

The Assistant Postmaster General with the displaced roadway or depot dispatchers will ask for at least the previous fiscal year amount; and

The Assistant Postmaster General for clerks and supervisors will request adequate appropriation for his increased personnel requirements; and

The order should be rescinded, and the roadway or depot dispatcher system promptly restored.

Mr. Speaker, exhibit No. 4 is a most moving letter from the widow of a letter carrier. For obvious reasons the name of the writer is withheld.

EXHIBIT 4

Somewhere between 28 and 30 years ago my husband went to work in ——— postoffice and put almost 6 years' time in the course of 8 years. He was always whatever position he held a very conscientious worker, whether the salary was plenty or not, he just had a job to do and always did it. He always stood high in character, morale and efficiency. The time came after a good many years to be (senior) in line for a better position in the postoffice. About 10 or 12 years ago, or maybe more there was an opening for assistant supervisor of mails. Instead of my husband who was in line for the position they put a young man practically out of high school into the position. He was drafted in the last war and served 1 year. Through the Korean situation he was drafted for another year. No one would take the job left behind and finally they asked my husband to take it and promised him there would always be something else on the inside if and when this young man came back. He worked hard for 1 year with no increase in $400 pay as promised. Of course there were all kinds of promises if he would only take the job. He took the job for he had asked to be transferred to the inside and felt this would relieve him of the heavy burden put upon the postman by the one-delivery order. My huband was 62 years of age and was entitled to a lighter job, but when this young man came back they forced my husband back on the route as he could not be happy taking leave and doing nothing when he had a wife and himself to support. He practically begged the postmaster to place him on the inside or promise him something definite on the inside, but the postmaster refused to commit himself and these were the last words I heard my husband say, over and over again, will there be enough for you. He thought I would get $30 a week.

The boys in the postoffice were all for my husband and told me he was let down or as they said, was given a dirty deal. My husband had 7 months sick leave coming which I now lose and could not conscientiously take it and say he was sick when he wasn't. He always said time enough when I am sick. They told him to take sick leave when this young man came back and although he was not sick, the day he took off he took down

with the flu. As he stayed on home he became a nervous wreck because he felt he was being pushed out and after 6 weeks said he had to go back to work or go crazy with the thought of nothing to do and with the possibility of no job, no future and no income. I have a letter from a doctor saying he was bodily fit to carry on but not too heavy or strenuous work. He must have lighter work to do.

He went back to work and lasted only 1 hour, because he tried to keep up with regulations and broke down and they knew he was broken in spirit and still would not tell him to take it easy and would not commit themselves on what they would do for him. So he came home and brooded a little over a week and ended it all by his own hands. Now I am a widow by the sudden, horrible death of my husband, with no income and practically no money on hand to pay what little bills must be paid and to pay my mortgage so as not to lose my home. My children are all married and feel like most families do with the taxes and high cost of living that they have enough to do without more burden. I feel at my age I should have the rest of my days in quiet and peace instead of raising their families and living through their family trials at 60 years of age. I had a very active, happy life with my family, which was very strenuous, as I did everything in my married life to help my husband and educate the children. I am not bragging. I loved my family, but do they love me enough to help me in my own home? Mine was a case of woman's work is never done. In almost 40 years I had a very little sleep from 4 o'clock in the morning sometimes to all hours of night. At 25 years of age I had 16 boarders. I had a farm and chickens and cut cords of wood. I have had candy store, dress shop, did tailoring and dressmaking professionally, besides making all the clothes possible for the whole family, even postman's suits for my husband. I have painted house inside and out, hung paper, varnished floors, and even did carpenter work, tended public furnace, helped my husband do janitor work, sold articles from door to door, worked in department stores—there is hardly anything that I have not done, seems almost impossible, but nevertheless is true. This is no sob story, I loved it for the sake of those I loved and for the sake of doing the right thing. I came from pioneer stock who always did things, never sat down and said let the other fellow do it. Today you as everyone else says if you were to see me, wouldn't believe it to look at me.

But, what I am asking you to do if it is possible, to see if you can rush whatever pension I have coming so as to give me breathing spell, until I can establish myself in some pleasant or agreeable situation or position for an independent future. I do hope I will receive a fair income as a faithful postman's wife. I do not want to sell my home or lose it while waiting for a pension.

Sincerely.

I also include exhibits Nos. 5, 6, 7, and 8 to prove that all is not well in this Department:

EXHIBIT 5

In an address delivered on June 2, Postmaster General Jesse M. Donaldson denied that the one-trip delivery worked any hardship on letter carriers. An analysis of the records of the United States Civil Service Commission, however, proves the contrary to be true.

The fiscal year 1950 began on July 1, 1949, and ended on June 30, 1950. Obviously, the curtailment order was in effect during this fiscal year only to a very limited extent. The first full fiscal year under curtailment was the fiscal year 1951, which began on July 1, 1950, and ended June 30, 1951. A comparison of the reasons that caused retirement of letter carriers before the curtailment for the fiscal year 1950, and after the curtailment during the fiscal year 1951 clearly reveals that the introduction of one-trip delivery has seriously affected letter carriers.

In 1950, 95 letter carriers retired on reaching the mandatory age of 70. In 1951, only 77 worked until they reached the mandatory retirement age, this in spite of the fact that the total number of letter carriers retiring in 1950 was only 1,157 compared to 1,609 in the fiscal year 1951. The year after the curtailment was inaugurated, 1951, saw the number of disability retirements among letter carriers increase from 329 to 413. The number of letter carriers accepting a reduced annuity at age 55 after 30 years of service jumped from 104 to 201. The number of letter carriers who felt it necessary to retire optionally at age 60 jumped from 483 to 720, and the number of letter carriers who retired optionally with between 15 and 29 years of service at the age of 62 jumped from 116 to 160.

These figures clearly support the contention of the letter carriers that their health is breaking down under the heavy loads imposed on them because of Postmaster General Donaldson's curtailment order of April 17, 1950.

EXHIBIT 6

[From the Danbury (Conn.) News-Times]

TWICE-A-DAY MAIL

Who's in favor of twice-a-day mail delivery? As far as we can learn from what we hear people say, everyone is. The present one delivery a day hampers business, is a draw-back to ordinary living, and hampers social and family communication.

