

030 - U. S. CONGRESS  
( CONGRESSIONAL SERVICE )

US Congress(Congre-  
ssional Service)

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United States Code

*Congressional Service*



1948

No. 4

80th Congress — 2d Session

March 19 — May 1, 1948

*Laws — Legislative History — Committees  
Proclamations — Executive Orders — Regulations*

Chapters 139-244   P.L. 449-508   Pages 711-1132

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Page by page, the Second Session of the Eightieth Congress is writing the record of its accomplishments. Already it has completed work on two major issues—reduction of income taxes passed April 2nd, and passage of the European Recovery Program on April 3rd.

With controversial issues reduced to a minimum, Congress is working on the following appropriation bills: State, Justice, and Commerce, 1949, Labor and Federal Security, 1949, Treasury and Post Office, 1949, Agriculture, 1949, and First Deficiency, 1948. These should be on the President's desk during May.

In addition to fiscal problems, Congress also is considering the Taft-Ellender-Wagner Housing bill. It has passed the Senate and is now before the House Banking and Currency Committee for study and debate. Congress will soon pass on the question of renewing the draft for youths in the 19 to 25 age group in order to fill the ranks of the armed services; and dispose of the Air Force Bill or Supplemental National Defense Appropriation Bill which provides for a 70-group Air Force.

**NEW LAWS** — Shasta National Forest, California. Chapter 139, approved March 19th, added certain public and other lands to the Shasta National Forest to become effective July 1, 1948.

See p. 711.

— Admission of Alien Fiancées Into United States. The period of validity of sections 1851-1855 of Appendix to Title 50, admitting alien fiancées or fiancés of members of the armed forces into the United



## NEW LAWS

States, was extended from December 31, 1947 to midnight December 31, 1948, by Chapter 141, approved March 24th.

*See p. 712 and Legislative History*

—**Superintendents of National Cemeteries.** In the future superintendents of national cemeteries shall be selected from meritorious and trustworthy members of the armed forces who have been disabled in line of duty for active field service under Chapter 143, approved March 24th, 24 U.S.C.A. § 275.

*See p. 712 and Legislative History*

—**Transportation of Iron Ore by Canadian Vessels.** Congress, taking cognizance of the extraordinary requirements of the iron and steel industry for iron ore, authorized by Chapter 114, approved March 24th, 46 U.S.C.A. § 883 note, the transportation of iron ore by vessels of Canadian registry between United States ports on the Great Lakes during 1948.

*See p. 713*

—**Development of Lignite Coal Resources.** The purpose of Chapter 146, approved March 25th, 30 U.S.C.A. §§ 401-404, is to establish a research laboratory in the North Dakota lignite-consuming area for the investigation of the mining, preparation, and utilization of lignite and for the development of the lignite resources of that region.

*See p. 713 and Legislative History*

—**Postal Employees.** Chapter 150, approved March 25th, 39 U.S.C.A. § 871 note, ratifies the administrative promotion of employees on military furlough from the field postal service.

*See p. 715*

—**Organized Reserve Corps.** In order to secure adequate voluntary reserves for all the Reserve components of the Army, Air Force, and Navy, Congress enacted Chapter 157, approved March 25th, 5 U.S.C.A. § 626k, 10 U.S.C.A. § 2, 361, 422, 32 U.S.C.A. §§ 62, 143, 154, 37 U.S.C.A. § 114.

The principal features of the Act are: (1) to rename the various Army reserves corps to the Organized Reserve Corps, (2) to provide uniform standards for inactive-duty training for all Reserve components of the armed forces, (3) to authorize inactive-duty training pay for members of the Reserve Corps of the Army in order to facilitate the procurement, training and readiness for mobilization of the members, and (4) to make technical changes in the National Defense Act to accommodate the changes brought about by this Act.

*See p. 716 and Legislative History*

—**Klamath Indians.** A per capita distribution in the sum of \$500 of money now held in trust for the members of the Klamath Indian Tribes is authorized by Chapter 160, approved March 29th, 25 U.S.C.A. § 544.

*See p. 721 and Legislative History*

## NEW LAWS

—**Housing and Rent Control.** On March 30th the President approved the Housing and Rent Act of 1948, 50 U.S.C.A.App. §§ 1881(b), 1884 (a), 1892(c) (2)-(4), 1894(a)-(c), (e)-(g), 1896, 1899(a) (2), (4)-(6), (c), 1900, 1903-1906, 5 U.S.C.A. § 1001(c) and 42 U.S.C.A. § 1413a.

The measure as agreed to in conference between the two Houses contains the following provisions: any disputes between local boards and the Housing Expediter over raising rents or decontrolling areas will be referred to a three-judge Emergency Court of Appeals; rent controls will be terminated on March 31, 1949; restrictions on use of building materials for construction of amusement and recreational buildings has been lifted; and rent ceilings on private homes with less than three rooms have been discarded.

*See p. 722 and Legislative History*

—**National Forest Lands.** Chapter 162, approved March 30th, 48 U.S.C.A. § 341, authorizes the Secretary of Agriculture, operating through the Forestry Service, to permit the use and occupancy of areas up to 80 acres for various purposes in Alaskan national forest lands.

The main objective in enacting this measure is to allow for the development of Alaska both as a tourist and vacation playland and commercially and industrially.

*See p. 729 and Legislative History*

—**Rural Mail Carriers.** Until April 1, 1950, rural mail carriers will receive for equipment maintenance a sum equal to 1 cent per mile of travel in addition to the regular 6 cents per mile rate under the authority of Chapter 164, approved March 31st, 39 U.S.C.A. § 867 note.

*See p. 730*

—**National Housing.** Congress temporarily extended the National Housing Act, 12 U.S.C.A. §§ 1701-1744, from March 31, 1948 to April 30, 1948, in order to give Congress a longer period to consider long-range extension and basic amendments to the Act.

*See p. 730 and Legislative History*

—**Domestic-Rubber Producing Industry.** The Rubber Act of 1948, 50 U.S.C.A.App. §§ 1921-1938, declares it to be the policy of the United States to have at all times a technologically advanced and rapidly expanding synthetic rubber industry to assure in times of emergencies adequate supplies of synthetic rubber to meet the essential civilian, military, and naval needs of the country.

To best accomplish this purpose the Senate Banking and Currency Committee in its Report No. 1015, stated that it was firmly convinced that the security interests of the United States could best be served "by the development within the United States of a free, competitive synthetic-rubber industry and to that end all Government ownership and controls should terminate at the earliest practical date consistent with national security."



## NEW LAWS

To carry out this avowed policy of Congress this Act provides that the governmental agency designated to operate the synthetic plants must prepare a disposal plan and the President is directed to report such a plan to Congress not later than January 15, 1950.

*Sec p. 731 and Legislative History*

— **European Recovery Program.** The \$6,098,000,000 foreign aid program, popularly known as the "Foreign Assistance Act of 1948", Chapter 169, 22 U.S.C.A. §§ 1501-1546, was approved by President Truman on April 3rd.

The measure as it finally emerged from the conference of the two Houses provides for a four-year program of European economic recovery and supplemental military assistance for Greece, Turkey and China.

The division of aid to the various countries is as follows: to the European countries, \$5,300,000,000; to Greece and Turkey, \$275,000,000, which is in addition to the \$400,000,000 voted those countries last year; and to China \$463,000,000 which was split \$125,000,000 for military aid and \$338,000,000 for civilian aid.

The economic aspects of the program are intended to encourage the recovery of Europe and to assist China on the road to stabilization of its exhausted and still war-torn economy. To insure this result, Congress created the Economic Cooperation Administration with the responsibility and control vested in a single Administrator, who has the rank equivalent to an ambassador.

All military and economic aid under this Act are to be channelled into the broad foreign policy objectives of the United States by establishing constant cooperation between the Administrator and the Secretary of State, and by vesting control of all foreign aid funds in the hands of the President.

Another primary objective of the legislation is to encourage the participating nations to strive to help themselves and each other.

The Act also provides for a United States Special Representative in Europe who shall have the rank of ambassador and plenipotentiary. He shall be the representative of the Administrator and also chief representative of the United States Government to any organization in the participating countries which may be established to further the joint recovery program.

A number of safeguards are incorporated in the measure to assure that the money appropriated will be properly administered and adequately accounted for. Other conditions have been set up which must be fulfilled by recipient countries for the relief program to be initiated and continued. Still other conditions have been detailed to protect the domestic economy of the United States from disruption and impairment.

## NEW LAWS

On April 7th the Senate approved President Truman's appointment of Paul G. Hoffman as Administrator for Economic Cooperation.

On April 21st President Truman designated Secretary of Commerce W. Averell Harriman as Chief European Representative of the Economic Cooperation Administration with the rank of Ambassador at Large. At the same time he accepted the cabinet member's resignation. On April 26th the Senate confirmed the nomination.

*See p. 739 and Legislative History*

— **Administrative Expenditures for Veterans' Administration.** Chapter 170, approved April 3rd, 38 U.S.C.A. §§ 11j, 11k, 77, 697(a), (b), foll. c. 12 Vet.Reg.No. 6(a) par. IX, and 50 U.S.C.A.App. § 546 provides basic authority for certain administrative expenditures for the Veterans' Administration.

These activities consist of furnishing and laundering such wearing apparel as may be prescribed for employees; transporting children of employees located at isolated stations to and from school; purchasing tobacco to be furnished veterans receiving treatment or domiciliary care in Veterans' Administration homes; providing for purchase of printed reduced fare forms for use when traveling at their own expense; and providing for the shipment and display of visual educational information and descriptive material.

*See p. 761 and Legislative History*

— **Tariff Act Amendments.** Chapter 173, approved April 5th, 19 U.S.C.A. § 1001, par. 1519(f), provides a dutiable status for foxes and fox furs commonly known as the platinum or platina type, as well as furs of other foxes which are mutations from silver, black, or platinum foxes.

*See p. 763 and Legislative History*

Chapter 218, approved April 20th, 19 U.S.C.A. § 1201, par. 1629, provides for the free importation of exposed X-ray film.

*See p. 778 and Legislative History*

— **Trade Statistics.** Hawaii and Alaska are exempted from the requirements of 46 U.S.C.A. § 95, relating to the procurement of trade statistics between the United States and its noncontiguous territory by Chapter 177, approved April 7th.

*See p. 763 and Legislative History*

— **Modification of Railroad Financial Structures.** Basically the principal use of Chapter 180, approved April 9th, 11 U.S.C.A. § 208 and 49 U.S.C.A. § 20b, will be to avoid the lengthy, cumbersome and extensive proceedings under section 77 of the Bankruptcy Act, 11 U.S.C.A. § 205, for railroads desiring to modify their financial structures.



## NEW LAWS

Also for the first time this legislation corrects a situation which has in the past prevented reconsideration of a reorganization plan years after it has been promulgated. This is accomplished by placing the duty upon the Interstate Commerce Commission, under prescribed conditions and circumstances, of reporting current facts and conditions surrounding a railroad which might alter or affect provisions of a reorganization plan prepared years before.

*See p. 764 and Legislative History*

—**Federal Airport Act.** Chapter 192, approved April 17th, 49 U.S.C.A. §§ 1101(a) (7), 1102(a), 1106, 1108(c), 1109(c), extends the provisions of the Federal Airport Act, 49 U.S.C.A. §§ 1101-1119, to the Virgin Islands.

*See p. 775 and Legislative History*

—**Appropriations.** The Independent Offices Appropriation Act, 1949, Chapter 219, approved on April 20th, appropriated \$967,000,000 for the operation of the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1949.

*See p. 779*

—**Vendors of Newspapers and Magazines.** In order to clarify the coverage provisions of Title II of the Social Security Act, 42 U.S.C.A. §§ 401-410 and the related taxing provisions of the Internal Revenue Code, 26 U.S.C.A. §§ 1607(c) (15) and 1426(b) (15), Congress passed Chapter 222 on April 20th, over the President's veto by a vote in the Senate of 77 to 7 and in the House of 307 to 28.

The House Ways and Means Committee in its Report No. 1320, stated that the Act "provides that in the sale and distribution of newspapers and magazines under a contractual arrangement whereby sales are made at a fixed price, and compensation in whole or in part is measured by the excess of such price over the amount at which the newspapers or magazines are charged to the vendor, such vendor shall not be covered under Title II of the Social Security Act [42 U.S.C.A. §§ 401-410] regardless of whether he is guaranteed a minimum amount of compensation or credited with newspapers or magazines returned to his supplier."

*See p. 798 and Legislative History*

—**United States Commissioners for Certain Parks.** Chapter 223, 16 U.S.C.A. § 256d, 395e, 404c-5, 408m, approved April 21st, provides for the appointment of United States Commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks to be made by the United States district courts without the recommendation and approval of the Secretary of the Interior.

*See p. 799 and Legislative History*

## PENDING LEGISLATION

—**Transfer of Remount Service.** The Remount Service, its records, real and personal property and civilian personnel were transferred from the Quartermaster Corps of the Department of the Army to the Department of Agriculture by Chapter 224, approved April 21st.

*See p. 800 and Legislative History*

—**Bankruptcy Act Amendment.** The primary purpose of Chapter 225, approved April 21st, 11 U.S.C.A. § 203(c), is to extend until March 1, 1949, the period within which petitions may be filed under this section.

*See p. 801 and Legislative History*

—**Foot-and-Mouth Disease Research.** The Secretary of Agriculture is authorized under the provisions of Chapter 229, approved April 24th, to establish research laboratories and to conduct research on the foot-and-mouth diseases and other animal diseases as a safeguard to livestock of the United States.

*See p. 802 and Legislative History*

—**National Park Service.** Chapter 230, approved April 24th authorized the transfer of surplus real property holdings of other Government agencies to the jurisdiction of the Department of the Interior for consolidation of Federal holdings within areas administered by the National Park Service.

*See p. 802 and Legislative History*

**PENDING LEGISLATION—Federal Aid to Education.** The Taft sponsored educational aid bill, S. 472, which he introduced on January 23, 1947, was reported out of the Senate Labor and Public Welfare Committee on July 3, 1947, and passed the Senate on April 1, 1948.

The purpose of the bill is to aid the States in equalizing educational opportunities to all through Federal allotments ranging from \$5 to more than \$25 per pupil, with the poorer states receiving the larger benefits. The bill also guarantees that at least \$50 of Federal-State money per pupil will be expended in each State for educational purposes.

The measure carries an annual appropriation of \$300,000,000 beginning with the fiscal year which commences on July 1, 1948.

*See Major Bills Pending and Index Digest*

—**Appropriations.** The Army Civil Functions, H.R. 5524, calling for \$709,000,000, for the fiscal year 1949, was reported out of the Senate Appropriations Committee on April 22nd. The bill contains the funds for rivers, harbors, and flood control work for 1949. Chairman Bridges of the Appropriations Committee and Senators Reed and Ferguson have stated that they will oppose the bill on the floor of the Senate in an endeavor to slash \$200,000,000 from the fund.

On April 26th the Senate approved the following three appropriation bills in less than an hour:



## PENDING LEGISLATION

The State-Commerce-Justice Judiciary Act 1949, H.R. 5607, calling for \$516,000,000 to run these departments.

The Labor-Federal Security Agency Act 1949, H.R. 5607 appropriating \$819,000,000 for the fiscal year 1949.

The First Deficiency Act, 1948, H.R. 6055 appropriating \$780,000,000 to supply the needs of various departments and agencies of the Government for the fiscal year 1948.

Still to be acted upon by the Senate are the Treasury and Post Office Appropriation Act, 1949, H.R. 5770; Agriculture Appropriation Act, 1949, H.R. 5883; Supplemental National Defense Appropriation Act, 1948; H.R. 6226; and the Federal Security Agency supplemental appropriation bill, H.R. 6355.

*See Major Bills Pending and Index Digest*

—**Housing.** The Taft-Ellender-Wagner bill, S. 866, passed the Senate on April 22nd.

The general purpose of this bill as outlined in Senate Report No. 140, is to establish by congressional action a consistent housing policy on the part of the Government, to provide for the coordination of the Government's housing agencies and activities, and to improve existing housing legislation in order to effectively provide for the pressing housing needs of this country.

The bill assures the fullest practicable assistance to private enterprise in endeavoring to fulfill the housing needs of the nation, and only brings public housing into play for that proportion of the need which private enterprise has not met and cannot be expected to meet in the foreseeable future.

The measure also authorizes the Government to build 500,000 low-rent public housing units in the next five years.

*See Major Bills Pending and Index Digest*

—**Tidelands.** Legislation which would establish State title to tidelands to a point three miles beyond the low water mark was reported out by the Judiciary Committee on April 21st when H.R. 5992 was sent to the floor of the House.

A similar Senate measure, S. 1988, has been approved by a subcommittee of the Judiciary Committee.

*See Index Digest*

—**Draft.** The principal provisions of the new draft legislation, H.R. 6274, introduced on April 20th by Representative Andrews, Chairman of the Armed Services Committee are:

Authorization of a total strength for all services of 2,006,000 men;

## PENDING LEGISLATION

Induction of new personnel automatically 90 days after approval of the bill;

Limitation of draft age to 19 through 25.

The House Armed Services Committee, to whom the bill was referred, has already commenced public hearings on the measure.

*See Index Digest*

— **Oleomargarine.** On April 26th the House by a vote of 235 to 121 agreed to commence debate on repeal of the tax on oleomargarine as contained in H.R. 2245. This action was brought about by Representative Rivers of South Carolina who obtained the necessary 218 votes to a petition to withdraw the bill from the Agriculture Committee.

By a vote of 260 to 107 the House passed H.R. 2245 on April 28.

*See Index Digest*

— **Communists.** A bill, H.R. 5852, to define the American Communist Party as a branch of an international conspiracy and make its officials subject to one-year jail sentences and \$10,000 fines received the unanimous approval of the House Un-American Affairs Committee on April 28th.

Under this measure the Communist Party and communistic front organizations would have to register with the Department of State and supply a list of the names and addresses of its members.

No Communist could hold a Federal job and any official hiring one would leave himself open to stiff penalties.

No Communist could apply for a passport.

All Communist literature and Communist sponsored radio programs would have to be so identified.

Front organizations for Communists would lose their present tax-exemption status.

Representative Mundt of South Dakota, who introduced the legislation, stated that the bill would be brought up for floor debate during the week of May 4th.

*See Index Digest*

— **Reconstruction Finance Corporation.** On April 29th the House Banking Committee reported out its revised version of S. 2287, to extend the life of the Corporation.

The House Committee version extends the lending power of R.F.C. until June 30, 1950, and the life of the Corporation itself an additional two years for liquidation purposes. The Senate bill had extended the lending powers until June 30, 1960.



## PENDING LEGISLATION

The House bill further amended the Senate bill by raising from 65% to 75% the limitation of balances for renewal loans; by increasing from \$1,000,000,000 to \$1,500,000,000 the total lending authority; and by striking out the provisions giving the R.T.C. authority to make loans to insurance companies, allowing the Treasury to certify loans to banks and trust companies, requiring the R.F.C. to maintain interest rates at a level sufficient for self-support, and providing a 20-year maturity on preferred stock.

*See Index Digest*

—**Displaced Persons.** In order to alleviate the distressing condition of displaced persons in Europe the House Judiciary Committee reported out H.R. 6163 on April 29th.

This bill would admit 200,000 of these people over a two-year period and would charge them against future immigration quotas.

Under this system physicians, dentists, skilled artisans and farmers would be given priority rating. Orphan children would be allowed to enter without being subject to quota restrictions.

*See Index Digest*

—**Veterans' Housing.** A bill, H.R. 4488, authorizing a \$9,250,000,000, five-year lending program to veterans for housing cooperatives, received the unanimous approval of the House Veterans' Affairs Committee on April 30th.

Under the provisions of this legislation the Veterans' Administration would be given lending authority up to \$1,000,000,000 a year for five years; the Home Loan Bank Board would be granted \$750,000,000 lending authority; and the Federal Land Bank or Farmers Home Administration would receive \$100,000,000 lending authority.

The Federal Works Agency would receive up to \$200,000,000 to help build water and sewer lines and other utilities into these homestead communities.

A homestead association to borrow this money for building or buying homes to be sold or rented to association members at an average cost of \$10,000 could be formed by five or more veterans.

*See Index Digest*

—**Atomic Energy Commission.** The terms of the present Atomic Energy Commissioners would be extended until June 30, 1950, under the provisions of S. 2589, introduced April 30 by Senators Heckenlooper and Johnson.

A companion bill H.R. 6402 was introduced in the House by Representative Cole.

*See Index Digest*

# DATA ON LEGISLATIVE ACTIVITY

January 6 through March 31, 1948

	Senate	House	Total
Days in session .....	50	49	..
Time in session .....	227 hrs., 42'	217 hrs., 49'	..
Congressional Record:			
Pages of proceedings .....	1,955	2,031	3,986
Appendix .....	..	..	2,134
Public bills enacted into law .....	31	44	75
Private bills enacted into law ....	51	41	92
Bills in conference .....	..	..	**7
Bills through conference .....	..	..	10
Measures passed, total .....	301	396	..
Senate bills .....	127	83	..
House bills .....	121	238	..
Senate joint resolutions .....	8	3	..
House joint resolutions .....	5	7	..
Senate concurrent resolutions..	4	4	..
House concurrent resolutions..	11	12	..
Simple resolutions .....	25	49	74
Measures reported, total .....	*267	342	..
Senate bills .....	118	56	..
House bills .....	94	222	..
Senate joint resolutions .....	13	1	..
House joint resolutions .....	4	18	..
Senate concurrent resolutions..	5	0	..
House concurrent resolutions..	8	6	..
Simple resolutions .....	25	39	64
Special reports .....	14	36	..
Conference reports .....	..	..	10
Reported measures not acted on..	**58	**138	..
Measures introduced, total .....	570	1,486	2,056
Bills .....	494	1,253	1,747
Joint resolutions .....	31	79	110
Concurrent resolutions .....	10	51	61
Simple resolutions .....	35	103	138
Quorum calls .....	75	13	88
Yea-and-nay votes .....	28	21	49

\* These figures on measures reported include all placed on calendar or acted on by Senate even if there was no accompanying report. A total of 236 reports has been filed in the Senate; a total of 388 has been filed in the House.

\*\* This figure does not agree with the total difference between bills reported and bills passed, because resolutions and bills placed on the House Calendar without having been formerly reported were not included in figures of measures reported to the House; the difference in the case of Senate figures is due to uncounted bills "laid on the table" or "indefinitely postponed." These data include bills on Calendar and in conference at the end of the first session.



# DISPOSITION OF EXECUTIVE NOMINATIONS RECEIVED FROM JANUARY 6-MARCH 31, 1948

Postmaster nominations, totaling 872, disposed of as follows:

Confirmed .....	2
Withdrawn .....	11
Rejected .....	None
Unconfirmed .....	859

Army nominations, totaling 2,209, disposed of as follows:

Confirmed .....	1,813
Withdrawn .....	None
Rejected .....	None
Unconfirmed .....	396

Air Force nominations, totaling 966, disposed of as follows:

Confirmed .....	251
Withdrawn .....	None
Rejected .....	None
Unconfirmed .....	715

Navy nominations, totaling 457, disposed of as follows:

Confirmed .....	284
Withdrawn .....	None
Rejected .....	None
Unconfirmed .....	173

Marine Corps nominations, totaling 621, disposed of as follows:

Confirmed .....	609
Withdrawn .....	None
Rejected .....	None
Unconfirmed .....	12

Civilian nominations other than postmasters, totaling 1,700, disposed of as follows:

Confirmed .....	1,653
Withdrawn .....	1
Rejected .....	None
Unconfirmed .....	46

## Summary

Total nominations received .....	6,825
Total rejected .....	None
Total withdrawn .....	12
Total unconfirmed .....	2,201
Total confirmed .....	4,612

United States Code  
*Congressional Service*

80th Congress — Second Session

1948

March 19 — May 1

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Harry S. Truman

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## SENATE

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MAJORITY WHIP	Kenneth S. Wherry
MINORITY LEADER	Alben W. Barkley
MINORITY WHIP	Scott W. Lucas

	Party	City
<b>ALABAMA</b>		
Hill, Lister	D	Montgomery
Sparkman, John J.	D	Huntsville
<b>ARIZONA</b>		
Hayden, Carl	D	Phoenix
McFarland, Ernest W.	D	Florence
<b>ARKANSAS</b>		
McClellan, John L.	D	Camden
Fulbright, J. William	D	Fayetteville
<b>CALIFORNIA</b>		
Downey, Sheridan	D	Laguna Beach
Knowland, William F.	R	Oakland
<b>COLORADO</b>		
Johnson, Edwin C.	D	Craig
Millikin, Eugene D.	R	Denver
<b>CONNECTICUT</b>		
McMahon, Brien	D	South Norwalk
Baldwin, Raymond E.	R	Stratford
<b>DELAWARE</b>		
Buck, C. Douglass	R	Wilmington
Williams, John J.	R	Millsboro
<b>FLORIDA</b>		
Pepper, Claude	D	Tallahassee
Holland, Spessard L.	D	Bartow
<b>GEORGIA</b>		
George, Walter F.	D	Vienna
Russell, Richard B.	D	Winder
<b>IDAHO</b>		
Taylor, Glen H.	D	Pocatello
Dworshak, Henry C.	R	Burley
<b>ILLINOIS</b>		
Lucas, Scott W.	D	Havana
Brooks, C. Wayland	R	Chicago

# SENATE

	Party	City
<b>INDIANA</b>		
Capeheart, Homer E.	R	Washington
Jenner, William E.	R	Bedford
<b>IOWA</b>		
Wilson, George A.	R	Des Moines
Hickenlooper, Bourke B.	R	Cedar Rapids
<b>KANSAS</b>		
Capper, Arthur	R	Topeka
Reed, Clyde M.	R	Parsons
<b>KENTUCKY</b>		
Barkley, Alben W.	D	Paducah
Cooper, John Sherman	R	Somerset
<b>LOUISIANA</b>		
Overton, John H.	D	Alexandria
Ellender, Allen J.	D	Houma
<b>MAINE</b>		
White, Wallace H., Jr.	R	Auburn
Brewster, Owen	R	Dexter
<b>MARYLAND</b>		
Tydings, Millard E.	D	Havre de Grace
O'Connor, Herbert R.	D	Annapolis
<b>MASSACHUSETTS</b>		
Saltonstall, Leverett	R	Chestnut Hill
Lodge, Henry Cabot Jr.	R	Beverly
<b>MICHIGAN</b>		
Vandenberg, Arthur H.	R	Grand Rapids
Ferguson, Homer	R	Detroit
<b>MINNESOTA</b>		
Ball, Joseph H.	R	St. Paul
Thye, Edward J.	R	Northfield R. F. D.
<b>MISSISSIPPI</b>		
Eastland, James O.	D	Ruleville
Stennis, John C.	D	DeKalb
<b>MISSOURI</b>		
Donnell, Forrest C.	R	Webster Grove
Kem, James P.	R	Kansas City
<b>MONTANA</b>		
Murray, James E.	D	Butte
Ecton, Zales N.	R	Manhattan
<b>NEBRASKA</b>		
Butler, Hugh	R	Omaha
Wherry, Kenneth S.	R	Pawnee City
<b>NEVADA</b>		
McCarran, Pat	D	Reno
Malone, George W.	R	Reno
<b>NEW HAMPSHIRE</b>		
Bridges, Styles	R	Concord
Tobey, Charles W.	R	Temple



# SENATE

NEW JERSEY	Party	City
Hawkes, Albert W.	R	Montclair
Smith, H. Alexander	R	Princeton
NEW MEXICO		
Hatch, Carl A.	D	Clovis
Chavez, Dennis	D	Albuquerque
NEW YORK		
Wagner, Robert F.	D	New York City
Ives, Irving M.	R	Norwich
NORTH CAROLINA		
Umstead, William B.	D	Durham
Hoey, Clyde R.	D	Shelby
NORTH DAKOTA		
Langer, William	R	Bismarck
Young, Milton R.	R	Berlin
OHIO		
Taft, Robert A.	R	Cincinnati
Bricker, John W.	R	Upper Arlington
OKLAHOMA		
Thomas, Elmer	D	Medicine Park
Moore, E. H.	R	Tulsa
OREGON		
Cordon, Guy	R	Roseburg
Morse, Wayne	R	Eugene
PENNSYLVANIA		
Myers, Francis J.	D	Philadelphia
Martin, Edward	R	Washington
RHODE ISLAND		
Green, Theodore Francis	D	Providence
McGrath, J. Howard	D	Providence
SOUTH CAROLINA		
Maybank, Burnet R.	D	Charleston
Johnston, Olin D.	D	Spartanburg
SOUTH DAKOTA		
Gurney, Chan	R	Yankton
Bushfield, Harlan J.	R	Miller
TENNESSEE		
McKellar, Kenneth	D	Memphis
Stewart, Tom	D	Winchester
TEXAS		
Connally, Tom	D	Marlin
O'Daniel, W. Lee	D	Fort Worth
UTAH		
Thomas, Elbert D.	D	Salt Lake City
Watkins, Arthur V.	R	Orem
VERMONT		
Aiken, George D.	R	Putney
Flanders, Ralph E.	R	Springfield

# SENATE

VIRGINIA	Party	City
Byrd, Harry Flood	D	Berryville
Robertson, A. Willis	D	Lexington
WASHINGTON		
Magnuson, Warren G.	D	Seattle
Cain, Harry P.	R	Tacoma
WEST VIRGINIA		
Kilgore, Harley M.	D	Beckley
Revercomb, Chapman	R	Charleston
WISCONSIN		
Wiley, Alexander	R	Chippewa Falls
McCarthy, Joseph R.	R	Appleton
WYOMING		
O'Mahoney, Joseph C.	D	Cheyenne
Robertson, Edward V.	R	Cody

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# HOUSE OF REPRESENTATIVES

SPEAKER	Joseph W. Martin, Jr.
CLERK	John Andrews
PARLIAMENTARIAN	Lewis Deschler
SERGEANT AT ARMS	William F. Russell
DOORKEEPER	M. L. Meletio
POSTMASTER	Frank W. Collier
CHAPLAIN	Rev. James Shera Montgomery, D.D.

MAJORITY LEADER	Charles A. Halleck
MAJORITY WHIP	Leslie C. Arends
MINORITY LEADER	Sam Rayburn
MINORITY WHIP	John W. McCormack

	Party	Dist.	City
<b>ALABAMA</b>			
Boykin, Frank W.	D	1	Mobile
Grant, George M.	D	2	Troy
Andrews, George W.	D	3	Union Springs
Hobbs, Sam	D	4	Selma
Rains, Albert	D	5	Gadsden
Jarman, Pete	D	6	Livingston
Manasco, Carter	D	7	Jasper
Jones, Robert E., Jr.	D	8	Scottsboro
Battle, Laurie C.	D	9	Birmingham
<b>ARIZONA</b>			
Harless, Richard F.	D	At L.	Phoenix
Murdock, John R.	D	At L.	Tempe
<b>ARKANSAS</b>			
Gathings, E. C.	D	1	West Memphis
Mills, Wilbur D.	D	2	Kensett
Trimble, James W.	D	3	Berryville
Cravens, Fadjo	D	4	Fort Smith
Hays, Brooks	D	5	Little Rock
Norrell, W. F.	D	6	Monticello
Harris, Oren	D	7	El Dorado
<b>CALIFORNIA</b>			
Lea, Clarence F.	D	1	Santa Rosa
Engle, Clair	D	2	Red Bluff
Johnson, Leroy	R	3	Stockton
Havener, Franck R.	D	4	San Francisco
Welch, Richard J.	R	5	San Francisco
Miller, George P.	D	6	Alameda
Allen, John J. Jr.	R	7	Oakland
Anderson, Jack Z.	R	8	San Juan Bautista
Gearhart, Bertrand W.	R	9	Fresno
Elliott, Alfred J.	D	10	Tulare

# HOUSE OF REPRESENTATIVES

## CALIFORNIA—Continued

	Party	Dist.	City
Bramblett, Ernest K.	R	11	Pacific Grove
Nixon, Richard M.	R	12	Whittier
Poulson, Norris	R	13	Los Angeles
Douglas, Helen Gahagan	D	14	Los Angeles
McDonough, Gordon L.	R	15	Los Angeles
Jackson, Donald L.	R	16	Santa Monica
King, Cecil R.	D	17	Los Angeles
Bradley, Willis W.	R	18	Long Beach
Holifield, Chet	D	19	Montebello
Hinshaw, Carl	R	20	Pasadena
Sheppard, Harry R.	D	21	Yucaipa
Phillips, John	R	22	Banning
Fletcher, Charles K.	R	23	San Diego

## COLORADO

Carroll, John A.	D	1	Denver
Hill, William S.	R	2	Fort Collins
Chenoweth, J. Edgar	R	3	Trinidad
Rockwell, Robert F.	R	4	Paonia

## CONNECTICUT

Miller, William J.	R	1	Weathersfield
Seely-Brown, Horace, Jr.	R	2	Pomfret
Foote, Ellsworth B.	R	3	North Branford
Lodge, John Davis	R	4	Westport
Patterson, James T.	R	5	Naugatuck
Sadlak, Antoni N.	R	At L.	Rockville

## DELAWARE

Boggs, J. Caleb	R	At L.	Wilmington
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## FLORIDA

Peterson, J. Hardin	D	1	Lakeland
Price, Emory H.	D	2	Jacksonville
Sikes, Robert L. F.	D	3	Crestview
Smathers, George A.	D	4	Miami
Hendricks, Joe	D	5	De Land
Rogers, Dwight L.	D	6	Fort Lauderdale

## GEORGIA

Preston, Prince H., Jr.	D	1	Statesboro
Cox, E. E.	D	2	Camilla
Pace, Stephen	D	3	Americus
Camp, A. Sidney	D	4	Newnan
Davis, James C.	D	5	Decatur
Vinson, Carl	D	6	Milledgeville
Lanham, Henderson	D	7	Rome
Wheeler, W. M. (Don)	D	8	Douglas
Wood, John S.	D	9	Canton
Brown, Paul	D	10	Elberton

## IDAHO

Goff, Abe McGregor	R	1	Moscow
Sanborn, John	R	2	Hagerman



# HOUSE OF REPRESENTATIVES

## ILLINOIS

	Party	Dist.	City
Dawson, William L.	D	1	Chicago
Vail, Richard B.	R	2	Chicago
Busbey, Fred E.	R	3	Chicago
Gorski, Martin	D	4	Chicago
Sabath, Adolph J.	D	5	Chicago
O'Brien, Thomas J.	D	6	Chicago
Owens, Thomas L.	R	7	Chicago
Gordon, Thomas S.	D	8	Chicago
Twyman, Robert J.	R	9	Chicago
Church, Ralph E.	R	10	Evanston
Reed, Chauncey W.	R	11	West Chicago
Mason, Noah M.	R	12	Oglesby
Allen, Leo E.	R	13	Galena
Johnson, Anton J.	R	14	Macomb
Chiperfield, Robert B.	R	15	Canton
Dirksen, Everett M.	R	16	Pekin
Arends, Leslie C.	R	17	Melvin
Jenison, Edward H.	R	18	Paris
McMillen, Rolla C.	R	19	Decatur
Simpson, Sid	R	20	Carrollton
Price, Melvin	D	22	East St. Louis
Vursell, Charles W.	R	23	Salem
Clippinger, Roy	R	24	Carmi
Bishop, C. W. (Runt)	R	25	Cartersville
Stratton, William G.	R	At L.	Morris

## INDIANA

Madden, Ray J.	D	1	Gary
Halleck, Charles A.	R	2	Rensselaer
Grant, Robert A.	R	3	South Bend
Gillie, George W.	R	4	Fort Wayne
Harness, Forest A.	R	5	Kokomo
Johnson, Noble J.	R	6	Terre Haute
Landis, Gerald W.	R	7	Linton
Mitchell, E. (Edward) A.	R	8	Evansville
Wilson, Earl	R	9	Huron
Harvey, Ralph	R	10	New Castle
Ludlow, Louis	D	11	Indianapolis