Representative SADLAK, Republican, of Connecticut, believes so strongly in the twice-a-day delivery that he proposes the GOP insert a platform in its plank pledging its restoration. Mail deliveries, in case you may have forgotten were cut to one a day on April 18, 1950. For more than 2 years we have suffered this throw-back to Civil War days. We used to be very proud of the service our United States post office rendered us. Of course the people who work for the post office are not to blame for this restriction. They still work hard and long, and their salaries are far from princely.

We don't care who gives us back the twice-daily delivery system, Democrats or Republicans or both. All we want is the good old two-a-day.

Sent by branch 147, Norwalk, Conn.

EXHIBIT 7

NASHVILLE, TENN., *June 20, 1952.*

DEAR MR. EDITOR: I am enclosing a clipping which was in the Woodbine News, a weekly newspaper printed in Woodbine, a suburb of Nashville.

Here lately the sun has been so hot and this particular route has no place to stop for a drink of any sort. Once you start in on the route it's 4½ hours before you get to where you can eat dinner.

I've been able to work only 2 days since this stroke last Friday. Me—I'm all for two trips again.

Yours truly,

ROBERT L. HARRIS.

[From the Woodbine (Tenn.) News of June 20, 1952]

LETTER CARRIER BECOMES OVERHEATED

Robert Harris, a letter carrier, became overheated while on his route last Friday and fell out at the Morton Avenue and Nolensville Road.

Mr. Harris, whose official title with the Post Office Department is utility man (relieving a regular man each day in the week) became ill and called the main office for someone to finish his route. Harris waited at the relay box in front of the Woodbine Upholstery Co.

Before the substitute had time to get to Woodbine, Harris was unconscious and was taken to the general hospital in an Ellis-Kidd ambulance.

He received emergency treatment and remained in the hospital about 5 hours.

EXHIBIT 8

[From the Carthage (Mo.) Evening Press of June 10, 1952]

NEED TWICE-A-DAY MAIL DELIVERY

Carthage has one a day mail delivery everywhere except on the square itself.

That is the same sort of mail service being received by every town in the United States.

It is just half as good as it used to be when there were deliveries twice a day.

Carthage carriers start out at 8:30 each morning.

Mail that is not in and distributed by that time will not be delivered until the next day.

If a train is late the carriers cannot be held a few moments to wait for it. If they are, some inspector from high places comes in and reads the regulations and riot act and this and that's. Carriers must shove off at 8:30 regardless.

Hundreds of Carthage mothers are anxious for letters from boys in service, some on the battle front. If the letter comes in before 8:30 a. m. they get it that day. If it comes in at 8:45 they wait until next day unless the next day happens to be Sunday, in which case they wait until Monday.

Orders from Washington all this—direct instructions of Postmaster General of the United States.

He says people don't mind—quite happy with one delivery a day. All of which goes to show that he does not know what he is talking about.

The Postmaster General blames it all on Congress of course. But that is talk, talk. There always has been a Congress and there always had been a twice a day mail delivery until the present Postmaster General came in.

Allowed two more men, the Carthage post office could make a twice a day mail delivery, it is said. But they won't get them until the Nation gets a new Postmaster General. Hasten the day.

Of course we would hate to see the fellow thrown out of a job in his old age—if he is old—but we would like much, indeed, to get our mail twice daily.

SPECIAL ORDER GRANTED

Mr. STAGGERS asked and was given permission to address the House for 5 minutes, following any special orders heretofore entered.

The SPEAKER. Under previous order of the House, the gentleman from Indiana [Mr. MADDEN] is recognized for 60 minutes.

KATYN COMMITTEE REPORT

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MACHROWICZ] be permitted to extend his remarks in the RECORD at the conclusion of my remarks.

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

There was no objection.

Mr. MADDEN. Mr. Speaker, today the Special Katyn Investigating Committee filed its report concluding from its hearings that Soviet Russia is guilty of the mass murders of the Polish officers and civilians in the Katyn Forest.

The report submitted to the House of Representatives is unprecedented in the

history of Congress. When House Resolution 390 was first considered by Congress last September, very few people in the United States or the world remembered the controversy of 9 years ago as to whether the Soviets or Nazis committed one of the most barbarous international crimes in world history.

If our generation had permitted an atrocity of this magnitude to pass without exposing the guilty, future historians would classify the free democratic nations of this generation as indifferent to mass murder and international crimes against humanity.

On behalf of all the members of our committee, I wish to thank the Members of Congress for giving our committee authority to undertake this complex and difficult task which we started 9 months ago. All members of our committee are extremely grateful over the cooperation we received from Government departments, organizations, and individuals in the United States, England, and Europe. Without this valuable aid our work could not have been successful. As chairman, I especially thank each member of our committee and also John J. Mitchell, counsel, and Roman Pucinski, investigator, for their diligent cooperation and long hours of extra work which resulted in the recording of the great amount of evidence, testimony, and exhibits as set out in our hearings. Our committee is already besieged with requests of copies of our hearings and report. These requests come from persons and organizations in this country and abroad.

Today I have also filed a resolution which I hope the Congress will approve. This resolution requests that the hearings, findings, conclusions, and recommendations of our committee be referred to the United Nations for action.

The committee held a series of hearings in Washington, Chicago, London, and Frankfort, Germany. Depositions were also taken in Berlin and Italy.

In the course of the hearings held by our committee to date, testimony has been taken from a total of 81 witnesses; 183 exhibits have been studied and made part of the record, and more than 100 depositions were taken from witnesses who could not appear at the hearings. In addition, the committee staff has questioned more than 200 other individuals who offered to appear as witnesses but whose information was mostly of a corroborating nature.

On behalf of our committee, I hereby submit excerpts from our report:

G. FINDINGS

This committee unanimously agrees that evidence dealing with the first phase of its investigation proves conclusively and irrevocably the Soviet NKVD (Peoples' Commissariat of Internal Affairs) committed the massacre of Polish Army officers in the Katyn Forest near Smolensk, Russia, not later than the spring of 1940.

This committee further concludes that the Soviets had plotted this criminal extermination of Poland's intellectual leadership as early as the fall of 1939—shortly after Russia's treacherous invasion of the Polish Nation's borders. There can be no doubt this massacre was a calculated plot to eliminate all Polish leaders who subsequently would have opposed the Soviets' plans for communizing Poland.