## IOWA

Martin, Thomas E.	R	1	Iowa City
Talle, Henry O.	R	2	Decorah
Gwynne, John W.	R	3	Waterloo
LeCompte, Karl M.	R	4	Corydon
Cunningham, Paul	R	5	Des Moines
Dolliver, James I.	R	6	Fort Dodge
Jensen, Ben F.	R	7	Exira
Hoeven, Charles B.	R	8	Alton

# HOUSE OF REPRESENTATIVES

KANSAS	Party	Dist.	City
Cole, Albert M.	R	1	Holton
Scrivner, Errett P.	R	2	Kansas City
Meyer, Herbert A.	R	3	Independence
Rees, Edward H.	R	4	Emporia
Hope, Clifford R.	R	5	Garden City
Smith, Wint	R	6	Mankato
KENTUCKY			
Gregory, Noble J.	D	1	Mayfield
Whitaker, John A.	D	2	Russelville
Morton, Thruston Ballard	R	3	Glenview
Chelf, Frank L.	D	4	Lebanon
Spence, Brent	D	5	Fort Thomas
Chapman, Virgil	D	6	Paris
Meade, W. Howes	R	7	Paintsville
Bates, Joe B.	D	8	Greenup
Lewis, William	R	9	London
LOUISIANA			
Hébert, F. Edward	D	1	New Orleans
Boggs, Hale	D	2	New Orleans
Domengeaux, James	D	3	Lafayette
Brooks, Overton	D	4	Shreveport
Passman, Otto E.	D	5	Monroe
Morrison, James H.	D	6	Hammond
Larcade, Henry D. Jr.	D	7	Opelousas
Allen, A. Leonard	D	8	Winnfield
MAINE			
Hale, Robert	R	1	Portland
Smith, Margaret Chase	R	2	Skowhegan
Fellows, Frank	R	3	Bangor
MARYLAND			
Miller, Edward T.	R	1	Easton
Meade, Hugh A.	D	2	Baltimore
Garmatz, Edward A.	D	3	Baltimore
Fallon, George H.	D	4	Baltimore
Sasscer, Lansdale G.	D	5	Upper Marlboro
Beall, J. Glenn	R	6	Frostburg
MASSACHUSETTS			
Heselton, John W.	R	1	Deerfield
Clason, Charles R.	R	2	Springfield
Philbin, Philip J.	D	3	Clinton
Donohue, Harold D.	D	4	Worcester
Rogers, Edith Nourse	R	5	Lowell
Bates, George J.	R	6	Salem
Lane, Thomas J.	D	7	Lawrence
Goodwin, Angier L.	R	8	Melrose
Nicholson, Donald W.	R	9	Wareham
Herter, Christian A.	R	10	Boston
Kennedy, John F.	D	11	Boston



# HOUSE OF REPRESENTATIVES

MASSACHUSETTS—Continued	Party	Dist.	City
McCormack, John W.	D	12	Dorchester
Wigglesworth, Richard B.	R	13	Milton
Martin, Joseph W. Jr.	R	14	North Attleboro
<b>MICHIGAN</b>			
Sadowski, George G.	D	1	Detroit
Michener, Earl C.	R	2	Adrian
Shafer, Paul W.	R	3	Battle Creek
Hoffman, Clare E.	R	4	Allegan
Jonkman, Bartel J.	R	5	Grand Rapids
Blackney, William W.	R	6	Flint
Wolcott, Jesse P.	R	7	Port Huron
Crawford, Fred L.	R	8	Saginaw
Engel, Albert J.	R	9	Muskegon
Woodruff, Roy O.	R	10	Bay City
Potter, Charles E.	R	11	Cheboygan
Bennett, John B.	R	12	Ontonagon
Coffin, Howard A.	R	13	Detroit
Youngblood, Harold F.	R	14	Detroit
Dingell, John D.	D	15	Detroit
Lesinski, John	D	16	Dearborn
Dondero, George A.	R	17	Royal Oak
<b>MINNESOTA</b>			
Andresen, August H.	R	1	Red Wing
O'Hara, Joseph P.	R	2	Glencoe
MacKinnon, George	R	3	Minneapolis
Devitt, Edward J.	R	4	St. Paul
Judd, Walter H.	R	5	Minneapolis
Knutson, Harold	R	6	Manhattan Beach
Andersen, H. Carl	R	7	Tyler
Blatnik, John A.	D	8	Chisholm
Hagen, Harold C.	R	9	Crookston
<b>MISSISSIPPI</b>			
Rankin, John E.	D	1	Tupelo
Whitten, Jamie L.	D	2	Charleston
Whittington, William M.	D	3	Greenwood
Abernethy, Thomas G.	D	4	Okolona
Winstead, Arthur	D	5	Philadelphia
Colmer, William M.	D	6	Pascagouta
Williams, John Bell	D	7	Raymond
<b>MISSOURI</b>			
Arnold, Wat	R	1	Kirksville
Schwabe, Max	R	2	Columbia
Cofe, William C.	R	3	St. Joseph
Bell, C. Jasper	D	4	Blue Springs
Reeves, Albert L. Jr.	R	5	Kansas City
Bennett, Marion T.	R	6	Springfield
Short, Dewey	R	7	Galena
Banta, Parke M.	R	8	Arcadia
Cannon, Clarence	D	9	Elsberry

# HOUSE OF REPRESENTATIVES

MISSOURI—Continued	Party	Dist.	City
Bakewell, Claude I.	R	11	St. Louis
Ploeser, Walter C.	R	12	Chesterfield, R. F. D.
Karsten, Frank M.	D	13	St. Louis
<b>MONTANA</b>			
Mansfield, Mike	D	1	Missoula
D'Ewart, Wesley A.	R	2	Wilsall
<b>NEBRASKA</b>			
Curtis, Carl T.	R	1	Minden
Buffett, Howard H.	R	2	Omaha
Stefan, Karl	R	3	Norfolk
Miller, A. L.	R	4	Kimball
<b>NEVADA</b>			
Russell, Charles H.	R	At L.	Ely
<b>NEW HAMPSHIRE</b>			
Merrow, Chester E.	R	1	Center Ossipee
Cotton, Norris	R	2	Lebanon
<b>NEW JERSEY</b>			
Wolverton, Charles A.	R	1	Merchantville
Hand, T. Millet	R	2	Cape May City
Auchincloss, James C.	R	3	Rumson
Mathews, Frank A. Jr.	R	4	Riverton
Eaton, Charles A.	R	5	Watchung
Case, Clifford P.	R	6	Rahway
Thomas, J. Parnell	R	7	Allendale
Canfield, Gordon	R	8	Paterson
Towe, Harry L.	R	9	Rutherford
Hartley, Fred A. Jr.	R	10	Kearny
Sundstrom, Frank L.	R	11	East Orange
Kean, Robert W.	R	12	Livingston
Norton, Mary T.	D	13	Jersey City
Hart, Edward J.	D	14	Jersey City
<b>NEW MEXICO</b>			
Fernandez, Antonio M.	D	At L.	Santa Fe
Lusk, Georgia L.	D	At L.	Santa Fe
<b>NEW YORK</b>			
Macy, W. Kingsland	R	1	Islip
Hall, Leonard W.	R	2	Oyster Bay
Latham, Henry J.	R	3	Queens Village
McMahon, Gregory	R	4	Ozone Park
Ross, Robert Tripp	R	5	Jackson Heights
Nodar, Robert Jr.	R	6	Maspeth
Delaney, John J.	D	7	Brooklyn
Pfeifer, Joseph L.	D	8	Brooklyn
Keogh, Eugene J.	D	9	Brooklyn
Somers, Andrew L.	D	10	Brooklyn
Heffernan, James J.	D	11	Brooklyn
Rooney, John J.	D	12	Brooklyn
O'Toole, Donald L.	D	13	Brooklyn
Multer, Abraham J.	D	14	Brooklyn



# HOUSE OF REPRESENTATIVES

## NEW YORK—Continued

	Party	Dist.	City
Celler, Emanuel	D	15	Brooklyn
Buck, Ellsworth B.	R	16	Staten Island
Coudert, Frederic R. Jr.	R	17	New York City
Marcantonio, Vito	A. L.	18	New York City
Klein, Arthur G.	D	19	New York City
Bloom, Sol	D	20	New York City
Javits, Jacob K. (Jack)	R	21	New York City
Powell, Adam C. Jr.	D	22	New York City
Lynch, Walter A.	D	23	New York City
Isacson, Leo	A. L.	24	New York City
Buckley, Charles A.	D	25	New York City
Potts, David M.	R	26	New York City
Gwinn, Ralph W.	R	27	Bronxville
Gamble, Ralph A.	R	28	Larchmont
St. George, Katharine	R	29	Tuxedo Park
LeFevre, Jay	R	30	New Paltz
Kearney, Bernard W. (Pat)	R	31	Gloversville
Byrne, William T.	D	32	Loudonville
Taylor, Dean P.	R	33	Troy
Kilburn, Clarence E.	R	34	Malone
Fuller, Hadwen C.	R	35	Parish
Riehlman R. Walter	R	36	Tully
Hall, Edwin Arthur	R	37	Binghamton
Taber, John	R	38	Auburn
Cole, W. Sterling	R	39	Bath
Keating, Kenneth B.	R	40	Rochester
Wadsworth, James W.	R	41	Geneseo
Andrews, Walter G.	R	42	Buffalo
Elsaesser, Edward J.	R	43	Buffalo
Butler, John C.	R	44	Buffalo
Reed, Daniel A.	R	45	Dunkirk

## NORTH CAROLINA

Bonner, Herbert C.	D	1	Washington
Kerr, John H.	D	2	Warrenton
Barden, Graham A.	D	3	New Bern
Cooley, Harold D.	D	4	Nashville
Folger, John H.	D	5	Mount Airy
Durham, Carl T.	D	6	Chapel Hill
Clark, J. Bayard	D	7	Fayetteville
Deane, Charles B.	D	8	Rockingham
Doughton, Robert L.	D	9	Laurel Springs
Jones, Hamilton C.	D	10	Charlotte
Bulwinkle, Alfred L.	D	11	Gastonia
Redden, Monroe M.	D	12	Hendersonville

## NORTH DAKOTA

Lemke, William	R	At L.	Fargo
Robertson, Charles R.	R	At L.	Bismarck

# HOUSE OF REPRESENTATIVES

OHIO	Party	Dist.	City
Elston, Charles H.	R	1	Cincinnati
Hess, William E.	R	2	Cincinnati
Burke, Raymond H.	R	3	Hamilton
McCulloch, William M.	R	4	Piqua
Clevenger, Cliff	R	5	Bryan
McCowen, Edward O.	R	6	Wheelersburg
Brown, Clarence J.	R	7	Blanchester
Smith, Frederick C.	R	8	Marion
Ramey, Homer A.	R	9	Toledo
Jenkins, Thomas A.	R	10	Ironton
Brehm, Walter E.	R	11	Logan
Vorys, John M.	R	12	Columbus
Weichel, Alvin F.	R	13	Sandusky
Huber, Walter B.	D	14	Akron
Griffiths, P. W.	R	15	Marietta
Carson, Henderson H.	R	16	Canton
McGregor, J. Harry	R	17	West Lafayette
Lewis, Earl R.	R	18	St. Clairsville
Kirwan, Michael J.	D	19	Youngstown
Feighan, Michael A.	D	20	Cleveland
Crosser, Robert	D	21	Cleveland
Bolton, Frances P.	R	22	Lyndhurst
Bender, George H.	R	At L.	Cleveland Heights
OKLAHOMA			
Schwabe, George B.	R	1	Tulsa
Stigler, William G.	D	2	Stigler
Albert, Carl	D	3	McAlester
Johnson, Glen D.	D	4	Okemah
Monroney, A. S. Mike	D	5	Oklahoma City
Morris, Toby	D	6	Lawton
Peden, Preston E.	D	7	Altus
Rizley, Ross	R	8	Guymon
OREGON			
Norblad, Walter	R	1	Astoria
Stockman, Lowell	R	2	Pendleton
Angell, Homer D.	R	3	Portland
Ellsworth, Harris	R	4	Roseburg
PENNSYLVANIA			
Gallagher, James	R	1	Philadelphia
McGarvey, Robert N.	R	2	Philadelphia
Scott, Hardie	R	3	Philadelphia
Maloney, Franklin J.	R	4	Philadelphia
Sarbacher, George W. Jr.	R	5	Philadelphia
Scott, Hugh D. Jr.	R	6	Philadelphia
Chadwick, E. Wallace	R	7	Moylan
Lichtenwalter, Franklin H.	R	8	Allentown
Dague, Paul B.	R	9	Downingtown
Scoblick, James P.	R	10	Archbald
Jenkins, Mitchell	R	11	Trucksville



# HOUSE OF REPRESENTATIVES

<b>PENNSYLVANIA—Continued</b>	<b>Party</b>	<b>Dist.</b>	<b>City</b>
Fenton, Ivor D.	R	12	Mahanoy City
Muhlenberg, Frederick A.	R	13	Sinking Springs (R. F. D.)
Gillette, Wilson D.	R	14	Towanda
Rich, Robert F.	R	15	Woolrich
McConnell, Samuel K. Jr.	R	16	Penn Wynne
Simpson, Richard M.	R	17	Huntingdon
Kunkel, John C.	R	18	Harrisburg
Gavin, Leon H.	R	19	Oil City
Walter, Francis E.	D	20	Easton
Gross, Chester H.	R	21	Manchester (R. F. D.)
Van Zandt, James E.	R	22	Altoona
Crow, William J.	R	23	Uniontown
Morgan, Thomas E.	D	24	Fredericktown
Graham, Louis E.	R	25	Beaver
Tibbott, Harve	R	26	Ebensburg
Kelley, Augustine B.	D	27	Greensburg
Kearns, Carroll D.	R	28	Farrell
McDowell, John	R	29	Wilkinsburg
Corbett, Robert J.	R	30	Bellevue
Fulton, James G.	R	31	Dormont (Pittsburgh)
Eberharter, Herman P.	D	32	Pittsburgh
Buchanan, Frank	D	33	McKeesport

## **RHODE ISLAND**

Forand, Aime J.	D	1	Cumberland
Fogarty, John E.	D	2	Harmony

## **SOUTH CAROLINA**

Rivers, L. Mendel	D	1	Charleston
Riley, John J.	D	2	Sumter
Dorn, W. J. Bryan	D	3	Greenwood
Bryson, Joseph R.	D	4	Greenville
Richards, James P.	D	5	Lancaster
McMillan, John L.	D	6	Florence

## **SOUTH DAKOTA**

Mundt, Karl E.	R	1	Madison
Case, Francis	R	2	Custer

## **TENNESSEE**

Phillips, Dayton E.	R	1	Elizabethton
Jennings, John E., Jr.	R	2	Knoxville
Kefauver, Estes	D	3	Chattanooga
Gore, Albert	D	4	Carthage
Evins, Joe L.	D	5	Smithville
Priest, J. Percy	D	6	Nashville
Courtney, Wirt	D	7	Franklin
Murray, Tom	D	8	Jackson
Cooper, Jere	D	9	Dyersburg
Davis, Clifford	D	10	Memphis

# HOUSE OF REPRESENTATIVES

TEXAS	Party	Dist.	City
Patman, Wright	D	1	Texarkana
Combs, J. M.	D	2	Beaumont
Beckworth, Lindley	D	3	Gladewater (R. F. D.)
Rayburn, Sam	D	4	Bonham
Wilson, J. Frank	D	5	Dallas
Teague, Olin E.	D	6	College Station
Pickett, Tom	D	7	Palestine
Thomas, Albert	D	8	Houston
Thompson, Clark W.	D	9	Galveston
Johnson, Lyndon B.	D	10	Johnson City
Poage, W. R.	D	11	Waco
Lucas, Wingate H.	D	12	Grapevine
Gossett, Ed	D	13	Wichita Falls
Lyle, John E.	D	14	Corpus Christi
West, Milton H.	D	15	Brownsville
Regan, Ken	D	16	Midland
Burleson, Omar	D	17	Ansom
Worley, Eugene	D	18	Shamrock
Mahon, George H.	D	19	Colorado City
Kilday, Paul J.	D	20	San Antonio
Fisher, O. C.	D	21	San Angelo
UTAH			
Granger, Walter K.	D	1	Cedar City
Dawson, William A.	R	2	Layton
VERMONT			
Plumley, Charles A.	R	At L.	Northfield
VIRGINIA			
Bland, Schuyler Otis	D	1	Newport News
Hardy, Porter Jr.	D	2	Norfolk
Gary, J. Vaughan	D	3	Richmond
Abbitt, Watkins M.	D	4	Appomattox
Stanley, Thomas B.	D	5	Stanleytown
Harrison, Burr P.	D	7	Winchester
Smith, Howard W.	D	8	Alexandria
Flannagan, John W. Jr.	D	9	Bristol
WASHINGTON			
Jones, Homer R.	R	1	Bremerton
Jackson, Henry M.	D	2	Everett
Mack, Russell V.	R	3	Hoquiam
Holmes, Hal	R	4	Ellensburg
Horan, Walt	R	5	Wenatchee
Tollefson, Thor C.	R	6	Tacoma
WEST VIRGINIA			
Love, Francis J.	R	1	Wheeling
Snyder, Melvin C.	R	2	Kingwood
Rohrbough, Edward G.	R	3	Glenville



# HOUSE OF REPRESENTATIVES

WEST VIRGINIA—Continued	Party	Dist.	City
Ellis, Hubert S.	R	4	Huntington
Kee, John	D	5	Bluefield
Hedrick, E. H.	D	6	Beckley
<b>WISCONSIN</b>			
Smith, Lawrence H.	R	1	Racine
Davis, Glenn R.	R	2	Waukesha
Stevenson, William H.	R	3	La Crosse
Brophy, John C.	R	4	Milwaukee
Kersten, Charles J.	R	5	Milwaukee
Keefe, Frank B.	R	6	Oshkosh
Murray, Reid F.	R	7	Ogdensburg
Byrnes, John W.	R	8	Green Bay
Hull, Merlin	R	9	Black River Falls
O'Konski, Alvin E.	R	10	Mercer
<b>WYOMING</b>			
Barrett, Frank A.	R	At L.	Lusk