In the course of its investigation, this committee has observed a striking similarity between what happened to the Polish officers in Katyn and the events now taking place in Korea. We unanimously agree that this committee would be remiss in its duty to the American people and the free people of the world if it failed to point out that the identical evasions by the Soviets to the Polish Government while the Poles were searching for their missing officers in 1941 appear again in the delaying tactics now being used by the Communists in Korea.

This committee feels that Katyn may well have been a blueprint for Korea. Just as the Soviets failed for almost 2 years to account for the missing Polish officers, so to this day the Communists in Korea have failed to account for many thousands of captured United Nations soldiers. Among these are 8,000 Americans whom General Ridgway described as atrocity victims in his report to the United Nations last July, and the estimated 60,000 South Koreans still unaccounted for.

The Communists' delaying tactics in the Korean peace talks today may be from the same cloth as the nebulous replies received from the Soviets by the Poles in 1941–42 while they searched for their missing officers.

XI. CONCLUSIONS

This committee unanimously finds, beyond any question of reasonable doubt, that the Soviet NKVD (People's Commissariat of Internal Affairs) committed the mass murders of the Polish officers and intellectual leaders in the Katyn Forest near Smolensk, Russia.

The evidence, testimony, records, and exhibits recorded by this committee through its investigations and hearings during the last 9 months overwhelmingly will show the people of the world that Russia was directly responsible for the Katyn massacre. Throughout our entire proceedings there has not been a scintilla of proof or even any remote circumstantial evidence presented that could indict any other nation in this international crime.

It is an established fact that approximately 15,000 Polish prisoners were interned in three Soviet camps: Kozielsk, Starobielsk, and Ostashkov in the winter of 1939–40. With the exception of 400 prisoners, these men have not been heard from, seen, or found since the spring of 1940. Following the discovery of the graves in 1943, when the Germans occupied this territory, they claimed there were 11,000 Poles buried in Katyn. The Russians recovered the territory from the Germans in September 1943, and likewise they stated that 11,000 Poles were buried in those mass graves.

Evidence heard by this committee repeatedly points to the certainty that only those prisoners interned at Kozielsk were massacred in the Katyn Forest. Testimony of the Polish Red Cross officials definitely established that 4,143 bodies were actually exhumed from the seven mass graves. On the basis of further evidence, we are equally certain that the rest of the 15,000 Polish officers, those interned at Starobielsk and Ostashkov, were executed in a similar brutal manner. Those from Starobielsk were disposed of near Kharkov, and those from Ostashkov met a similar fate. Testimony was presented by several witnesses that the Ostashkov prisoners were placed on barges and drowned in the White Sea. Thus the committee believes that there are at least two other "Katyns" in Russia.

No one could entertain any doubt of Russian guilt for the Katyn massacre when the following evidence is considered:

1. The Russians refused to allow the international committee of the Red Cross to make a neutral investigation of the German charges in 1943.

2. The Russians failed to invite any neutral observers to participate in their own investigation in 1944, except a group of newspaper correspondents taken to Katyn who agreed "the whole show was staged" by the Soviets.

3. The Russians failed to produce sufficient evidence at Nuremberg—even though they were in charge of the prosecution—to obtain a ruling on the German guilt for Katyn by the International Military Tribunal.

4. This committee issued formal and public invitations to the Government of the U. S. S. R. to present any evidence pertaining to the Katyn massacre. The Soviets refused to participate in any phase of this committee's investigation.

5. The overwhelming testimony of prisoners formerly interned at the three camps, of medical experts who performed autopsies on the massacred bodies, and of observers taken to the scene of the crime conclusively confirms this committee's findings.

6. Polish Government leaders and military men who conferred with Stalin, Molotov, and NKVD chief Beria for a year and a half attempted without success to locate the Polish prisoners before the Germans discovered Katyn. This renders further proof that the Soviets purposely misled the Poles in denying any knowledge of the whereabouts of their officers when, in fact, the Poles were buried in the mass graves at Katyn.

7. The Soviets have demonstrated through their highly organized propaganda machinery that they fear to have the people behind the iron curtain know the truth about Katyn. This is proven by their reaction to our committee's efforts and the amount of newspaper space and radio time devoted to denouncing the work of our committee. They also republished in all newspapers behind the iron curtain the allegedly "neutral" Russian report of 1944. The world-wide campaign of slander by the Soviets against our committee is also construed as another effort to block this investigation.

8. This committee believes that one of the reasons for the staging of the recent Soviet "germ warfare" propaganda campaign was to divert attention of the people behind the iron curtain from the hearings of our committee.

9. Our committee has been petitioned to investigate mass executions and crimes against humanity committed in other countries behind the iron curtain. The committee has heard testimony which indicates there are other "Katyns." We wish to impress with all the means at our command that the investigation of the Katyn massacre barely scratches the surface of numerous crimes against humanity perpetrated by totalitarian powers. This committee believes that an international tribunal should be established to investigate willful and mass executions wherever they have been committed. The United Nations will fail in their obligation until they expose to the world that "Katynism" is a definite and diabolical totalitarian plan for world conquest.

XII. RECOMMENDATIONS

This committee unanimously recommends that the House of Representatives approve the committee's findings and adopt a resolution:

1. Requesting the President of the United States to forward the testimony, evidence, and findings of this committee to the United States delegates at the United Nations;

2. Requesting further that the President of the United States issue instructions to the United States delegates to present the Katyn case to the General Assembly of the United Nations;

3. Requesting that appropriate steps be taken by the General Assembly to seek action before the International World Court of Justice against the Union of Soviet Socialist Republics for committing a crime at Katyn which was in violation of the general principles of law recognized by civilized nations;

4. Requesting the President of the United States to instruct the United States delegation to seek the establishment of an international commission which would investigate other mass murders and crimes against humanity.

Mr. MACHROWICZ. Mr. Speaker, I believe the interim report and recommendation filed today with the House of Representatives is an important contribution to the cause of international justice and is proof to the world that the representatives of the American people are willing and ready to assume their proper role in maintaining American moral leadership in the world.

I am confident that the report and recommendations will be overwhelmingly adopted. I wish to make it clear and unmistakable that our committee does not attempt to minimize the Nazi guilt for the many atrocities for which their leaders have been convicted at Nuremberg. It merely confirms the fact that the Communists have been equally guilty of mass murders, of which Katyn is merely one typical example.

Our report and findings have also served to warn the American public and free world of what we may expect from the Communists in Korea in their treatment of our prisoners.

As stated in the report, it merely scratches the surface of the vast field that could be explored to determine the tremendous extent of atrocities and crimes against humanity perpetrated by the Communists and the Nazis. Neither the time nor the limitations of the resolution of the House of Representatives permitted the investigation of the many other instances which were brought to the attention of the committee.

The United Nations, to whom we ask that this report be transmitted, should also look into the fate of the 16 fearless Polish underground leaders, who in March of 1945, were invited to Moscow by Marshal Zhukov under the pretext of begining Polish-Soviet negotiations. There they were treacherously placed under arrest and placed in the infamous Lubianka prison.

This fact was at first carefully concealed by the Russians but was finally revealed during the conference at San Francisco, where it evoked widespread indignation of world opinion.

Under the influence of our appeasement policy, however, this matter was hushed in order not to antagonize the Russians, with whom we thought we could come to an agreement.

After 7 years what was the result of that policy? At least four of these brave leaders have died in jail as a result of the tortures suffered. Others, after release from the prison in Moscow, were again thrown into jails in Soviet-dominated Poland, where they are languishing.

Former Ministers Jasiukowicz and Bien were sentenced in Moscow to 5 years imprisonment. They therefore should have been released and returned to Poland not later than March of 1950. To this day, 2½ years later, there is no sign of life of either of them. Neither is there any news of the fate of the former Minister, Pajdak, who was excused from the Moscow trial because of illness.

Seven and one-half years after his arrest he has not returned to Poland, nor has he been heard from.

The United Nations Organization recently adopted a bill of human rights which provides that no individual may be arrested without a proper court determination, that no one shall be deprived of his rights before a public court trial and that no one can be imprisoned longer than provided for in the court's verdict. The Soviet representative refrained from voting because he thought the provisions were not sufficiently democratic and there is no assurance of the execution of the provisions.

It is not time to expose this horrible cynicism of the Moscow Communists, and to show them that the United States respects the decisions in which it participates and is willing and ready to enforce them?

Would that not be the best way to demonstrate to Poland and to the other nations behind the iron curtain that the United States has determined to defend the principles of justice against force?

Action by our Government to determine the fate of these brave Polish underground leaders illegally held by Russia in prisons or concentration camps will do more for the cause of the United Nations than any other propaganda behind the iron curtain, based on promises rather than actions.

Mr. SHEEHAN. Mr. Speaker, like the other members of the select committee to conduct an investigation and study of the facts, evidence, and circumstances of the Katyn Forest massacre, I join with them in this unanimous report, which interim report covers the first phase of the hearings in which we have assembled the evidence to establish that the Russian Communist Government and, more idrectly, the NKVD organization is responsible for the mass murders of Polish soldiers in the Katyn Forest.

From a study of our interim report, it will be readily seen why we arrived at this conclusion. It is not necessary for me to enlarge upon the material put forth in the interim report.

However, I want to point out that there remains the second phase of the procedure, and while we did go into it in a small way, having heard from four different witnesses connected with the loss of the Van Vliet report, as yet no conclusions have been reached and it will take further hearings in order to arrive at a proper determination regarding the missing American document.

The committee has published the hearings relative to the testimony of General Bissell, Colonel Lantaff, Mrs. Meres, and Col Ivan Yeaton, all of whom were questioned with reference to the missing Van Vliet report, which he made upon his return to this country in April of 1945. As an offhand observation, I could readily see where a report could be mislaid or misfiled, however, in my particular judgment this was a very historical and momentous report as even General Bissell himself testified, and I would think anyone handling it at any point would remember exactly what they did with a paper of such importance.

When we look back just a few years and find that in the G–2 Department of the Army, under General Bissell's command, there were other very vital documents missing, it causes one to raise an eyebrow and wonder if there may be something wrong with that department. Testimony before various congressional committees shows that during the Pearl Harbor investigations many vital documents which were necessary to complete the investigation were destroyed in the G–2 Department of the Army. During the MacArthur hearings it was revealed that a group of Army colonels had made a factual study of our relationship with Russia and advised the Intelligence Department of the Army and the Secretary of State that we should be very careful about entering into any agreements with Russia. These same officers advised the United States against entering into any such agreements and as it has turned out the documentation of that advice is also missing in the Intelligence Department of the Army, General Bissell having been in command of G–2 at the time of its submission. Then, we come down to our own Katyn massacre investigation and find that the most important document concerning the investigation, as far as our American policy with regard to it is concerned, is also missing. I again repeat—it causes one to raise one's eyebrows that so many very important documents are amongst the lost, missing, stolen, or, as the Army would phrase it, "compromised."

During World War II, I can readily see where it might have been in the interests of the United States to suppress evidence we have had on the Katyn massacre in order that we could successfully complete the war. Yet, immediately after the end of the war, I am at a loss to see why we would want to continue to hide the facts surrounding Katyn from the American public. Not alone did our Government have information from Van Vliet, but it also had various other reports from England, such as the Hulls report and the Gilder report, both of which pointed to the Russians. We also had evidence from military attachés from various parts of the world channeled into the State Department, giving us an idea of what the Russians were up to in their mass murders and in their attempt to do away with the intelligensia of allied and neutral nations. With all this information at the end of the war, it is incomprehensible to me why we suppressed these reports. As I understand it, even the OWI and the Voice of America were in the ambiguous position of not being permitted to tell the people of the United States and the rest of the world the truth as they knew it. These are all very interesting points which need to be more fully considered in the second phase of the investigation. If the committee is to do a thorough job it should have further hearings in order to reveal to the public the exact details as to American knowledge of Communist Russia's part in killing off the Polish intelligensia, so that the people can know whether the facts were suppressed through stupidity or with malice aforethought because of Communist sympathies within our own Government.

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

NEED FOR FARM RESEARCH

Mr. STAGGERS. Mr. Speaker, probably never before have so many problems and opportunities faced the farmers of the United States. Because of the growing complexity of farming it is becoming increasingly difficult to solve these problems through individual action. It is up to Congress to help find a solution to so many of these problems.

The richness and future well-being of this Nation lies in the farmer. He is the backbone of America, and without him we would have the end of civilization. We must look into the future right now, or we are robbing ourselves of rich agricultural gains, not only for the farmers but for all the American people. This, I believe, will be admitted by most clear-thinking people from whatever walk of life they come, whether rural or urban.