Republicans	-	-	-	-	-	-	-	245
Democrats	-	-	-	-	-	-	-	186
American Labor	-	-	-	-	-	-	-	2

## DELEGATES AND RESIDENT COMMISSIONERS

ALASKA	Party	City
Delegate		
Bartlett, E. L.	D	Juneau
<b>HAWAII</b>		
Delegate		
Farrington, Joseph R.	R	Honolulu
<b>PUERTO RICO</b>		
Resident Commissioner		
Fernos-Isern, A.	P-D	San Juan

# ALPHABETICAL LIST OF MEMBERS OF CONGRESS

## SENATE

Name	Party	State	City
Aiken, George D.	R	Vermont	Putney
Baldwin, Raymond E.	R	Connecticut	Stratford
Ball, Joseph H.	R	Minnesota	St. Paul
Barkley, Alben W.	D	Kentucky	Paducah
Brewster, Owen	R	Maine	Dexter
Bricker, John W.	R	Ohio	Upper Arlington
Bridges, Styles	R	New Hampshire	Concord
Brooks, C. Wayland	R	Illinois	Chicago
Buck, C. Douglass	R	Delaware	Wilmington
Bushfield, Harlan J.	R	South Dakota	Miller
Butler, Hugh	R	Nebraska	Omaha
Byrd, Harry Flood	D	Virginia	Berryville
Cain, Harry P.	R	Washington	Tacoma
Capehart, Homer E.	R	Indiana	Washington
Capper, Arthur	R	Kansas	Topeka
Chavez, Dennis	D	New Mexico	Albuquerque
Connally, Tom	D	Texas	Marlin
Cooper, John Sherman	R	Kentucky	Somerset
Cordon, Guy	R	Oregon	Roseburg
Donnell, Forrest C.	R	Missouri	Webster Grove
Downey, Sheridan	D	California	Laguna Beach
Dworshak, Henry C.	R	Idaho	Burley
Eastland, James O.	D	Mississippi	Ruleville
Eaton, Zales N.	R	Montana	Manhattan
Ellender, Allen J.	D	Louisiana	Houma
Ferguson, Homer	R	Michigan	Detroit
Flanders, Ralph E.	R	Vermont	Springfield
Fulbright, J. William	D	Arkansas	Fayetteville
George, Walter F.	D	Georgia	Vienna
Green, Theodore Francis	D	Rhode Island	Providence
Gurney, Chan S.	R	South Dakota	Yankton
Hatch, Carl A.	D	New Mexico	Clovis
Hawkes, Albert W.	R	New Jersey	Montclair
Hayden, Carl	D	Arizona	Phoenix
Hickenlooper, Bourke B.	R	Iowa	Cedar Rapids
Hill, Lister	D	Alabama	Montgomery
Hoey, Clyde R.	D	North Carolina	Shelby
Holland, Spessard L.	D	Florida	Bartow
Ives, Irving M.	R	New York	Norwich
Jenner, William E.	R	Indiana	Bedford
Johnson, Edwin C.	D	Colorado	Craig
Johnston, Olin D.	D	South Carolina	Spartanburg
Kem, James P.	R	Missouri	Kansas City
Kilgore, Harley M.	D	West Virginia	Beckley
Knowland, William F.	R	California	Oakland



## ALPHABETICAL LIST—SENATE

Name	Party	State	City
Langer, William N.	R	North Dakota	Bismarck
Lodge, Henry Cabot, Jr.	R	Massachusetts	Beverly
Lucas, Scott W.	D	Illinois	Havana
McCarran, Pat	D	Nevada	Reno
McCarthy, Joseph R.	R	Wisconsin	Appleton
McClellan, John L.	D	Arkansas	Camden
McFarland, Ernest W.	D	Arizona	Florence
McGrath, J. Howard	D	Rhode Island	Providence
McKellar, Kenneth	D	Tennessee	Memphis
McMahon, Brien	D	Connecticut	South Norwalk
Magnuson, Warren G.	D	Washington	Seattle
Malone, George W.	R	Nevada	Reno
Martin, Edward	R	Pennsylvania	Washington
Maybank, Burnet R.	D	South Carolina	Charleston
Millikin, Eugene D.	R	Colorado	Denver
Moore, E. H.	R	Oklahoma	Tulsa
Morse, Wayne	R	Oregon	Eugene
Murray, James E.	D	Montana	Butte
Myers, Francis J.	D	Pennsylvania	Philadelphia
O'Connor, Herbert R.	D	Maryland	Annapolis
O'Daniel, Lee W.	D	Texas	Fort Worth
O'Mahoney, Joseph C.	D	Wyoming	Cheyenne
Overton, John H.	D	Louisiana	Alexandria
Pepper, Claude	D	Florida	Tallahassee
Reed, Clyde M.	R	Kansas	Parsons
Revercomb, Chapman	R	West Virginia	Charleston
Robertson, A. Willis	D	Virginia	Lexington
Robertson, Edward V.	R	Wyoming	Cody
Russell, Richard B.	D	Georgia	Winder
Saltonstall, Leverett	R	Massachusetts	Chestnut Hill
Smith, H. Alexander	R	New Jersey	Princeton
Sparkman, John J.	D	Alabama	Huntsville
Stennis, John C.	D	Mississippi	DeKalb
Stewart, Tom	D	Tennessee	Winchester
Taft, Robert A.	R	Ohio	Cincinnati
Taylor, Glen H.	D	Idaho	Pocatello
Thomas, Elbert D.	D	Utah	Salt Lake City
Thomas, Elmer	D	Oklahoma	Medicine Park
Thye, Edward J.	R	Minnesota	Northfield R. F. D.
Tobey, Charles W.	R	New Hampshire	Temple
Tydings, Millard E.	D	Maryland	Havre de Grace
Umstead, William B.	D	North Carolina	Durham
Vandenberg, Arthur H.	R	Michigan	Grand Rapids
Wagner, Robert F.	D	New York	New York City
Watkins, Arthur V.	R	Utah	Orem
Wherry, Kenneth S.	R	Nebraska	Pawnee City
White, Wallace H., Jr.	R	Maine	Auburn
Wiley, Alexander	R	Wisconsin	Chippewa Falls
Williams, John J.	R	Delaware	Millsboro
Wilson, George A.	R	Iowa	Des Moines
Young, Milton R.	R	North Dakota	Berlin

## ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

## HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Abbitt, Watkins M.	D	4	Virginia	Appomattox
Abernethy, Thomas G.	D	4	Mississippi	Okolona
Albert, Carl	D	3	Oklahoma	McAlester
Allen, A. Leonard	D	8	Louisiana	Winnfield
Allen, John J., Jr.	R	7	California	Oakland
Allen, Leo E.	R	13	Illinois	Galena
Andersen, H. Carl	R	7	Minnesota	Tyler
Anderson, Jack Z.	R	8	California	San Juan Bautista
Andresen, August H.	R	1	Minnesota	Red Wing
Andrews, George W.	D	3	Alabama	Union Springs
Andrews, Walter G.	R	42	New York	Buffalo
Angell, Homer D.	R	3	Oregon	Portland
Arends, Leslie C.	R	17	Illinois	Melvin
Arnold, Wat	R	1	Missouri	Kirksville
Auchincloss, James C.	R	3	New Jersey	Rumson
Bakewell, Claude I.	R	11	Missouri	St. Louis
Banta, Parke M.	R	8	Missouri	Arcadia
Barden, Graham A.	D	3	North Carolina	New Bern
Barrett, Frank A.	R	At L.	Wyoming	Lusk
Bates, George J.	R	6	Massachusetts	Salem
Bates, Joe B.	D	8	Kentucky	Greenup
Battle, Laurie C.	D	9	Alabama	Birmingham
Beall, J. Glenn	R	6	Maryland	Frostburg
Beckworth, Lindley	D	3	Texas	Gladewater R.F.D.
Bell, C. Jasper	D	4	Missouri	Blue Springs
Bender, George H.	R	At L.	Ohio	Cleveland Heights
Bennett, John B.	R	12	Michigan	Ontonagon
Bennett, Marion T.	R	6	Missouri	Springfield
Bishop, C. W. (Runt)	R	25	Illinois	Carterville
Blackney, William W.	R	6	Michigan	Flint
Bland, Schuyler Otis	D	1	Virginia	Newport News
Blatnik, John A.	D	8	Minnesota	Chisholm
Bloom, Sol	D	20	New York	New York City
Boggs, Hale	D	2	Louisiana	New Orleans
Boggs, J. Caleb	R	At L.	Delaware	Wilmington
Bolton, Frances P.	R	22	Ohio	Lyndhurst
Bonner, Herbert C.	D	1	North Carolina	Washington
Boykin, Frank W.	D	1	Alabama	Mobile
Bradley, Willis W.	R	18	California	Long Beach
Bramblett, Ernest K.	R	11	California	Pacific Grove
Brehm, Walter E.	R	11	Ohio	Logan
Brooks, Overton	D	4	Louisiana	Shreveport
Brophy, John C.	R	4	Wisconsin	Milwaukee
Brown, Clarence J.	R	7	Ohio	Blanchester
Brown, Paul	D	10	Georgia	Elberton
Bryson, Joseph R.	D	4	South Carolina	Greenville
Buchanan, Frank	D	33	Pennsylvania	McKeesport
Buck, Ellsworth B.	R	16	New York	Staten Island
Buckley, Charles A.	D	25	New York	New York City
Buffett, Howard H.	R	2	Nebraska	Omaha
Bulwinkle, Alfred L.	D	11	North Carolina	Gastonia
Burke, Raymond H.	R	3	Ohio	Hamilton



# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Burleson, Omar	D	17	Texas	Anson
Busbey, Fred E.	R	3	Illinois	Chicago
Butler, John C.	R	44	New York	Buffalo
Byrne, William T.	D	32	New York	Loudonville
Byrnes, John W.	R	8	Wisconsin	Green Bay
Camp, A. Sidney	D	4	Georgia	Newnan
Canfield, Gordon	R	8	New Jersey	Paterson
Cannon, Clarence	D	9	Missouri	Elsberry
Carroll, John A.	D	1	Colorado	Denver
Carson, Henderson H.	R	16	Ohio	Canton
Case, Clifford P.	R	6	New Jersey	Rahway
Case, Francis S.	R	2	South Dakota	Custer
Celler, Emanuel	D	15	New York	Brooklyn
Chadwick, E. Wallace	R	7	Pennsylvania	Moylan
Chapman, Virgil	D	6	Kentucky	Paris
Chelf, Frank L.	D	4	Kentucky	Lebanon
Chenoweth, J. Edgar	R	3	Colorado	Trinidad
Chiperfield, Robert B.	R	15	Illinois	Canton
Church, Ralph E.	R	10	Illinois	Evanston
Clark, J. Bayard	D	7	North Carolina	Fayetteville
Clason, Charles R.	R	2	Massachusetts	Springfield
Clevenger, Cliff	R	5	Ohio	Bryan
Clippinger, Roy	R	24	Illinois	Carmi
Coffin, Howard A.	R	13	Michigan	Detroit
Cole, Albert M.	R	1	Kansas	Holton
Cole, William C.	R	3	Missouri	St. Joseph
Cole, W. Sterling	R	39	New York	Bath
Colmer, William M.	D	6	Mississippi	Pascagoula
Combs, J. M.	D	2	Texas	Beaumont
Cooley, Harold D.	D	4	North Carolina	Nashville
Cooper, Jere	D	9	Tennessee	Dyersburg
Corbett, Robert J.	R	30	Pennsylvania	Bellevue
Cotton, Norris	R	2	New Hampshire	Lebanon
Coudert, Frederic R., Jr.	R	17	New York	New York City
Courtney, Wirt	D	7	Tennessee	Franklin
Cox, E. E.	D	2	Georgia	Camilla
Cravens, Fadjo	D	4	Arkansas	Fort Smith
Crawford, Fred L.	R	8	Michigan	Saginaw
Crosser, Robert	D	21	Ohio	Cleveland
Crow, William J.	R	23	Pennsylvania	Uniontown
Cunningham, Paul	R	5	Iowa	Des Moines
Curtis, Carl T.	R	1	Nebraska	Minden
Dague, Paul B.	R	9	Pennsylvania	Downingtown
Davis, Clifford	D	10	Tennessee	Memphis
Davis, Glenn R.	R	2	Wisconsin	Waukesha
Davis, James C.	D	5	Georgia	Decatur
Dawson, William A.	R	2	Utah	Layton
Dawson, William L.	D	1	Illinois	Chicago
Deane, Charles B.	D	8	North Carolina	Rockingham
Delaney, John J.	D	7	New York	Brooklyn
Devitt, Edward J.	R	4	Minnesota	St. Paul
D'Ewart, Wesley A.	R	2	Montana	Wilsall
Dingell, John D.	D	15	Michigan	Detroit
Dirksen, Everett M.	R	16	Illinois	Pekin

# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Dolliver, James I.	R	6	Iowa	Fort Dodge
Domengeaux, James	D	3	Louisiana	Lafayette
Dondero, George A.	R	17	Michigan	Royal Oak
Donohue, Harold D.	D	4	Massachusetts	Worcester
Dorn, W. J. Bryan	D	3	South Carolina	Greenwood
Doughton, Robert L.	D	9	North Carolina	Laurel Springs
Douglas, Helen Gahagan	D	14	California	Los Angeles
Durham, Carl T.	D	6	North Carolina	Chapel Hill
Eaton, Charles A.	R	5	New Jersey	Watchung
Eberharter, Herman P.	D	32	Pennsylvania	Pittsburgh
Elliot, Alfred J.	D	10	California	Tulare
Ellis, Hubert S.	R	4	West Virginia	Huntington
Ellsworth, Harris	R	4	Oregon	Roseburg
Elsaesser, Edward J.	R	43	New York	Buffalo
Elston, Charles H.	R	1	Ohio	Cincinnati
Engel, Albert J.	R	9	Michigan	Muskegon
Engle, Clair	D	2	California	Red Bluff
Evins, Joe L.	D	5	Tennessee	Smithville
Fallon, George H.	D	4	Maryland	Baltimore
Feighan, Michael A.	D	20	Ohio	Cleveland
Fellows, Frank	R	3	Maine	Bangor
Fenton, Ivor D.	R	12	Pennsylvania	Mahanoy City
Fernandez, Antonio M.	D	At L.	New Mexico	Santa Fe
Fisher, O. C.	D	21	Texas	San Angelo
Flannagan, John W., Jr.	D	9	Virginia	Bristol
Fletcher, Charles K.	R	23	California	San Diego
Fogarty, John E.	D	2	Rhode Island	Harmony
Folger, John H.	D	5	North Carolina	Mount Airy
Foote, Ellsworth B.	R	3	Connecticut	North Branford
Forand, Aime J.	D	1	Rhode Island	Cumberland
Fuller, Hadwen C.	R	35	New York	Parish
Fulton, James G.	R	31	Pennsylvania	Dormont (Pittsburgh)
Gallagher, James	R	1	Pennsylvania	Philadelphia
Gamble, Ralph A.	R	28	New York	Larchmont
Garmatz, Edward A.	D	3	Maryland	Baltimore
Gary, J. Vaughan	D	3	Virginia	Richmond
Gathings, E. C.	D	1	Arkansas	West Memphis
Gavin, Leon H.	R	19	Pennsylvania	Oil City
Gearhart, Bertrand W.	R	9	California	Fresno
Gillette, Wilson D.	R	14	Pennsylvania	Towanda
Gillie, George W.	R	4	Indiana	Fort Wayne
Goff, Abe McGregor	R	1	Idaho	Moscow
Goodwin, Angier L.	R	8	Massachusetts	Melrose
Gordon, Thomas S.	D	8	Illinois	Chicago
Gore, Albert	D	4	Tennessee	Carthage
Gorski, Martin	D	4	Illinois	Chicago
Gossett, Ed	D	13	Texas	Wichita Falls
Graham, Louis E.	R	25	Pennsylvania	Beaver
Granger, Walter K.	D	1	Utah	Cedar City
Grant, George M.	D	2	Alabama	Troy
Grant, Robert A.	R	3	Indiana	South Bend
Gregory, Noble J.	D	1	Kentucky	Mayfield
Griffiths, P. W.	R	15	Ohio	Marietta



# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Gross, Chester H.	R	21	Pennsylvania	Manchester R.F.D
Gwinn, Ralph W.	R	27	New York	Bronxville
Gwynne, John W.	R	3	Iowa	Waterloo
Hagen, Harold C.	R	9	Minnesota	Crookston
Hale, Robert	R	1	Maine	Portland
Hall, Edwin Arthur	R	37	New York	Binghamton
Hall, Leonard W.	R	2	New York	Oyster Bay
Halleck, Charles A.	R	2	Indiana	Rensselaer
Hand, T. Millet	R	2	New Jersey	Cape May City
Hardy, Porter, Jr.	D	2	Virginia	Norfolk
Harless, Richard F.	D	At L.	Arizona	Phoenix
Harness, Forest A.	R	5	Indiana	Kokomo
Harris, Oren	D	7	Arkansas	El Dorado
Harrison, Burr P.	D	7	Virginia	Winchester
Hart, Edward J.	D	14	New Jersey	Jersey City
Hartley, Fred A., Jr.	R	10	New Jersey	Kearny
Harvey, Ralph	R	10	Indiana	New Castle
Havener, Franck R.	D	4	California	San Francisco
Hays, Brooks	D	5	Arkansas	Little Rock
Hébert, F. Edward	D	1	Louisiana	New Orleans
Hedrick, E. H.	D	6	West Virginia	Beckley
Heffernan, James J.	D	11	New York	Brooklyn
Hendricks, Joe	D	5	Florida	De Land
Herter, Christian A.	R	10	Massachusetts	Boston
Heseltun, John W.	R	1	Massachusetts	Deerfield
Hess, William E.	R	2	Ohio	Cincinnati
Hill, William S.	R	2	Colorado	Fort Collins
Hinshaw, Carl	R	20	California	Pasadena
Hobbs, Sam	D	4	Alabama	Selma
Hoeven, Charles B.	R	8	Iowa	Alton
Hoffman, Clare E.	R	4	Michigan	Allegan
Holifield, Chet	D	19	California	Montebello
Holmes, Hal	R	4	Washington	Ellensburg
Hope, Clifford R.	R	5	Kansas	Garden City
Horan, Walt	R	5	Washington	Wenatchee
Huber, Walter B.	D	14	Ohio	Akron
Hull, Merlin	R	9	Wisconsin	Black River Falls
Isacson, Leo	A. L.	24	New York	New York City
Jackson, Donald L.	R	16	California	Santa Monica
Jackson, Henry M.	D	2	Washington	Everett
Jarman, Pete	D	6	Alabama	Livingston
Javits, Jacob K.	R	21	New York	New York City
Jenison, Edward H.	R	18	Illinois	Paris
Jenkins, Mitchell	R	11	Pennsylvania	Trucksville
Jenkins, Thomas A.	R	10	Ohio	Ironton
Jennings, John, Jr.	R	2	Tennessee	Knoxville
Jensen, Ben F.	R	7	Iowa	Exira
Johnson, Anton J.	R	14	Illinois	Macomb
Johnson, Glen D.	D	4	Oklahoma	Okemah
Johnson, Leroy	R	3	California	Stockton
Johnson, Lyndon B.	D	10	Texas	Johnson City
Johnson, Noble J.	R	6	Indiana	Terre Haute
Jones, Hamilton C.	D	10	North Carolina	Charlotte
Jones, Homer R.	R	1	Washington	Bremerton
Jones, Robert E., Jr.	D	8	Alabama	Scottsboro

# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Jonkman, Bartel J.	R	5	Michigan	Grand Rapids
Judd, Walter H.	R	5	Minnesota	Minneapolis
Karsten, Frank M.	D	13	Missouri	St. Louis
Kean, Robert W.	R	12	New Jersey	Livingston
Kearney, Bernard W. (Pat)	R	31	New York	Gloversville
Kearns, Carroll D.	R	28	Pennsylvania	Farrell
Keating, Kenneth B.	R	40	New York	Rochester
Kee, John	D	5	West Virginia	Bluefield
Keefe, Frank B.	R	6	Wisconsin	Oshkosh
Kefauver, Estes	D	3	Tennessee	Chattanooga
Kelley, Augustine B.	D	27	Pennsylvania	Greensburg
Kennedy, John F.	D	11	Massachusetts	Boston
Keogh, Eugene J.	D	9	New York	Brooklyn
Kerr, John H.	D	2	North Carolina	Warrenton
Kersten, Charles J.	R	5	Wisconsin	Milwaukee
Kilburn, Clarence E.	R	34	New York	Malone
Kilday, Paul J.	D	20	Texas	San Antonio
King, Cecil R.	D	17	California	Los Angeles
Kirwan, Michael J.	D	19	Ohio	Youngstown
Klein, Arthur G.	D	19	New York	New York City
Knutson, Harold	R	6	Minnesota	Manhattan Beach
Kunkel, John C.	R	18	Pennsylvania	Harrisburg
Landis, Gerald W.	R	7	Indiana	Linton
Lane, Thomas J.	D	7	Massachusetts	Lawrence
Lanham, Henderson	D	7	Georgia	Rome
Larcade, Henry D., Jr.	D	7	Louisiana	Opelousas
Latham, Henry J.	R	3	New York	Queens Village
Lea, Clarence F.	D	1	California	Santa Rosa
Le Compte, Karl M.	R	4	Iowa	Corydon
LeFevre, Jay	R	30	New York	New Paltz
Lemke, William	R	At L.	North Dakota	Fargo
Lesinski, John	D	16	Michigan	Dearborn
Lewis, Earl R.	R	18	Ohio	St. Clairsville
Lewis, William	R	9	Kentucky	London
Lichtenwalter, Franklin H.	R	8	Pennsylvania	Allentown
Lodge, John Davis	R	4	Connecticut	Westport
Love, Francis J.	R	1	West Virginia	Wheeling
Lucas, Wingate H.	D	12	Texas	Grapevine
Ludlow, Louis	D	11	Indiana	Indianapolis
Lusk, Georgia L.	D	At L.	New Mexico	Santa Fe
Lyle, John E.	D	14	Texas	Corpus Christi
Lynch, Walter A.	D	23	New York	New York City
McConnell, Samuel K., Jr.	R	16	Pennsylvania	Penn Wynne
McCormack, John W.	D	12	Massachusetts	Dorchester
McCowen, Edward O.	R	6	Ohio	Wheelersburg
McCulloch, William M.	R	4	Ohio	Piqua
McDonough, Gordon L.	R	15	California	Los Angeles
McDowell, John	R	29	Pennsylvania	Wilksburg
McGarvey, Robert N.	R	2	Pennsylvania	Philadelphia
McGregor, J. Harry	R	17	Ohio	West Lafayette
Mack, Russell V.	R	3	Washington	Hoquiam
MacKinnon, George	R	3	Minnesota	Minneapolis
McMahon, Gregory	R	4	New York	Ozone Park
McMillan, John L.	D	6	South Carolina	Florence



# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
McMillen, Rolla C.	R	19	Illinois	Decatur
Macy, W. Kingsland	R	1	New York	Islip
Madden, Ray J.	D	1	Indiana	Gary
Mahon, George H.	D	19	Texas	Colorado City
Maloney, Franklin J.	R	4	Pennsylvania	Philadelphia
Manasco, Carter	D	7	Alabama	Jasper
Mansfield, Mike	D	1	Montana	Missoula
Marcantonio, Vito	A. L.	18	New York	New York City
Martin, Joseph W., Jr.	R	14	Massachusetts	North Attleboro
Martin, Thomas E.	R	1	Iowa	Iowa City
Mason, Noah M.	R	12	Illinois	Oglesby
Mathews, Frank A., Jr.	R	4	New Jersey	Riverton
Meade, Hugh A.	D	2	Maryland	Baltimore
Meade, W. Howes	R	7	Kentucky	Paintsville
Merrow, Chester E.	R	1	New Hampshire	Center Ossipee
Meyer, Herbert A.	R	3	Kansas	Independence
Michener, Earl C.	R	2	Michigan	Adrian
Miller, A. L.	R	4	Nebraska	Kimball
Miller, Edward T.	R	1	Maryland	Easton
Miller, George P.	D	6	California	Alameda
Miller, William J.	R	1	Connecticut	Weathersfield
Mills, Wilbur D.	D	2	Arkansas	Kensett
Mitchell, E. (Edward) A.	R	8	Indiana	Evansville
Monroney, A. S. Mike	D	5	Oklahoma	Oklahoma City
Morgan, Thomas E.	D	24	Pennsylvania	Fredericktown
Morris, Toby	D	6	Oklahoma	Lawton
Morrison, James H.	D	6	Louisiana	Hammond
Morton, Thruston Ballard	R	3	Kentucky	Glenview
Muhlenberg, Frederick A.	R	13	Pennsylvania	Sinking Springs R.F.D.
Multer, Abraham J.	D	14	New York	Brooklyn
Mundt, Karl E.	R	1	South Dakota	Madison
Murdock, John R.	D	At L.	Arizona	Tempe
Murray, Reid F.	R	7	Wisconsin	Ogdensburg
Murray, Tom	D	8	Tennessee	Jackson
Nicholson, Donald W.	R	9	Massachusetts	Wareham
Nixon, Richard M.	R	12	California	Whittier
Nodar, Robert J.	R	6	New York	Maspeth
Norblad, Walter	R	1	Oregon	Astoria
Norrell, W. F.	D	6	Arkansas	Monticello
Norton, Mary T.	D	13	New Jersey	Jersey City
O'Brien, Thomas J.	D	6	Illinois	Chicago
O'Hara, Joseph P.	R	2	Minnesota	Glencoe
O'Konski, Alvin E.	R	10	Wisconsin	Mercer
O'Toole, Donald L.	D	13	New York	Brooklyn
Owens, Thomas L.	R	7	Illinois	Chicago
Pace, Stephen	D	3	Georgia	Americus
Passman, Otto E.	D	5	Louisiana	Monroe
Patman, Wright	D	1	Texas	Texarkana
Patterson, James T.	R	5	Connecticut	Naugatuck
Peden, Preston E.	D	7	Oklahoma	Altus
Peterson, J. Hardin	D	1	Florida	Lakeland
Pfeifer, Joseph L.	D	8	New York	Brooklyn

# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Philbin, Philip J.	D	3	Massachusetts	Clinton
Phillips, Dayton E.	R	1	Tennessee	Elizabethton
Phillips, John	R	22	California	Banning
Pickett, Tom	D	7	Texas	Palestine
Ploeser, Walter C.	R	12	Missouri	Chesterfield R.F.D.
Plumley, Charles A.	R	At L.	Vermont	Northfield
Poage, W. R.	D	11	Texas	Waco
Potter, Charles E.	R	11	Michigan	Cheboygan
Potts, David M.	R	26	New York	New York City
Poulson, Norris	R	13	California	Los Angeles
Powell, Adam C., Jr.	D	22	New York	New York City
Preston, Prince H., Jr.	D	1	Georgia	Statesboro
Price, Emory H.	D	2	Florida	Jacksonville
Price, Melvin	D	22	Illinois	East St. Louis
Priest, J. Percy	D	6	Tennessee	Nashville
Rains, Albert	D	5	Alabama	Gadsden
Ramey, Homer A.	R	9	Ohio	Toledo
Rankin, John E.	D	1	Mississippi	Tupelo
Rayburn, Sam	D	4	Texas	Bonham
Redden, Monroe M.	D	12	North Carolina	Hendersonville
Reed, Chauncey W.	R	11	Illinois	West Chicago
Reed, Daniel A.	R	45	New York	Dunkirk
Rees, Edward H.	R	4	Kansas	Emporia
Reeves, Albert L., Jr.	R	5	Missouri	Kansas City
Regan, Ken	D	16	Texas	Midland
Rich, Robert F.	R	15	Pennsylvania	Woolrich
Richards, James P.	D	5	South Carolina	Lancaster
Richman, R. Walter	R	36	New York	Tully
Riley, John J.	D	2	South Carolina	Sumter
Rivers, L. Mendel	D	1	South Carolina	Charleston
Rizley, Ross	R	8	Oklahoma	Guymon
Robertson, Charles R.	R	At L.	North Dakota	Bismarck
Rockwell, Robert F.	R	4	Colorado	Paonia
Rogers, Dwight L.	D	6	Florida	Fort Lauderdale
Rogers, Edith Nourse	R	5	Massachusetts	Lowell
Rohrbough, Edward G.	R	3	West Virginia	Glenville
Rooney, John J.	D	12	New York	Brooklyn
Ross, Robert Tripp	R	5	New York	Jackson Heights
Russell, Charles H.	R	At L.	Nevada	Ely
Sabath, Adolph J.	D	5	Illinois	Chicago
Sadlak, Antoni N.	R	At L.	Connecticut	Rockville
Sadowski, George G.	D	1	Michigan	Detroit
St. George, Katharine	R	29	New York	Tuxedo Park
Sanborn, John	R	2	Idaho	Hagerman
Sarbacher, George W., Jr.	R	5	Pennsylvania	Philadelphia
Sasscer, Lansdale G.	D	5	Maryland	Upper Marlboro
Schwabe, George B.	R	1	Oklahoma	Tulsa
Schwabe, Max	R	2	Missouri	Columbia
Scoblick, James P.	R	10	Pennsylvania	Archbald
Scott, Hardie	R	3	Pennsylvania	Philadelphia
Scott, Hugh D., Jr.	R	6	Pennsylvania	Philadelphia
Scrivner, Errett P.	R	2	Kansas	Kansas City



# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Seely-Brown, Horace, Jr.	R	2	Connecticut	Pomfret
Shafer, Paul W.	R	3	Michigan	Battle Creek
Sheppard, Harry R.	D	21	California	Yucaipa
Short, Dewey	R	7	Missouri	Galena
Sikes, Robert L. F.	D	3	Florida	Crestview
Simpson, Richard M.	R	17	Pennsylvania	Huntingdon
Simpson, Sid	R	20	Illinois	Carrollton
Smathers, George A.	D	4	Florida	Miami
Smith, Frederick C.	R	8	Ohio	Marion
Smith, Howard W.	D	8	Virginia	Alexandria
Smith, Lawrence H.	R	1	Wisconsin	Racine
Smith, Margaret Chase	R	2	Maine	Skowhegan
Smith, Wint	R	6	Kansas	Mankato
Snyder, Melvin C.	R	2	West Virginia	Kingwood
Somers, Andrew L.	D	10	New York	Brooklyn
Spence, Brent	D	5	Kentucky	Fort Thomas
Stanley, Thomas B.	D	5	Virginia	Stanleytown
Stefan, Karl	R	3	Nebraska	Norfolk
Stevenson, William H.	R	3	Wisconsin	La Crosse
Stigler, William G.	D	2	Oklahoma	Stigler
Stockman, Lowell	R	2	Oregon	Pendleton
Stratton, William G.	R	At L.	Illinois	Morris
Sundstrom, Frank L.	R	11	New Jersey	East Orange
Taber, John	R	38	New York	Auburn
Talle, Henry O.	R	2	Iowa	Decorah
Taylor, Dean P.	R	33	New York	Troy
Teague, Olin E.	D	6	Texas	College Station
Thomas, Albert	D	8	Texas	Houston
Thomas, J. Parnell	R	7	New Jersey	Allendale
Thompson, Clark W.	D	9	Texas	Galveston
Tibbott, Harve	R	26	Pennsylvania	Ebensburg
Tollefson, Thor C.	R	6	Washington	Tacoma
Towe, Harry L.	R	9	New Jersey	Rutherford
Trimble, James W.	D	3	Arkansas	Berryville
Twyman, Robert J.	R	9	Illinois	Chicago
Vail, Richard B.	R	2	Illinois	Chicago
Van Zandt, James E.	R	22	Pennsylvania	Altoona
Vinson, Carl	D	6	Georgia	Milledgeville
Vorys, John M.	R	12	Ohio	Columbus
Vursell, Charles W.	R	23	Illinois	Salem
Wadsworth, James W.	R	41	New York	Geneseo
Walter, Francis E.	D	20	Pennsylvania	Easton
Weichel, Alvin F.	R	13	Ohio	Sandusky
Welch, Richard J.	R	5	California	San Francisco
West, Milton H.	D	15	Texas	Brownsville
Wheeler, W. M. (Don)	D	8	Georgia	Douglas
Whitaker, John A.	D	2	Kentucky	Russellville
Whitten, Jamie L.	D	2	Mississippi	Charleston
Whittington, William M.	D	3	Mississippi	Greenwood
Wigglesworth, Richard B.	R	13	Massachusetts	Milton
Williams, John Bell	D	7	Mississippi	Raymond
Wilson, Earl	R	9	Indiana	Huron
Wilson, J. Frank	D	5	Texas	Dallas
Winstead, Arthur	D	5	Mississippi	Philadelphia

# ALPHABETICAL LIST—HOUSE OF REPRESENTATIVES

Name	Party	Dist.	State	City
Wolcott, Jesse P.	R	7	Michigan	Port Huron
Wolverton, Charles A.	R	1	New Jersey	Merchantville
Wood, John S.	D	9	Georgia	Canton
Woodruff, Roy O.	R	10	Michigan	Bay City
Worley, Eugene	D	18	Texas	Shamrock
Youngblood, Harold F.	R	14	Michigan	Detroit

## Delegates and Resident Commissioner

Name	Party	Title	Insular Possession or Territory	City
Bartlett, E. L.	D	Delegate	Alaska	Juneau
Farrington, Joseph R.	R	Delegate	Hawaii	Honolulu
Fernos-Isern, A.	P-D	Resident Commissioner	Puerto Rico	San Juan



## CONGRESSIONAL COMMITTEES

### SENATE STANDING COMMITTEES

For complete listing of Committees see U. S. Code Congressional  
Service 1948, Pamphlet No. 1, pp. XXXVII-LIII.

## SENATE STANDING COMMITTEES

### APPROPRIATIONS

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### SUBCOMMITTEES

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#### DEPARTMENT OF THE INTERIOR

Wherry	Hayden
Gurney	Thomas
Ball	O'Mahoney
Cordon	McCarran
Reed	Overton
Knowland	
Dworshak	

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### DISTRICT OF COLUMBIA

#### *Members*

C. DOUGLASS BUCK—Chairman

ARTHUR CAPPER	OLIN D. JOHNSTON
JOSEPH H. BALL	SPESSARD L. HOLLAND
JOHN SHERMAN COOPER	JOHN SPARKMAN
HARRY P. CAIN	WILLIAM B. UMSTEAD
JAMES P. KEM	J. HOWARD McGRATH
HENRY C. DWORSHAK	JOHN C. STENNIS

J. George Stewart, *Chief Clerk*  
James R. Kirkland, *Counsel*

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### EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

#### *Members*

GEORGE D. AIKEN—Chairman

HOMER FERGUSON	JOHN L. McCLELLAN
BOURKE B. HICKENLOOPER	JAMES O. EASTLAND
JOHN W. BRICKER	CLYDE R. HOEY
EDWARD J. THYE	GLEN H. TAYLOR
JOSEPH R. MCCARTHY	A. WILLIS ROBERTSON
IRVING M. IVES	HERBERT R. O'CONOR

J. H. Macomber, *Chief Clerk*  
Thomas A. Sarpington, *Assistant Chief Clerk*  
E. B. Van Horn, *Professional Staff Member*  
Walter L. Reynolds, *Professional Staff Member*

### SUBCOMMITTEES

#### INVESTIGATE SURPLUS PROPERTY DISPOSAL

Ferguson, <i>Chairman</i>	
Hickenlooper	McClellan
McCarthy	O'Connor



## SENATE STANDING COMMITTEES

### INVESTIGATE WILDLIFE CONSERVATION

Ferguson, *Chairman*  
Thye A. Willis Robertson

### TO STUDY INTERGOVERNMENTAL RELATIONS

Bricker, *Chairman*  
Hickenlooper Hoey  
Thye O'Connor

### ON RELATIONS WITH INTERNATIONAL ORGANIZATIONS

Ives, *Chairman*  
Hickenlooper O'Connor

### ON SENATE INVESTIGATIONS

Ferguson, *Chairman*  
Ives McClellan  
Bricker O'Connor  
Thye Hoey

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## JUDICIARY

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### SUBCOMMITTEES

#### PATENTS, TRADE-MARKS, AND COPYRIGHTS

Wiley, *Chairman* (2d Sess. 80th Cong.)  
McGrath

#### IMMIGRATION AND NATURALIZATION

Revercomb, *Chairman*  
McCarran

#### FEDERAL CHARTERS; HOLIDAYS AND CELEBRATIONS

Donnell, *Chairman*  
Kilgore

#### CONSTITUTIONAL AMENDMENTS

Revercomb, *Chairman*  
McCarran

#### IMPROVEMENTS IN JUDICIAL MACHINERY

Ferguson, *Chairman*  
McCarran

#### NATIONAL PENITENTIARIES

Langer, *Chairman*  
Donnell McGrath

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## LABOR AND PUBLIC WELFARE

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### SUBCOMMITTEES

#### EDUCATION

Aiken, *Chairman*  
Smith Thomas of Utah  
Donnell Ellender  
Ives Hill

## SENATE STANDING COMMITTEES

### HEALTH

Smith, *Chairman*

Ball	Murray
Donnell	Pepper

### VETERANS' AFFAIRS

Morse, *Chairman*

Ball	Thomas
Jenner	Pepper
Ives	Hill

### LABOR

Ball, *Chairman*

Donnell	Murray
Jenner	Ellender

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## POST OFFICE AND CIVIL SERVICE

### *Members*

WILLIAM LANGER—*Chairman*

C. DOUGLASS BUCK	DENNIS CHAVEZ
RALPH E. FLANDERS	KENNETH McKELLAR
RAYMOND E. BALDWIN	W. LEE O'DANIEL
EDWARD J. THYE	OLIN D. JOHNSTON
JOHN J. WILLIAMS	WILLIAM B. UMSTEAD
ZALES N. ECTON	HERBERT R. O'CONOR

George D. Riley, *Staff Director*

Colette E. Homan, *Clerk*

### SUBCOMMITTEES

#### EX OFFICIO MEMBERS OF THE COMMITTEE ON APPROPRIATIONS

Chavez, *Chairman*

Flanders  
Ecton

#### POST OFFICES

Langer, *Chairman*

Buck	Chavez
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#### GOVERNMENT CAFETERIA (S. RES. 42)

Baldwin, *Chairman*

Flanders	Johnston
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#### INVESTIGATE USE OF GOVERNMENT TIME FOR PRIVATE PUBLICATIONS

Thye, *Chairman*

Ecton	Umstead
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#### INVESTIGATE PERSONNEL CONDITIONS AT ELLIS ISLAND

Langer, *Chairman*

Thye	O'Connor
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### *Jurisdiction*

1. The Federal civil service generally.
2. The status of officers and employees of the United States, including their compensation, classification, and retirement.



## SENATE STANDING COMMITTEES

3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.
4. Postal-savings banks.
5. Census and the collection of statistics generally.
6. The National Archives.

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## PUBLIC WORKS

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### SUBCOMMITTEES

#### FLOOD CONTROL AND IMPROVEMENT OF RIVERS AND HARBORS

Malone, *Chairman*  
Cooper                      Overton  
Martin                      McClellan

#### PUBLIC BUILDINGS

Cain, *Chairman*  
Williams                      Downey

#### PUBLIC ROADS

Cooper, *Chairman*  
Watkins                      Chavez

#### MEMBERS EX OFFICIO, COMMITTEE ON APPROPRIATIONS

Revercomb                      O'Daniel  
Martin

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## RULES AND ADMINISTRATION

### *Members*

#### C. WAYLAND BROOKS—*Chairman*

KENNETH S. WHERRY	CARL HAYDEN
BOURKE B. HICKENLOOPER	THEODORE FRANCIS GREEN
WILLIAM F. KNOWLAND	BRIEN McMAHON
HENRY CABOT LODGE, JR.	FRANCIS J. MYERS
WILLIAM E. JENNER	JOHN C. STENNIS
JOHN W. BRICKER	
IRVING M. IVES	

Albert L. Seidel, *Clerk*  
George J. Niles, *Assistant Clerk*

### SUBCOMMITTEES

#### PRIVILEGES AND ELECTIONS

Jenner, *Chairman*  
Bricker                      Myers

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## HOUSE OF REPRESENTATIVES STANDING COMMITTEES

For complete listing of Committees see U. S. Code Congressional  
Service 1948, Pamphlet No. 1, pp. LIV-LXXIX.



## HOUSE STANDING COMMITTEES

### AGRICULTURE

#### *Members*

CLIFFORD R. HOPE—Chairman

AUGUST H. ANDRESEN	JOHN W. FLANNAGAN, JR.
ANTON J. JOHNSON	HAROLD D. COOLEY
REID F. MURRAY	STEPHEN PACE
GEORGE W. GILLIE	W. R. POAGE
EDWIN ARTHUR HALL	GEORGE M. GRANT
WILLIAM S. HILL	WALTER K. GRANGER
CHARLES B. HOEVEN	E. C. GATHINGS
SID SIMPSON	JOHN L. McMILLAN
CHESTER H. GROSS	EUGENE WORLEY
HADWEN C. FULLER	THOMAS G. ABERNETHY
ERNEST K. BRAMBLETT	.....
PAUL B. DAGUE	E. L. BARTLETT
ABE MCGREGOR GOFF	A. FERNÓS-ISERN
NORRIS COTTON	
WAT ARNOLD	
JOSEPH R. FARRINGTON	

George L. Reid, Jr., *Clerk*

#### SUBCOMMITTEES

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##### SUBCOMMITTEE No. 3

Murray, *Chairman*

Hill	Granger
Fuller	Abernethy
Cotton	Fernós-Isern

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##### COMMITTEE ON COTTON

Johnson, *Chairman*

Hill	Cooley
Bramblett	Pace
Goff	Poage

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### APPROPRIATIONS

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#### SUBCOMMITTEES

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##### TREASURY AND POST OFFICE

Canfield	Gary
Dirksen	Bates
Griffiths	Jackson
Robertson	

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##### INTERIOR

Jensen	Kirwan
Fenton	Norrell
Stockman	Gore
Schwabe	

## HOUSE STANDING COMMITTEES

### ARMY

Engel	Kerr
Case	Mahon
Tibbott	Norrell
Scrivner	

### LEGISLATIVE

Johnson	Cannon
Tibbott	Kirwan
Canfield	Jackson
Griffiths	

### STATE, JUSTICE, COMMERCE, AND JUDICIARY

Stefan	Rooney
Horan	Gary
Fenton	O'Brien
Clevenger	

### NAVY

Plumley	Sheppard
Johnson	Thomas
Ploeser	Hendricks
Scrivner	Andrews
Engel	

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### GOVERNMENT CORPORATIONS

Ploeser	Mahon
Jensen	Whitten
Coudert	Gore
Clevenger	

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## ARMED SERVICES

### *Members*

WALTER G. ANDREWS—Chairman

DEWEY SHORT	CARL VINSON
LESLIE C. ARENDS	OVERTON BROOKS
W. STERLING COLE	LYNDON B. JOHNSON
CHARLES R. CLASON	PAUL J. KILDAY
J. PARNELL THOMAS	CARL T. DURHAM
GEORGE J. BATES	LANSDALE G. SASSOER
PAUL W. SHAFER	JAMES J. HEFFERNAN
WILLIAM E. HESS	L. MENDEL RIVERS
CHARLES H. ELSTON	ROBERT L. F. SIKES
JACK Z. ANDERSON	PHILIP J. PHILBIN
WILLIAM W. BLACKNEY	F. EDWARD HÉBERT
MARGARET CHASE SMITH	ARTHUR WINSTEAD
LEROY JOHNSON	FRANCK R. HAVENNER
HARRY L. TOWE	MELVIN PRICE
C. W. BISHOP	E. L. BARTLETT
LEON H. GAVIN	A. FERNÓS-ISERN
WALTER NORBLAD	
JAMES E. VAN ZANDT	
JOSEPH R. FARRINGTON	

Robert H. Harper, *Clerk*



# HOUSE STANDING COMMITTEES

## SUBCOMMITTEES

### No. 1. PERSONNEL

Short, *Chairman*

Arends	Johnson of Texas
Cole of New York	Kilday
Bates of Massachusetts	Sikes
Smith of Maine	Rivers
Gavin	

### No. 2. EDUCATION AND TRAINING

Towe, *Chairman*

Short	Sasscer
Arends	Sikes
Thomas of New Jersey	Winstead
Norblad	Havener
Van Zandt	Fernós-Isern

### No. 3. ORGANIZATION AND MOBILIZATION

Shafer, *Chairman*

Short	Brook
Cole of New York	Johnson of Texas
Johnson of California	Durham
Bishop	Havener
Van Zandt	Fernós-Isern
Farrington	

### No. 4. HEAVY MUNITIONS

Hess, *Chairman*

Thomas	Heffernan
Anderson of California	Philbin
Johnson of California	Hébert
Bishop	Price
Van Zandt	Bartlett
Farrington	

### No. 5. AIR MATÉRIEL

Clason, *Chairman*

Arends	Brooks
Hess	Rivers
Elston	Winstead
Johnson of California	Price
Norblad	Bartlett

### No. 6. PROCUREMENT AND SUPPLY

Anderson of California, *Chairman*

Thomas	Philbin
Bates of Massachusetts	Heffernan
Towe	Hébert
Bishop	Sikes
Van Zandt	

### No. 7. SCIENTIFIC RESEARCH AND DEVELOPMENT

Johnson of California, *Chairman*

Arends	Durham
Clason	Sasscer
Elston	Havener
Anderson of California	Price
Smith of Maine	

\* \* \* \* \*

## HOUSE STANDING COMMITTEES

### No. 11. LEGAL

Elston, *Chairman*

Clason	Kilday
Hess	Rivers
Johnson of California	Sasscer
Towe	Philbin
Norblad	

### No. 12. PLANS, ORGANIZATION AND POLICY OF THE COMMITTEE ON ARMED SERVICES

Andrews, *Chairman*

Short	Vinson
Arends	Brooks
Cole	Johnson of Texas

NOTE.—The Chairman and the Ranking Minority Member are ex officio members of all subcommittees.

## DISTRICT OF COLUMBIA

### *Members*

EVERETT M. DIRKSEN—*Chairman*

GEORGE J. BATES	JOHN L. McMILLAN
SID SIMPSON	OREN HARRIS
J. GLENN BEALL	THOMAS G. ABERNETHY
JOSEPH P. O'HARA	HOWARD W. SMITH
HENRY O. TALLE	ARTHUR G. KLEIN
A. L. MILLER	OLIN E. TEAGUE
JAMES C. AUCHINCLOSS	CHARLES B. DEANE
JOHN McDOWELL	JOHN F. KENNEDY
JOHN J. ALLEN, JR.	ROBERT E. JONES, JR.
GREGORY McMAHON	JAMES C. DAVIS
HAROLD F. YOUNGBLOOD	.....
ROBERT N. McGARVEY	
HOMER R. JONES	

Mabel Haller, *Executive Secretary*

## SUBCOMMITTEES

### JUDICIARY

O'Hara, *Chairman*

McMahon	Harris
Allen	Abernethy

### FISCAL AFFAIRS

Bates, *Chairman*

O'Hara	Smith
Talle	

### PUBLIC UTILITIES—INSURANCE AND BANKING

Simpson, *Chairman*

Talle	Kennedy
McDowell	Teague

### HEALTH, EDUCATION, RECREATION (PUBLIC WELFARE)

Miller, *Chairman*

Auchincloss	Deane
Youngblood	Davis
Allen	Smith



## HOUSE STANDING COMMITTEES

### PUBLIC SERVICE—STREETS AND TRAFFIC

Beall, *Chairman*

Simpson	McMillan
Allen	Davis
Jones of Washington	Klein

### HOME RULE AND REORGANIZATION FOR THE DISTRICT OF COLUMBIA

Auchincloss, *Chairman*

McGarvey	Deane
Allen	Jones of Alabama
Jones of Washington	

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## EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

### *Members*

CLARE E. HOFFMAN—*Chairman*

GEORGE H. BENDER	CARTER MANASCO
WALTER H. JUDD	JOHN W. McCORMACK
ROBERT F. RICH	WILLIAM L. DAWSON
HENRY J. LATHAM	JOHN J. DELANEY
JAMES W. WADSWORTH	CHET HOLIFIELD
FOREST A. HARNESS	HENDERSON LANHAM
CLARENCE J. BROWN	W. J. BRYAN DORN
ROSS RIZLEY	PORTER HARDY, JR.
J. EDGAR CHENOWETH	FRANK M. KARSTEN
FRED E. BUSBEY	J. FRANK WILSON
MELVIN C. SNYDER	
R. WALTER RIEHLMAN	
RALPH HARVEY	
LEO ISACSON	

Mrs. Annabell Zue, *Clerk*

### *Professional Staff:*

William A. Young  
Francis T. O'Donnell  
Carl E. Hoffman

## SUBCOMMITTEES

### SURPLUS PROPERTY

Rizley, *Chairman*

Boggs	Holifield
Snyder	Dorn

### STATE DEPARTMENT

Chenoweth, *Chairman*

Judd	Manasco
Busbey	McCormack

## EXTRA LEGAL ACTIVITIES IN DEPARTMENTS

Hoffman, *Chairman*

Bender	Delaney
Harness	Karsten
	Lanham

## PROPAGANDA AND PUBLICITY

Harness, *Chairman*

Wadsworth	Manasco
Latham	Wilson

## HOUSE STANDING COMMITTEES

### PROCUREMENT AND BUILDINGS

Bender, *Chairman*  
Rich McCormack  
Riehlman Hardy

## FOREIGN AFFAIRS

\* \* \* \* \*

### SUBCOMMITTEES

#### No. 1. NATIONAL SECURITY

Chipperfield, *Chairman*  
Judd Jarman  
Lodge Mansfield

#### No. 2. FOREIGN ECONOMIC POLICY

Vorys, *Chairman*  
Fulton Richards  
Javits Colmer

#### No. 3. INFORMATION AND COMMUNICATIONS

Mundt, *Chairman*  
Smith Jarman  
Merrow Gordon

#### No. 4. STATE DEPARTMENT ORGANIZATION AND PERSONNEL

Jonkman, *Chairman*  
Mundt Kee  
Judd Douglas

#### No. 5. NATIONAL AND INTERNATIONAL MOVEMENTS

Bolton, *Chairman*  
Merrow Courtney  
Jackson Morgan  
Maloney

#### No. 6. INTERNATIONAL ORGANIZATIONS AND LAW

Smith, *Chairman*  
Bolton Pfeifer  
Lodge Courtney

#### No. 7. THE FAR EAST

Vorys, *Chairman*  
Judd Richards  
Maloney Douglas

#### No. 8. EASTERN EUROPE, THE NEAR EAST

Mundt, *Chairman*  
Smith Gordon  
Merrow Colmer

#### No. 9. WESTERN EUROPE AND THE MEDITERRANEAN

Jonkman, *Chairman*  
Fulton Bloom  
Lodge Kee  
Courtney

#### No. 10. AFRICA AND THE MEDITERRANEAN

Bolton, *Chairman*  
Fulton Pfeifer  
Morgan



## HOUSE STANDING COMMITTEES

### No. 11. WESTERN HEMISPHERE

Chiperfield, *Chairman*

Javits	Jarman
Jackson	Mansfield

### SUBCOMMITTEE ON DEPARTMENT OF STATE PERSONNEL

Jonkman, *Chairman*

Mundt	Colmer
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## HOUSE ADMINISTRATION

### *Members*

KARL M. LeCOMPTE—*Chairman*

RALPH A. GAMBLE	MARY T. NORTON
C. W. BISHOP	THOMAS B. STANLEY
FRANK L. SUNDSTROM	BURR P. HARRISON
CHARLES W. VURSELL	OTTO E. PASSMAN
GERALD W. LANDIS	OMAR BURLESON
WILLIAM C. COLE	TOBY MORRIS
ROBERT J. CORBETT	GEORGE A. SMATHERS
JAMES GALLAGHER	JOHN BELL WILLIAMS
GREGORY McMAHON	CHARLES B. DEANE
R. WALTER RIEHLMAN	EDWARD A. GARMATZ
HOWARD A. COFFIN	KEN REGAN
RALPH HARVEY	
VITO MARCANTONIO	

Marjorie Savage, *Clerk*

## SUBCOMMITTEES

### 1. ACCOUNTS

Sundstrom, *Chairman*

Gallagher	Stanley
McMahon	Deane
Harvey	Garmatz

### 2. ELECTIONS

Gamble, *Chairman*

Vursell	Harrison
Landis	Smathers
Cole	Burleson

### 3. PRINTING

Corbett, *Chairman*

Riehlman	Passman
Coffin	Williams
	Deane

### 4. ENROLLED BILLS, LIBRARY, DISPOSITION OF EXECUTIVE PAPERS, AND MEMORIALS

Bishop, *Chairman*

Landis	Norton
Corbett	Morris
Gallagher	Regan

### JOINT COMMITTEES ON— PRINTING

LeCompte	Burleson
Gamble	

## HOUSE STANDING COMMITTEES

### LIBRARY

LeCompte	Norton
Bishop	Regan
Landis	

#### *Jurisdiction*

1. Employment of persons by the House, including clerks for Members and committees, and reporters of debates.
2. Expenditure of the contingent fund of the House.
3. The auditing and settling of all accounts which may be charged to the contingent fund.
4. Measures relating to accounts of the House generally.
5. Appropriations from the contingent fund.
6. Measures relating to services to the House, including the House Restaurant and administration of the House Office Buildings and of the House wing of the Capitol.
7. Measures relating to the travel of Members of the House.
8. Measures relating to the assignment of office space for Members and committees.
9. Measures relating to the disposition of useless executive papers.
10. Except as provided \* \* \* [for by Committee of Public Works] matters relating to the Library of Congress and the House Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