Individual happiness depends on national progress and from the soil we derive all that constitutes wealth. The Nation's production value measures its capacity of prosperity.

Congress must recognize the paramount need for more basic farm research and help now. Subsidies are just temporary help for the present but do not improve future production. Too little research is authorized and we must not fail to give this vital program the support it deserves. We must aid in the discovery of new knowledge so essential to our progress. As we all know, our farmland acreage is lessening all the time, and we must open up new possibilities to keep us ahead of current threats to our production and acquire the knowledge to make our farms more productive to keep up with the growing population of this Nation and the world, for we know that today America is supplying vast quantities of farm products to all the free countries of the world.

I recognize the need of assistance to sectional farmers, and I have gone along with these programs for aid to the growers of peanuts, cotton, tobacco, and the importing of workers from Mexico to help southern farmers. But the need is serious for a long-range program of research keeping in mind the small farmer, as we must remember the combined production of the small farmers totals about four-fifths of the Nation's crops.

One thing that would help the farmers of West Virginia, and the Nation, is the establishment of laboratories for the hoof-and-mouth disease. Congress has already taken steps in this direction by recently appropriating $10,000,000 for this work, and I urged that these laboratories be established as soon as possible.

Perhaps of more importance to the Nation is to make available to every farmer, no matter how large his holdings or how small, the facilities to test his soil to see what is needed for more abundant production. This is especially important to the farmers of West Virginia.

As I stated before, we have done and are doing a great deal for the larger farmer, but what my State needs is protection for the small farmer. Certainly he is entitled to as much assistance as any other group, but I fear we have neglected his plight. I have discussed with the members of the Agriculture Committee the problems of the farmers in West Virginia, and I have urged that a long-range program be worked out for their benefit and for the other small farmers of the Nation. But my particular interest is in the small truck farmer, the dairy farmer, and the fruit and vegetable grower whose products are perishable. I believe the attention of this Congress should be especially centered on this latter group for it is they, to a great extent, who make up the social and religious as well as the economic background of America, and the small communities of the Nation. They must be given attention in our long-range research programs. Down through the centuries those nations surviving and growing stronger have looked far into the future and planned way ahead.

One of the drawbacks in our research possibilities is the time element. No one can foretell how long it will require before visible results are available, and we today demand prompt results which is one reason we lack a full-scale research program. We must keep in mind, too, the rich returns that have already resulted in scientific study and remember that research yields no quick dividends but in the long run our lives will be richer and our people happier when the returns do come in.

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. POLK and to include extraneous matter which is estimated by the Public Printer to cost $448.

Mr. PRICE and to include extraneous matter.

Mr. SHEEHAN in three instances and to include extraneous matter.

Mr. BEALL in two instances, in one to include a statement of the national commander, the American Legion.

Mr. DOUGHTON (at the request of Mr. STANLEY) to extend his remarks in the RECORD immediately following the passage of House Resolution 686.

Mr. SEELY-BROWN in two instances.

Mr. MCCORMACK and to include a letter.

Mr. BARRETT and include extraneous matter.

Mr. VAN ZANDT in two instances and include extraneous matter.

Mr. MAHON and to include extraneous matter.

Mr. COOLEY and to include an editorial.

Mr. GREEN.

Mr. ROOSEVELT (at the request of Mr. FINE).

Mr. FINE.

Mr. WERDEL in two instances and to include extraneous matter.

Mr. WOLVERTON and to include a letter addressed by him to Mayor Bruner, of Camden.

Mr. SHORT in two instances and to include extraneous matter, and also to extend his remarks and include an address delivered by Hon. George Stringfellow.

Mr. JUDD in three instances and to include extraneous matter and further to extend his remarks and include an address by Dr. Moulton, retiring president of Brookings Institute.

Mr. HILL in two instances.

Mr. BATES of Massachusetts.

Mr. WEICHEL.

Mr. SHAFER in four instances and to include extraneous matter.

Mrs. CHURCH and to include extraneous matter.

Mr. MILLER of New York (at the request of Mr. MARTIN of Massachusetts) and to include an excerpt from a magazine.

Mr. RABAUT in three instances and to include extraneous matter.

Mr. OSTERTAG in two instances and to include extraneous matter.

Mr. JAVITS and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3168. An act to amend section 113 (b) (1) (B) of the Internal Revenue Code with respect to the adjustment of the basis of property for depreciation, obsolescence, amortization, and depletion;

H. R. 3707. An act for the relief of Edgar L. Dimmick;

H. J. Res. 430. Joint resolution approving the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952; and

H. J. Res. 446. Joint resolution relating to the continuance on the payrolls of certain employees in cases of death or resignation of Members of the House of Representatives, Delegates, and Resident Commissioners.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 54. An act for the relief of Stella Jean Stathopoulou;

S. 1037. An act for the relief of Wai Hsueh Tan, Mrs. May Jane Tan, Robert Tingsing Tan, and Ellen Tan;

S. 1324. An act for the relief of Dr. Nicola M. Melucci;

S. 1422. An act for the relief of Jerry J. Lencioni;

S. 1470. An act for the relief of Panagiotes Roumeliotis;

S. 1513. An act for the relief of Thorvald Nin;

S. 1580. An act for the relief of Alevtina Olson and Tatiana Snejina;

S. 1639. An act for the relief of Osvaldo Castro y Lopez;

S. 1724. An act for the relief of Elina Branlund;

S. 1731. An act for the relief of Rhee Song Wu;

S. 1846. An act for the relief of Misako Watanabe and her daughter, Irene Terumi;

S. 1863. An act to effect entry into the United States of Yukio Niimura, a minor Japanese national;

S. 2066. An act for the relief of Heidi Geraldine Connelly;

S. 2067. An act for the relief of Maria Weiland;

S. 2084. An act for the relief of Mathilde Kohar Halebian;

S. 2232. An act for the relief of the Detroit Automotive Products Co.;

S. 2334. An act for the relief of Miguel Narciso Ossorio;

S. 2357. An act to provide that horticultural commodities shall be included within the term "agricultural commodities" for the purpose of the agricultural exemption for motor carriers in the Interstate Commerce Act;

S. 2637. An act for the relief of Peter Rousetos, also known as Panagiotis Roussetos, also known as Panagiotis Roussetos Metritikas;

S. 2360. An act to amend the Interstate Commerce Act to increase the amounts of securities issued by motor carriers without requiring approval by the Interstate Commerce Commission;

S. 2545. An act to amend section 1823 (a) of title 28, United States Code, to permit the advance or payment of expenses of travel and subsistence to Federal officers or employees by one agency and reimbursement by another agency;

S. 2582. An act to authorize and direct the Secretary of the Army to convey a certain tract of land in Russell County, Ala., to W. T. Heard;

S. 2630. An act for the relief of Mary Fox;

S. 3007. An act for the relief of Jimmy Lee Davis; and

S. 3008. An act for the relief of Karen Christene Eisen Murdock.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ROBESON for the rest of the week on account of illness in his family.

ADJOURNMENT

Mr. RABAUT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 16 minutes p. m.) the House adjourned until tomorrow, Thursday, July 3, 1952, 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:

1625. A communication from the President of the United States, transmitting the report of the President's Materials Policy Commission, June 1952, entitled "Resources for Freedom," volumes 1 to 5 inclusive (H. Doc. No. 527); to the Committee of the Whole House on the State of the Union, and ordered to be printed with illustrations.

1626. A letter from the Assistant Secretary of Defense, transmitting a draft of a proposed bill entitled "A bill to amend the act of May 26, 1948, entitled 'An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes' "; to the Committee on Armed Services.

1627. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled "A bill to amend section 412 of the Civil Aeronautics Act of 1938, as amended, to provide for the exemption of air carriers in certain cases from the requirement of filing contracts with the Civil Aeronautics Board, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

1628. A communication from the President of the United States, transmitting the application to the International Joint Commission, dated June 30, 1952, for approval of certain works in connection with the St. Lawrence seaway and power project, and an exchange of notes, of the same date, between the Canadian Government and our own concerning the St. Lawrence project (H. Doc. No. 528); to the Committee on Public Works, and ordered to be printed with illustrations.

1629. A letter from the Librarian of Congress, transmitting the annual report of the Librarian of Congress for the fiscal year ending June 30, 1951, as well as a complete set of the Quarterly Journal of Current Acquisitions, the supplements to the annual report; 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. CANNON: Committee on Appropriations. House Joint Resolution 493. Joint resolution making supplemental appropriations for the legislative branch for the fiscal year 1953, and for other purposes; without amendment (Rept. No. 2429). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Select Committee to Conduct an Investigation of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre. Interim report pursuant to House Resolution 390, Eighty-second Congress, first session, and House Resolution 539, Eighty-second Congress, second session, resolutions to authorize the investigation of the mass murder of Polish officers in the Katyn Forest near Smolensk, Russia (Rept. No. 2430). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOOD of Georgia: Committee on Un-American Activities. Report pursuant to Public Law 601, Seventy-ninth Congress; without amendment (Rept. No. 2431). Referred to the Committee of the Whole House on the State of the Union.

Mr. STANLEY: Committee on House Administration. House Resolution 686. Resolution providing for the further expenses of conducting the studies and investigations authorized by House Resolution 78, Eighty-second Congress; without amendment (Rept. No. 2432). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 691. Resolution to provide expenses for special committee authorized by House Resolution 558; with amendment (Rept. No. 2433). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 692. Resolution to authorize an appropriation not to exceed $25,000 to conduct the study called for in House Resolution 596, Eighty-second Congress; without amendment (Rept. No. 2434). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 725. Resolution providing for the employment of an assistant property custodian, Office of the Clerk of the House; without amendment (Rept. No. 2435). Ordered to be printed.

Mr. BRYSON: Committee on the Judiciary. S. 2546. An act to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States; with amendment (Rept. No. 2437). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on the Judiciary. S. 719. An act to establish beyond doubt that, under the Robinson-Patman Act, it is a complete defense to a charge of price discrimination for the seller to show that its price differential has been made in good faith to meet the equally low price of a competitor; without amendment (Rept. No. 2438). Referred to the House Calendar.

Mr. PRIEST: Committee on Interstate and Foreign Commerce. S. 436. An act to provide for the separation of subsidy from airmail pay, and for other purposes; with amendment (Rept. No. 2439). Referred to the Committee of the Whole House on the State of the Union.

Mr. YATES: Committee of conference. H. R. 7216. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1953, and for other purposes (Rept. No. 2440). Ordered to be printed.

Mr. WHITTEN: Committee of conference. H. R. 7314. A bill making appropriations for the Department of Agriculture (Rept. No. 2441). Ordered to be printed.

Mr. FOGARTY: Committee of conference. H. R. 7151. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1953, and for other purposes (Rept. No. 2442). Ordered to be printed.

Mr. THOMAS: Committee of conference. H. R. 7072. A bill making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices (Rept. No. 2443). Ordered to be printed.

Mr. CELLER: Committee of conference. House Joint Resolution 477. Joint resolution to continue the effectiveness of certain statutory provisions for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter, but not beyond June 30, 1953 (Rept. No. 2444). Ordered to be printed.

Mr. BROOKS: Committee of conference. H. R. 5426 A bill relating to the reserve components of the Armed Forces of the United States (Rept. No. 2445). Ordered to be printed.

Mr. WALTER: Committee of conference. House Concurrent Resolution 191. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens (Rept. No. 2446). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. S. 1041. An act to provide for the eradication and control of Halogeton glomeratus on lands in the United States, and for other purposes; without amendment (Rept. No. 2447). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 7317. A bill authorizing the conveyance of certain lands to the town of Hope, N. Mex.; with amendment (Rept. No. 2448). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. Report on raw materials (Rept. No. 2449). Referred to the Committee of the Whole House on the State of the Union.

Mr. HART: Committee of conference. S. 241. An act to amend the Merchant Marine Act, 1936, as amended, to further promote the development and maintenance of the American merchant marine, and for other purposes (Rept. No. 2450). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. LANE: Committee on the Judiciary. H. R. 5398. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Llewellyn B. Griffith for retirement as an emergency officer under the provisions of Emergency Officers Retirement Act or as a disabled officer of the Regular Army of the United States; with amendment (Rept. No. 2436). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mrs. CHURCH:

H. R. 8454. A bill to provide for State and local taxation of real property which is owned by the United States and leased to private persons, and to prevent the leasing of real property owned by the United States for uses which violate State and/or local law, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GREEN:

H. R. 8455. A bill designating the period beginning October 5, 1952, and ending October 11, 1952, as National Pharmacy Week; to the Committee on the Judiciary.