## JUDICIARY

### *Members*

EARL C. MICHENER—Chairman

CHAUNCEY W. REED	EMANUEL CELLER
JOHN W. GWYNNE	FRANCIS E. WALTER
LOUIS E. GRAHAM	SAM HOBBS
FRANK FELLOWS	WILLIAM T. BYRNE
EARL R. LEWIS	ESTES KEFAUVER
JOHN JENNINGS, JR.	JOSEPH R. BRYSON
CLIFFORD P. CASE	FADJO CRAVENS
E. WALLACE CHADWICK	THOMAS J. LANE
ALBERT L. REEVES, JR.	MARTIN GORSKI
KENNETH B. KEATING	MICHAEL A. FEIGHAN
EDWARD J. DEVITT	FRANK L. CHELF
ELLSWORTH B. FOOTE	ED GOSSETT
WILLIAM M. McCULLOCH	
J. CALEB BOGGS	

C. Murray Bernhardt, *Chief Clerk*  
Velma Smedley, *Ass't Chief Clerk*

## SUBCOMMITTEES

### No. 1

Reed, *Acting Chairman*

Jennings	Celler
Chadwick	Chelf
Boggs	Gossett



## HOUSE STANDING COMMITTEES

### No. 2

Gwynne, *Chairman*  
Foote                      Walter  
McCulloch                Bryson  
                                 Lane

### No. 3

Graham, *Chairman*  
Lewis                      Hobbs  
Reeves                    Kefauver  
Keating                   Gorski

### No. 4

Case, *Chairman*  
Fellows                    Byrne  
Devitt                    Cravens  
                                 Feighan

## BANKRUPTCY AND REORGANIZATION

Reed, *Chairman*  
Gwynne                   Hobbs  
Devitt                    Kefauver  
McCulloch                Gorski

## IMMIGRATION AND NATURALIZATION

Fellows, *Chairman*  
Graham                   Celler  
Boggs                    Chelf  
                                 Gossett

## PATENTS, TRADE-MARKS, COPYRIGHTS

Lewis, *Chairman*  
Chadwick                Walter  
Keating                   Bryson  
                                 Lane

### CLAIMS

Jennings, *Chairman*  
Case                      Byrne  
Reeves                    Cravens  
Foote                      Feighan

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## MERCHANT MARINE AND FISHERIES

### *Members*

ALVIN F. WEICHEL—*Chairman*

T. MILLET HAND	SCHUYLER OTIS BLAND
HENRY J. LATHAM	EDWARD J. HART
DAVID M. POTTS	HERBERT C. BONNER
WILLIS W. BRADLEY	JAMES DOMENGEAUX
THOR C. TOLLEFSON	CECIL R. KING
RAYMOND H. BURKE	EMORY H. PRICE
JOHN J. ALLEN, JR.	PRINCE H. PRESTON, JR.
HORACE SEELY-BROWN, JR.	DONALD L. O'TOOLE
JOHN C. BROPHY	HUGH A. MEADE
ROBERT NODAR, JR.	CLARK W. THOMPSON
EDWARD T. MILLER	.....
MITCHELL JENKINS	
CHARLES E. POTTER	

Elizabeth B. Bedell, *Clerk*

## HOUSE STANDING COMMITTEES

### SUBCOMMITTEES

#### No. 1. SHIP CONSTRUCTION AND OPERATION AND MARITIME LABOR

Bradley, *Chairman*

Latham	Hart
Tollefson	Domengeaux
Burke	King
Allen	Price
Nodar	O'Toole

.....

#### No. 2. MARITIME AFFAIRS

Latham, *Chairman*

Weichel	Hart
Potts	Bonner
Bradley	Domengeaux
Brophy	Price
Nodar	O'Toole
Miller	

#### No. 3. SALT-WATER FISH AND SHELLFISH PROBLEMS

Tollefson, *Chairman*

Hand	King
Allen	Domengeaux
Seely-Brown	Preston
Miller	Meade

#### No. 4. PANAMA CANAL

Potts, *Chairman*

Burke	Domengeaux
Jenkins	Bonner

#### No. 5. COAST GUARD, COAST AND GEODETIC SURVEY, AND PUBLIC HEALTH SERVICE

Hand, *Chairman*

Weichel	Bonner
Bradley	Price
Seely-Brown	Preston
Potter	Thompson

#### No. 6. SHIP SALES, CHARTERS, AND LAY-UPS

Weichel, *Chairman*

Latham	Hart
Potts	Domengeaux
Nodar	O'Toole

.....

#### No. 7. INLAND WATERWAYS AND FRESH-WATER FISHERIES

Weichel, *Chairman*

Brophy	Meade
Hand	Thompson
Potter	

#### No. 8. CONSERVATION OF WILDLIFE RESOURCES

Burke, *Chairman*

Miller	Allen
Tollefson	Hart
Seely-Brown	Bonner
Brophy	King
	Meade

#### ALASKAN PROBLEMS

Allen, *Chairman*

Bradley	King
Tollefson	Thompson



## HOUSE STANDING COMMITTEES

### POST OFFICE AND CIVIL SERVICE

#### *Members*

EDWARD H. REES—Chairman

WILLIAM H. STEVENSON	TOM MURRAY
JOHN C. BUTLER	JOHN E. LYLE
WILLIAM C. COLE	JAMES H. MORRISON
CHARLES W. VURSELL	GEORGE P. MILLER
HAROLD C. HAGEN	J. M. COMBS
ROBERT J. CORBETT	CARL ALBERT
JAMES P. SCOBlick	LAURIE C. BATTLE
ROBERT J. TWYMAN	JAMES C. DAVIS
KATHARINE ST. GEORGE	.....
THURSTON BALLARD MORTON	
ANTONI N. SADLAK	
HAROLD F. YOUNGBLOOD	
HOMER R. JONES	
FRANCIS J. LOVE	

George M. Moore, *Chief Counsel*

### PUBLIC LANDS

#### *Members*

RICHARD J. WELCH—Chairman

FRED L. CRAWFORD	ANDREW L. SOMERS
KARL M. LeCOMPTE	J. HARDIN PETERSON
ROBERT F. ROCKWELL	C. JASPER BELL
WILLIAM LEMKE	JOHN R. MURDOCK
FRANK A. BARRETT	ANTONIO M. FERNANDEZ
DEAN P. TAYLOR	CLAIR ENGLE
JAY LeFEVRE	E. H. HEDRICK
A. L. MILLER	PRESTON E. PEDEN
WESLEY A. D'EWART	MONROE M. REDDEN
NORRIS POULSON	JOHN A. CARROLL
CHARLES H. RUSSELL	E. L. BARTLETT
JOHN SANBORN	A. FERNÓS-ISERN
EDWARD H. JENISON	
WILLIAM A. DAWSON	
JOSEPH R. FARRINGTON	

Ernest A. Grant, *Clerk*

### SUBCOMMITTEES

#### No. 1. PUBLIC LANDS

Barrett, *Chairman*

Crawford	Peterson
LeCompte	Murdock
Lemke	Fernandez
Rockwell	Engle
Taylor	Hedrick
Le Fevre	Peden
Miller	Redden
D'Ewart	Carroll
Poulson	Bartlett
Russell	Fernós-Isern
Sandborn	
Dawson	
Farrington	

## HOUSE STANDING COMMITTEES

### No. 2. IRRIGATION AND RECLAMATION

Rockwell, <i>Chairman</i>	
Crawford	Murdock
Lemke	Fernandez
Miller	Peden
Barrett	Redden
D'Ewart	Carroll
Poulson	Peterson
Sanborn	Fernós-Isern
Dawson	
Farrington	

### No. 3. TERRITORIAL AND INSULAR POSSESSIONS

Crawford, <i>Chairman</i>	
LeCompte	Bell
Lemke	Fernandez
Taylor	Engle
Le Fevre	Hedrick
Miller	Peden
Poulson	Redden
Russell	Bartlett
Sanborn	Fernós-Isern
Jenison	
Dawson	
Farrington	

### No. 4. MINES AND MINING

Lemke, <i>Chairman</i>	
Rockwell	Somers
Barrett	Peterson
Taylor	Murdock
Le Fevre	Fernandez
D'Ewart	Engle
Poulson	Peden
Russell	Carroll
Sanborn	Hedrick
Jenison	Bartlett
Dawson	

### No. 5. INDIAN AFFAIRS

D'Ewart, <i>Chairman</i>	
Rockwell	Fernandez
Barrett	Somers
Russell	Murdock
Jenison	Peden
Lemke	Bartlett

#### *Jurisdiction*

1. Public lands generally, including entry, easements, and grazing thereon.
2. Mineral resources of the public lands.
3. Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.
4. Forest reserves and national parks created from the public domain.
5. Military parks and battlefields, and national cemeteries.
6. Preservation of prehistoric ruins and objects of interest on the public domain.
7. Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting the revenue and appropriations.



## HOUSE STANDING COMMITTEES

8. Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects, and acquisition of private lands necessary to complete irrigation projects.
9. Interstate compacts relating to apportionment of waters for irrigation purposes.
10. Mining interests generally.
11. Mineral land laws and claims and entries thereunder.
12. Geological survey.
13. Mining schools and experimental stations.
14. Petroleum conservation on the public lands and conservation of the radium supply in the United States.
15. Relations of the United States with the Indians and the Indian tribes.
16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

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## UN-AMERICAN ACTIVITIES

### *Members*

J. PARNELL THOMAS—Chairman

KARL E. MÜNDT	JOHN S. WOOD
JOHN McDOWELL	JOHN E. RANKIN
RICHARD M. NIXON	J. HARDIN PETERSON
RICHARD B. VAIL	F. EDWARD HÉBERT

Robert E. Stripling, *Clerk and Chief Investigator*

### SUBCOMMITTEES

#### ON FASCISM

	McDowell, <i>Chairman</i>
Vail	Wood

#### ON LEGISLATION

	Nixon, <i>Chairman</i>
Vail	Peterson
	Hébert

### *Jurisdiction*

1. Un-American activities.
2. The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (a) the extent, character, and objects of un-American propaganda activities in the United States, (b) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (c) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

## HOUSE STANDING COMMITTEES

3. The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.
4. For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

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## VETERANS' AFFAIRS

### *Members*

EDITH NOURSE ROGERS—Chairman

BERNARD W. (PAT) KEARNEY	JOHN E. RANKIN
ALVIN E. O'KONSKI	A. LEONARD ALLEN
HOMER A. RAMEY	WALTER B. HUBER
FRANK A. MATHEWS, JR.	OLIN E. TEAGUE
WILLIAM J. CROW	GLEN D. JOHNSON
W. HOWES MEADE	JOE L. EVINS
RICHARD B. VAIL	GEORGIA L. LUSK
HERBERT A. MEYER	W. M. (DON) WHEELER
E. (EDWARD) A. MITCHELL	HAMILTON C. JONES
JAMES T. PATTERSON	HAROLD D. DONOHUE
DAYTON E. PHILLIPS	.....
ROBERT TRIPP ROSS	
GEORGE W. SARBACHER, JR.	
CLAUDE I. BAKEWELL	
GLENN R. DAVIS	

Karl Standish, *Clerk*

Casey M. Jones, *Professional Aide for Majority*

Ida Rowan, *Professional Aide for Minority*

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IN MEMORIAM

HON. ORVILLE ZIMMERMAN

Representative from Missouri

Died April 7, 1948

*See Vol. 94 Congressional Record, p. 4313.*

## JUDICIARY COMMITTEE

### HOUSE OF REPRESENTATIVES

*Under Whose Authority and Direction the United States Code and  
Supplements are edited and published. 1 U.S.C. § 52 and  
Reorganization Act of 1946, Aug. 2, 1946, ch. 753,  
Tit. 1, 60 Stat. 814*

EARL C. MICHENER—*Chairman*

CHAUNCEY W. REED	Illinois
JOHN W. GWYNNE	Iowa
LOUIS E. GRAHAM	Pennsylvania
FRANK FELLOWS	Maine
EARL R. LEWIS	Ohio
JOHN JENNINGS, JR.	Tennessee
CLIFFORD P. CASE	New Jersey
E. WALLACE CHADWICK	Pennsylvania
ALBERT L. REEVES, JR.	Missouri
KENNETH B. KEATING	New York
EDWARD J. DEVITT	Minnesota
ELLSWORTH B. FOOTE	Connecticut
WILLIAM M. McCULLOCH	Ohio
J. CALEB BOGGS	Delaware
EMANUEL CELLER	New York
FRANCIS E. WALTER	Pennsylvania
SAM HOBBS	Alabama
WILLIAM T. BYRNE	New York
ESTES KEFAUVER	Tennessee
JOSEPH R. BRYSON	South Carolina
FADJO CRAVENS	Arkansas
THOMAS J. LANE	Massachusetts
MARTIN GORSKI	Illinois
MICHAEL A. FEIGHAN	Ohio
FRANK L. CHELF	Kentucky
ED GOSSETT	Texas

#### SUBCOMMITTEE NO. 1

CHAUNCEY W. REED, *Chairman*

JOHN JENNINGS, JR.	EMANUEL CELLER
E. WALLACE CHADWICK	FRANK L. CHELF
J. CALEB BOGGS	ED GOSSETT

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# The Congress

## Laws of 80th Congress

### Second Session

#### SHASTA NATIONAL FOREST, CALIFORNIA

*See Legislative History, p. 814*

#### CHAPTER 139—PUBLIC LAW 449

[H. R. 3175]

An Act to add certain public and other lands to the Shasta National Forest, California.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Subject to any valid claim or entry now existing and hereafter legally maintained, and for the purposes of protecting, improving, and utilizing their forests, watershed, recreational and other resources, all lands of the United States within the following-described areas are hereby added to and made parts of the Shasta National Forest and hereafter shall be subject to all laws and regulations applicable to the national forests: Section 31, township 36 north, range 3 west; sections 7 to 36, inclusive, township 36 north, range 4 west; sections 11 to 16, inclusive, 20 to 29, inclusive, 33 to 36, inclusive, township 36 north, range 5 west; sections 5 to 9, inclusive, 16 to 21, inclusive, 29 to 32, inclusive, township 35 north, range 3 west; all township 35 north, range 4 west; sections 1 to 4, inclusive, 9 to 17, inclusive, 20 to 29, inclusive, 31, 33 to 36, inclusive, township 35 north, range 5 west; sections 35, 36, township 35 north, range 6 west; sections 26 to 34, inclusive, township 34 north, range 2 west; sections 5 to 11, inclusive, 13 to 36, inclusive, township 34 north, range 3 west; all township 34 north, range 4 west; all township 34 north, range 5 west; sections 1, 2, 3, 10 to 14, inclusive, 23 to 26, inclusive, 35, 36, township 34 north, range 6 west; sections 4 to 7, inclusive, township 33 north, range 2 west; sections 1 to 17, inclusive, township 33 north, range 3 west; sections 1 to 12, inclusive, township 33 north, range 4 west; sections 1 to 18, inclusive, township 33 north, range 5 west; sections 1 to 4, inclusive, 9 to 14, inclusive, township 33 north, range 6 west; all Mount Diablo base and meridian: *Provided*, That lands within the flow lines of reservoirs operated or maintained as parts of the Central Valley reclamation project or otherwise occupied and used for the operation of said project shall continue to be administered by the Bureau of Reclamation of the Department of the Interior.

Sec. 2. The provisions of the Forest Exchange Act of March 20, 1922, as amended (42 Stat. 465; U. S. C., title 16, secs. 485, 486),<sup>1</sup> are hereby made applicable to the areas described herein.

Sec. 3. This Act shall become effective July 1, 1948.

Approved March 19, 1948.

<sup>1</sup> 16 U.S.C.A. §§ 485, 486.

<sup>4</sup> U.S. CONG. SERV. '48

## VETERANS' ALIEN FIANCEES OR FIANCES

*See Legislative History, p. 818*

### CHAPTER 141—PUBLIC LAW 450

[H. R. 4838]

An Act to extend the period of validity of the Act to facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The authority conferred upon the Secretary of State and the Attorney General under the provisions of the Act approved June 29, 1946 (60 Stat. 339),<sup>2</sup> shall be extended to December 31, 1948, midnight.

Sec. 2. Clause (b) of the proviso of the first section of the Act approved June 29, 1946 (60 Stat. 339), is hereby repealed.

Sec. 3. This Act shall be regarded as having become effective from and after December 31, 1947.

Approved March 24, 1948.

## SEMINOLE INDIANS—PAYMENT OF TRIBAL FUNDS

*See Legislative History, p. 820*

### CHAPTER 142—PUBLIC LAW 451

[S. 1733]

An Act to authorize payment to certain enrolled members of the Seminole Tribe of Indians under Act of July 2, 1942 (Public, Numbered 645, Seventy-seventh Congress).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

In making the payment to the enrolled members of the Seminole Tribe of Indians of Oklahoma or their heirs, authorized in section 1 of the Act of July 2, 1942 (Public, Numbered 645, Seventy-seventh Congress),<sup>2</sup> the regulations promulgated by the Secretary of the Interior under date of October 14, 1942, shall be followed in ascertaining the heirs of the enrolled members entitled to share in the funds of said tribe as to those persons who died prior to the Act of December 24, 1942 (Public, Numbered 833, Seventy-seventh Congress),<sup>4</sup> and payment shall be made accordingly.

Approved March 24, 1948.

## DISABLED VETERANS—SUPERINTENDENTS OF NATIONAL CEMETERIES

*See Legislative History, p. 822*

### CHAPTER 143—PUBLIC LAW 452

[S. 1782]

An Act to provide for selection of superintendents of national cemeteries from meritorious and trustworthy members of the armed forces who have been disabled in line of duty for active field service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Superintendents of the national cemeteries shall be selected from meritorious and trustworthy members of the armed forces who have

<sup>2</sup> 50 U.S.C.A. Appendix, §§ 1851-1855.

<sup>3</sup> U.S. Code Cong. Service 1942, p. 759.

<sup>4</sup> 25 U.S.C.A. §§ 375a, 375b.



been honorably separated from the service of the United States, and who have been disabled in line of duty for active field service.

Sec. 2. Section 4874, Revised Statutes (U. S. C., title 24, sec. 275),<sup>a</sup> is hereby repealed.

Approved March 24, 1948.