By Mr. DURHAM:

H. R. 8456. A bill designating the period beginning October 5, 1952, and ending October 11, 1952, as National Pharmacy Week; to the Committee on the Judiciary.

By Mr. THOMPSON of Texas:

H. R. 8457. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MARTIN of Iowa:

H. R. 8458. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. ANFUSO:

H. R. 8459. A bill to designate the supervisory positions of foreman and clerk in charge in the postal field service as senior foreman and foreman, respectively; to the Committee on Post Office and Civil Service.

By Mr. BARRETT:

H. R. 8460. A bill to assist cooperative and other nonprofit corporations in the production of housing for moderate-income families, and for other purposes; to the Committee on Banking and Currency.

By Mr. BATES of Massachusetts:

H. R. 8461. A bill to amend the Legislative Reorganization Act of 1946, so as to provide the appropriate committees of Congress with staffs adequate to enable them to keep fully informed, at all times, as to the appropriation needs of the Department of Defense; to the Committee on House Administration.

By Mr. COLE of New York:

H. R. 8462. A bill to deny benefits, under the civil service and other Federal retirement systems, to persons convicted of felonies involving improper use of their authority, power, influence, or privileges as officers or employees of the United States or the District of Columbia; to the Committee on Post Office and Civil Service.

By Mr. CROSSER:

H. R. 8463. A bill to amend the Public Health Service Act to continue certain emergency authorities during periods of national emergency; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGHTON:

H. R. 8464. A bill to authorize certain administrative expenses in the Treasury Department, and for other purposes; to the Committee on Ways and Means.

H. R. 8465. A bill to provide an income credit in the case of civil-service annuities received by nonresident alien individuals not engaged in trade or business within the United States; to the Committee on Ways and Means.

By Mr. ELLSWORTH:

H. R. 8466. A bill to provide for the preparation of membership rolls of certain Indian tribes in the State of Oregon, to provide for per capita distribution of funds arising from certain judgments in favor of such tribes, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FULTON:

H. R. 8467. A bill for the purpose of erecting in the borough of Bethel, Allegheny County, Pa., a post-office building; to the Committee on Public Works.

By Mr. GRANAHAN:

H. R. 8468. A bill to assist cooperative and other nonprofit corporations in the production of housing for moderate-income families, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAYS of Arkansas:

H. R. 8469. A bill to provide that certain surplus property owned by the United States shall be conveyed to the Board of Control for Southern Regional Education; to the Committee on Public Works.

By Mr. LANE:

H. R. 8470. A bill to incorporate the National Conference on Citizenship, and for other purposes; to the Committee on the Judiciary.

By Mr. RAMSAY:

H. R. 8471. A bill to promote the general welfare by organizing a Bureau of Clinics for the treatment of chronic alcoholics and narcotics addicts: to the Committee on Interstate and Foreign Commerce.

By Mr. GROSS:

H. R. 8472. A bill to authorize the President to prohibit or curtail imports, and for other purposes; to the Committee on Ways and Means.

By Mr. HOWELL:

H. R. 7473. A bill to increase the rates of compensation for service-connected disability or death payable under the laws and regulations administered by the Veterans' Administration, and to provide for the adjustment of such rates on the basis of the cost of living in the United States; to the Committee on Veterans' Affairs.

By Mr. CANNON:

H. J. Res. 493. Joint resolution making supplemental appropriations for the legislative branch for the fiscal year 1953, and for other purposes; to the Committee on Appropriations.

By Mr. MADDEN:

H. Res. 723. Resolution requesting the President to forward the evidence and findings of the Select Committee to Conduct an Investigation and Study of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre to the United States Mission to the United Nations for appropriate action, and for other purposes; to the Committee on Foreign Affairs.

H. Res. 724. Resolution authorizing the printing of additional copies of House Report No. 2430, Eighty-second Congress, second session, entitled "The Katyn Forest Massacre"; to the Committee on House Administration.

By Mr. STANLEY:

H. Res. 726. Resolution authorizing the printing of a complete collection of inaugural addresses; to the Committee on House Administration.

By Mr. DOUGHTON:

H. Res. 728. Resolution to amend House Resolution 78, relating to the authority of the Committee on Ways and Means to conduct studies and investigations relating to matters within its jurisdiction; to the Committee on Rules.

By Mr. SPENCE:

H. Res. 729. Resolution to amend House Resolution 436, relating to the authority of the Committee on Banking and Currency to conduct studies and investigations relating to matters within its jurisdiction; to the Committee on Rules.

By Mr. WOOD of Georgia:

H. Res. 730. Resolution authorizing the printing of additional copies of the publication entitled "The Shameful Years" for the use of the Committee on Un-American Activities; to the Committee on House Administration.

By Mr. YORTY:

H. Res. 731. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 676; to the Committee on House Administration.

By Mr. DEANE:

H. Res. 732. Resolution to provide for an additional official reporter to House committees; to the Committee on House Administration.

By Mr. RAINS:

H. Res. 733. Resolution providing further expenses of conducting the studies and investigations authorized by House Resolution 436 of the Eighty-second Congress, first session; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANFUSO:

H. R. 8474. A bill for the relief of Angel Ignacio Gongalez-Guirola; to the Committee on the Judiciary.

H. R. 8475. A bill for the relief of Raffaele Merlino; to the Committee on the Judiciary.

H. R. 8476. A bill for the relief of Giuseppe De Marino; to the Committee on the Judiciary.

H. R. 8477. A bill for the relief of Antonio Governante; to the Committee on the Judiciary.

By Mr. AYRES:

H. R. 8478. A bill for the relief of Domenico Sallustro; to the Committee on the Judiciary.

By Mr. BARRETT:

H. R. 8479. A bill for the relief of Joseph Gangemi and Anthony Gangemi; to the Committee on the Judiciary.

H. R. 8480. A bill for the relief of Eugene Rivoche and Marie Barsky; to the Committee on the Judiciary.

By Mr. BATES of Massachusetts:

H. R. 8481. A bill for the relief of Ilio Di Paolo; to the Committee on the Judiciary.

By Mr. BRAMBLETT:

H. R. 8482. A bill for the relief of Robert B. Cooper; to the Committee on the Judiciary.

H. R. 8483. A bill for the relief of Mohamad Ali Sadri; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 8484. A bill for the relief of Etuyo Eguchi; to the Committee on the Judiciary.

By Mr. JONAS:

H. R. 8485. A bill for the relief of Paul Timothy Chang; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 8486. A bill for the relief of Isak and Osias Gutwein; to the Committee on the Judiciary.

By Mr. MAHON:

H. R. 8487. A bill for the relief of Sagano Joy Mizuyasu; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 8488. A bill for the relief of Marjorie Edith Kitcher; to the Committee on the Judiciary.

By Mr. MASON:

H. R. 8489. A bill for the relief of Gertrud Koch; to the Committee on the Judiciary.

By Mr. MUMMA:

H. R. 8490. A bill for the relief of Fritze Lumholtz Hansen and three minor children; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H. R. 8491. A bill for the relief of Azad M. Baloyan; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 8492. A bill for the relief of Adolf Rubinstein; to the Committee on the Judiciary.

By Mr. WEICHEL:

H. R. 8493. A bill for the relief of Rosezella Marie Preston Curran; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

785. By Mr. ELSTON: Petition of Mrs. Florence C. Leever, and others, urging consideration and passage of the Bryson Bill, H. R. 2188; to the Committee on Interstate and Foreign Commerce.

786. By Mr. MUMMA: Petition of Miss Lucetta H. Dunlap, and 10 other members of the Newville (Pa.) Women's Christian Temperance Union, urging proper protection of the spiritual and temporal needs of the Indians in our country; to the Committee on Interior and Insular Affairs.

SENATE

THURSDAY, JULY 3, 1952

(Legislative day of Friday, June 27, 1952)

The Senate met at 9:30 a. m., on the expiration of the recess.

Rev. C. Stanley Lowell, minister, Wesley Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, whose grace and guidance have sustained this Nation, we come to Thee today with all its problems, all its possibilities, all its opportunities. Thou hast blessed us with vast resources and good instruments. Bless us again, we beseech Thee, with the wisdom and insight to use them for the true good of men and for Thy glory.

We are not content with what we are. We have, indeed, done the things we ought not to have done, and have failed to do the things we should have done. Make us over by Thy grace from what we are into all we ought to be. Now for this day bring to our legislators that sense of Thee, by Thee inspired, that will give them that vision which is essential to the successful discharge of their tasks. May they, and all of us, do our work, not as unto ourselves, not as unto the Nation, but even as unto Thee.

Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, July 2, 1952, 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 July 1, 1952, the President had approved and signed the following acts:

S. 968. An act granting the consent and approval of Congress to an interstate compact relating to mutual military aid in an emergency; and

S. 1537. An act to amend the act entitled "An act to provide for the extension of the term of certain patents of persons who served in the military or naval forces of the United States during World War II."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the bill (S. 2968) to amend section 8 of the Civil Service Retirement Act of May 29, 1930, as amended, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3066) to amend defense housing laws, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the amendment of the House to the concurrent resolution (S. Con. Res. 72) favoring the suspension of deportation of certain aliens.

The message also 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. 7176) making appropriations for the Department of Interior for the fiscal year ending June 30, 1953, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 7, 9, 14, 22, 23, 30, 49, and 51, to the bill, and concurred therein; and that the House receded from its disagreement to the amendments of the Senate numbered 3, 5, 21, 24, 25, 27, and 44, to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 168. An act to extend the statute of limitations with respect to certain suits;

H. R. 1222. An act to amend the Army and Air Force Vitalization and Retirement Equalization Act of 1948 to provide for the crediting of certain service in the Army of the United States for certain members of the reserve components of the Air Force of the United States;

H. R. 1508. An act conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California;

H. R. 1631. An act to set aside certain lands in Oklahoma, formerly a part of the Cheyenne-Arapaho Reservation, and known as the Fort Reno Military Reservation, for the Cheyenne-Arapaho Tribes of Indians of Oklahoma, and for other purposes;

H. R. 3624. An act to amend title 18, United States Code, entitled "Crimes and Criminal Procedure," with respect to State jurisdiction over offenses committed by or against Indians in the Indian country, and to confer on the State of California civil jurisdiction over Indians in the State;

H. R. 5065. An act to authorize payment for transportation of dependents, baggage, and household goods and effects of certain officers of the naval service and Coast Guard under certain conditions, and for other purposes;

H. R. 5226. An act to transfer to the Territory of Hawaii title to property heretofore set aside for the use of the University of Hawaii;

H. R. 5803. An act to extend the provisions of the act of May 20, 1926, as amended, so as to further regulate the interstate shipment of fish;

H. R. 5954. An act to provide for the release to the city of Camden of all the right, title, and interest of the United States in and to certain land heretofore conditionally granted to such city;

H. R. 6004. An act to provide for the payment of retroactive increases in compensation for services rendered by certain deceased officers and employees of the Federal Government, and for other purposes;

H. R. 6036. An act to amend title 18, United States Code, entitled "Crimes and Criminal Procedure," with respect to State jurisdiction over offenses committed by or against Indians in the Indian country;

H. R. 6136. An act to provide the basis for authorization of a study and report of irrigation works in connection with Chief Joseph Dam, to provide for financial assistance thereto from power revenues, and for other purposes;

H. R. 6167. An act to prohibit reduction of any rating of total disability or permanent total disability for compensation, pension, or insurance purposes which has been in effect for 20 or more years;

H. R. 6241. An act to provide for the refund or credit of the internal-revenue tax paid on fermented malt liquors lost or rendered unmarketable by reason of the floods of 1951 where such fermented malt liquors were in possession of (1) the original taxpayer, (2) a dealer who sells fermented malt liquors at wholesale, or (3) a dealer who sells fermented malt liquors at retail;

H. R. 6326. An act to amend subsections (c) and (d) of section 3 of the Postal Salary Act of July 6, 1945, as amended;

H. R. 6436. An act to change the name of the Bonneville Power Administration to the Columbia Power Administration;

H. R. 6521. An act to amend section 4472 of the Revised Statutes, as amended, to further provide for the safe loading and discharging of explosives in connection with transportation by vessel;

H. R. 6601. An act to amend the act of July 16, 1892 (27 Stat. 174, ch. 195), so as to extend to the Secretary of the Navy, and to the Secretary of the Treasury with respect to the Coast Guard, the authority now vested in the Secretaries of the Army and Air Force with respect to the withholding of officers' pay;