## CANADIAN VESSELS—TRANSPORTATION OF IRON ORE

*See Legislative History, p. 823*

### CHAPTER 144—PUBLIC LAW 453

[S. J. Res. 172]

Joint Resolution to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1948.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

By reason of the continued extraordinary requirements of the iron and steel industry for Lake Superior iron ore, notwithstanding the provisions of section 27 of the Act of Congress approved June 5, 1920 (41 Stat. 999), as amended by Act of Congress approved April 11, 1935 (49 Stat. 154), and by Act of Congress approved July 2, 1935 (49 Stat. 442),<sup>a</sup> or the provisions of any other Act of Congress or regulation, vessels of Canadian registry shall be permitted to transport iron ore between United States ports on the Great Lakes during the year 1948 or until such date prior to the end of said year as the Congress by concurrent resolution or the President by proclamation may designate.

Approved March 24, 1948.

## LIGNITE COAL—RESEARCH LABORATORY

*See Legislative History, p. 830*

### CHAPTER 146—PUBLIC LAW 454

[H. R. 2453]

An Act to provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite, for the development of new uses and markets, for improvement of health and safety in mining; and for a comprehensive study of the possibilities for increased utilization of the lignite resources of the region to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain a research laboratory in the lignite-consuming region of North Dakota to conduct researches and investigations on the mining, preparation, and utilization of lignite coal and to develop new scientific, chemical, and technical uses and new and extended markets and outlets for lignite coal and its products. Such laboratory shall be planned as a center for information and assistance in matters pertaining to conserving lignite coal resources for national defense and security; to the more efficient mining, preparation, and utilization of lignite coal; and pertaining to safety, health, and sanitation in mining operations and other matters relating to problems of the lignite industry.

<sup>a</sup> 24 U.S.C.A. § 275.  
<sup>a</sup> 46 U.S.C.A. § 883.

Sec. 2. For the purpose of this Act the Secretary, acting through the United States Bureau of Mines, is authorized to acquire land and interests therein, and to accept in the name of the United States donations of any property, real or personal, and to utilize voluntary or uncompensated services at such laboratory. The Secretary is authorized and directed to cooperate with other departments, or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

Sec. 3. The Secretary, acting through the United States Bureau of Mines, shall make a report to Congress at the beginning of each regular session of the activities of, expenditures by, and donations to, the laboratory established under this Act.

Sec. 4. The Secretary of the Interior, acting through the United States Bureau of Mines, may, in his discretion, create and establish an advisory committee composed of not more than six members to exercise consultative functions, when required by the Secretary, in connection with the administration of this Act. The said committee shall be composed of representatives of lignite coal-mine owners, of representatives of lignite coal-mine workers and the public in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws.

Sec. 5. In order to carry out the purposes of this Act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) \$750,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the building if no land is donated; and (b) \$250,000 annually for the maintenance and operation of the experimental station, including personal services, supplies, equipment, and expenses of travel and subsistence.

Approved March 25, 1948.

## FEDERAL BUILDING—HUNTINGTON, W. VA.

### CHAPTER 147—PUBLIC LAW 455

[H. R. 3506]

An Act to provide for the acquisition of a site for a new Federal Building in Huntington, West Virginia, adjoining existing Federal buildings there, as an economy measure, before land values have increased as a result of improvements.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Federal Works Administrator is authorized and directed to acquire, by purchase, condemnation, or otherwise, a plot of land approximately two hundred feet long and approximately ninety feet wide, together with all improvements thereon, situated at the southeast corner of Fifth Avenue and Eighth Street in the city of Huntington, West Virginia, for use as a site for the erection of a new Federal building. Such plot of land is more particularly described as follows:

Beginning at a point where the south line of Fifth Avenue intersects with the east line of Eighth Street; thence along the line of Eighth Street approximately two hundred feet to an alley; thence in an easterly direction and with the north line of said alley to a point; thence in a northerly direction and parallel with the line of Eighth Street approximately two hundred feet to a point in the south line of Fifth Avenue;



thence in a westerly direction and with the south line of Fifth Avenue approximately ninety feet to the place of beginning.

Approved March 25, 1948.

## POST-OFFICE SITE—OMAHA, NEB

### CHAPTER 148—PUBLIC LAW 456

[H. R. 4836]

An Act to authorize the purchase of a new post-office site at Omaha, Nebraska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Federal Works Administrator is authorized and directed to acquire by purchase, condemnation, or otherwise, a suitable site in Omaha, Nebraska, for the purpose of erecting thereon a building for the use and accommodation of the United States post office at Omaha.

Approved March 25, 1948.

## POSTAL BUILDING AND SITE—PORTLAND, OREGON

### CHAPTER 149—PUBLIC LAW 457

[H. R. 4967]

An Act to provide for the acquisition of a site and preparation of plans and specifications for a new postal building and for remodeling of the existing main post-office building in Portland, Oregon, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Federal Works Administrator is authorized and directed to acquire by purchase, condemnation, or otherwise, a suitable site in Portland, Oregon, and to prepare or cause to be prepared plans and specifications for a new building to be located on such site and for the remodeling of the existing main post office all to provide additional postal facilities in said city. The cost of such plans and specifications and the acquisition of the site shall not exceed \$300,000.

Approved March 25, 1948.

## FIELD POSTAL SERVICE—ADMINISTRATIVE PROMOTIONS

### CHAPTER 150—PUBLIC LAW 458

[H. R. 5315]

An Act to ratify the administrative promotions of employees on military furlough from the field postal service, in certain cases, and for related purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

If an employee in the field postal service was promoted, after September 15, 1940, and before January 1, 1948, to the position of special clerk or to any other position not then in an automatic grade, and the promotion was unauthorized by law only because the employee was then absent on military furlough, the promotion is hereby ratified.

Sec. 2. Such an employee is hereby relieved of all liability to refund to the United States any amounts paid to him as a result of the promotion; and in the audit and settlement of the accounts of any postmaster, or of any other designated disbursing officer of the Post Office Department or postal service, the amounts paid as a result of the promotion

shall be considered to have been authorized. Any amounts heretofore credited to the employee or refunded by him to the United States on account of any overpayment made as a result of the promotion shall be repaid out of any money available for the payment of salaries of employees in the service in which he is employed.

Approved March 25, 1948.

## POSTAGE STAMPS—MINNESOTA CENTENNIAL

### CHAPTER 151—PUBLIC LAW 459

[H. J. Res. 320]

Joint Resolution to authorize the issuance of a special series of stamps commemorative of the one-hundredth anniversary of the creation of the Territory of Minnesota.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Postmaster General is authorized and directed to prepare for issuance on March 3, 1949, a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the one-hundredth anniversary of the creation of the Territory of Minnesota.

Approved March 25, 1948.

## ORGANIZED RESERVE CORPS—INACTIVE DUTY TRAINING PAY

*See Legislative History, p. 833*

### CHAPTER 157—PUBLIC LAW 460

[S. 1174]

An Act to provide for inactive duty training pay for the Organized Reserve Corps, to provide uniform standards for inactive duty training pay for all Reserve components of the armed forces, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Section 1 of the National Defense Act, as amended,<sup>1</sup> be further amended by striking out the words "the Officers Reserve Corps, the Organized Reserves, and the Enlisted Reserve Corps," and inserting in lieu thereof the words "and the Organized Reserve Corps".

Sec. 2. That section 37a of the National Defense Act of 1916, as amended,<sup>2</sup> is amended by deleting therefrom the following sentence: "A Reserve officer shall not be entitled to pay and allowances except when on active duty."

Sec. 3. That section 14 of the Pay Readjustment Act of 1942, as amended,<sup>3</sup> be amended to read as follows:

"Sec. 14. Reserve and National Guard Personnel.—(a) Officers, warrant officers, and enlisted personnel of the reserve components of any of the services mentioned in the title of this Act, when on active duty in the service of the United States, shall be entitled to receive the same pay and allowances as are authorized for persons of corresponding grade and length of service in the Regular Army, Navy, Marine Corps, Coast Guard, or Public Health Service.

"(b) Officers, warrant officers, and enlisted personnel of the reserve components of any of the services mentioned in the title of this Act,

<sup>1</sup> 10 U.S.C.A. § 2.  
<sup>2</sup> 10 U.S.C.A. § 361.  
<sup>3</sup> 37 U.S.C.A. § 114.



when participating in full-time training or other full-time duty (provided for or authorized in the National Defense Act, as amended, or in the Naval Reserve Act of 1938, as amended, or in other provisions of law, including participation in exercises or performance of the duties provided for by sections 94, 97, and 99 of the National Defense Act, as amended) shall receive the same pay and allowances as are authorized for persons of corresponding grade and length of service in the Regular Army, Navy, Marine Corps, Coast Guard, or Public Health Service: *Provided*, That they may be given additional training or other duty as provided for by law, without pay, as may be authorized by the head of the Department concerned, with their consent, and when such authorized training or other duty without pay is performed they may in the discretion of the head of the Department concerned, be furnished with transportation to and from such duty, with subsistence en route, and, during the performance of such duty, be furnished with subsistence and quarters in kind or commutation thereof at a rate to be fixed from time to time by the head of the Department concerned.

"(c) Under such regulations as the head of the Department concerned may prescribe, and to the extent provided for by law and by appropriations, officers, warrant officers, and enlisted personnel of the National Guard of the United States, Organized Reserve Corps, Naval Reserve, and Marine Corps Reserve, shall receive compensation at the rate of one-thirtieth of the monthly base pay including longevity pay, authorized for such persons when on active duty in the armed forces of the United States, for each regular period of instruction, or period of appropriate duty, at which they shall have been engaged for not less than two hours, including those performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties as may be prescribed by the head of the Department concerned: *Provided*, That personnel required to perform aerial flights, parachute jumping, glider flights, or submarine duty shall receive the increases in pay provided for by law for personnel in such status: *Provided further*, That for each of the several classes of organizations prescribed for the National Guard of the United States, the Organized Reserve Corps, Naval Reserve, and Marine Corps Reserve, the rules applicable to each of which services and classes within services may differ, the head of the Department concerned: (1) Shall prescribe minimum standards which must be met before an assembly for drill or other equivalent period of training, instruction, or duty or appropriate duties may be credited for pay purposes, which minimum standards may require the presence for duty of officers and enlisted personnel equal to or in excess of a minimum number or percentage of unit strength for a specified period of time with participation in a prescribed character of training; (2) shall prescribe the maximum number of assemblies, or periods of other equivalent training, instruction, or duty or appropriate duties, which may be counted for pay purposes in each fiscal year; (3) shall prescribe the maximum number of assemblies, or periods of other equivalent training, instruction, or duty or appropriate duties which can be counted for pay purposes in lesser periods of time; and (4) shall prescribe the minimum number of assemblies or periods of other equivalent training, instruction, or duty or appropriate duties, which must be completed in stated periods of time before the personnel of organizations or units can qualify for pay: *And provided further*, That the provisions of this paragraph shall not apply when such persons are entitled to receive full pay and allowances as provided for in paragraphs (a) and (b) of this section.

"(d) In addition to pay provided in paragraph (c) of this section, officers of the National Guard of the United States, Organized Reserve Corps, Naval Reserve, and Marine Corps Reserve, commanding organizations having administrative functions connected therewith shall, whether or not such officers belong to such organizations, receive not more than \$240 a year for the faithful performance of such administrative

functions under such regulations as the head of the Department concerned may prescribe; and for the purpose of determining how much shall be paid to such officers so performing such functions, the head of the Department concerned may, from time to time, divide them into classes and fix the amount payable to the officers in each class: *Provided*, That the provisions of this paragraph shall not apply when such persons are entitled to receive full pay and allowances as provided for in paragraphs (a) and (b) of this section."

Sec. 4. That Section 55a of the National Defense Act of 1916, as amended,<sup>4</sup> be amended to read as follows:

"Sec. 55a. **Organized Reserve Corps—Organization and Training.**—The Organized Reserve Corps shall include the personnel and units of the Officers Reserve Corps, the Enlisted Reserve Corps, and the Organized Reserves. The Secretary of the Army shall prescribe all necessary and proper regulations for the recruiting, organization, government, administration, training, inspection, and mobilization of the Organized Reserve Corps, and shall detail such officers and enlisted personnel of the Regular Army and Organized Reserve Corps, and shall make available such material, uniforms, arms, supplies, equipment, and other facilities of the Army, or procured from funds appropriated for the purpose as he may deem necessary and advisable for the development, training, instruction, and administration of the Organized Reserve Corps and the care of Government property issued to the members and units of the Organized Reserve Corps. Any or all members of the Organized Reserve Corps may be formed into military organizations, which in turn may be sponsored by civilian organizations as affiliated units.

"Organized Reserve Corps units will be of three classes, varying in degree of organization, as follows:

"1. Those combat and service types organized with a full complement of officers and men: *Provided*, That there will be included in this category only those units which are considered necessary for prompt mobilization.

"2. Those combat and service types generally organized with a full complement of officers and an enlisted cadre.

"3. Those combat and service types generally organized with a full complement of officers only.

"Under such regulations as the Secretary of the Army may prescribe, personnel of the Organized Reserve Corps shall assemble for drill, training, instruction, or other duty and shall participate in encampments, maneuvers, or other exercises: *Provided*, That assemblies for such duty under such regulations for members of the Organized Reserve Corps, assigned to fully organized units shall be on the same minimum basis as now or hereafter prescribed for the National Guard: *Provided further*, That other units of the Organized Reserve Corps may be assembled, under such regulations, for such duty; however, personnel of these units may not receive pay in any one fiscal year for a total number of regular periods of instruction, or periods of appropriate duty, at which they shall have been engaged for not less than two hours, or for the performance of such other equivalent training, instruction, or duty or appropriate duties as may be prescribed by the Secretary of the Army in accordance with subsection (c), section 14, Pay Readjustment Act of 1942, as amended, in excess of 50 per centum of the number of such assemblies authorized for personnel assigned to similar positions in the National Guard: *Provided further*, That members of the Organized Reserve Corps not assigned to table of organization units may be required to perform duties as prescribed by such regulations and receive credit for regular periods of instruction or duty, for pay purposes, up to the same maximum as prescribed herein for members of units of the Organized Reserve Corps, other than fully organized type units: *And provided further*, That mem-



bers of the Organized Reserve Corps classified in scientific or specialist categories, or members of the Organized Reserve Corps, whether or not assigned to a unit, who, under regulations prescribed by the Secretary of the Army, are designated for a mobilization day assignment, may be required to perform duties as prescribed by such regulations and receive credit for regular drill periods for pay purposes on the same minimum basis as prescribed herein for members of the Organized Reserve Corps in fully organized type units.

"Under such regulations as the Secretary of the Army may prescribe, personnel of the Organized Reserve Corps may receive compensation as provided in section 14 of the Pay Readjustment Act of 1942, as amended, for attending periods of instruction, or periods of appropriate duty, duly prescribed under the authority of the Secretary of the Army, including those performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties, as may be prescribed by the Secretary of the Army.

"Members of the Organized Reserve Corps in receipt of pay for the performance of drills, or other equivalent training, instruction, or duty or appropriate duties, may be required to perform such active duty or training duty, not to exceed fifteen days annually, as may be prescribed by the Secretary of the Army: *Provided*, That they may be given additional training or other duty, either with or without pay, as may be authorized, with their consent, by direction of the Secretary of the Army: *Provided further*, That when authorized training or other duty without pay is performed by members of the Organized Reserve Corps they may in the discretion of the Secretary of the Army be furnished with transportation to and from such duty, with subsistence en route, and, during the performance of such duty, be furnished subsistence and quarters in kind or commutation thereof at a rate to be fixed from time to time by the head of the Department concerned."

Sec. 5. (a) That section 92 of the National Defense Act of 1916, as amended,<sup>5</sup> be further amended by changing the period at the end of said section to a colon and adding the following: "*Provided further*, That members of the National Guard of the United States may be given additional training or other duty, either with or without pay, as may be authorized, with their consent, by direction of the Secretary of the Army: *And provided further*, That when authorized training or other duty without pay is performed by members of the National Guard of the United States they may in the discretion of the Secretary of the Army be furnished with transportation to and from such duty, with subsistence en route, and, during the performance of such duty, be furnished subsistence and quarters in kind or commutation thereof at a rate to be fixed from time to time by the Secretary of the Army."

(b) That the portion of section 109 of the National Defense Act, as amended,<sup>6</sup> which precedes the final proviso of such section, be amended to read as follows:

"Sec. 109. Pay for National Guard Officers.—Under such regulations as the Secretary of the Army may prescribe, officers and warrant officers of the National Guard of the United States may receive compensation as provided in section 14 of the Pay Readjustment Act of 1942, as amended, for attending regular periods of instruction, or periods of appropriate duty, duly prescribed under the authority of the Secretary of the Army, including drills performed on Sundays and holidays, or for the performance of such other equivalent training, instruction, or duty or appropriate duties, as may be prescribed by the Secretary of the Army."

(c) That the portion of section 110 of the National Defense Act, as amended,<sup>7</sup> which precedes the first proviso of such section, be amended to read as follows:

<sup>5</sup> 32 U.S.C.A. § 62.

<sup>6</sup> 32 U.S.C.A. § 143.

<sup>7</sup> 32 U.S.C.A. § 154.

"Sec. 110. **Pay For National Guard Enlisted Men.**—Under such regulations as the Secretary of the Army may prescribe, enlisted men of the National Guard of the United States may receive compensation as provided in section 14 of the Pay Readjustment Act of 1942, as amended, for attending regular periods of duty and instruction duly prescribed under the authority of the Secretary of the Army, including those performed on Sundays and holidays."

Sec. 6. The provisions of this Act shall be applicable to the Department of the Air Force: *Provided*, That all references therein to the Secretary of the Army, the Department of the Army, the Regular Army, the National Guard and the National Guard of the United States, the Organized Reserve Corps, the Officers Reserve Corps, the Enlisted Reserve Corps, and the Organized Reserves, shall be construed for the purposes of this section as referring to the Secretary of the Air Force, the Department of the Air Force, the Regular Air Force, the Air National Guard, the Air Force Reserve, the officers section of the Air Force Reserve, the enlisted section of the Air Force Reserve, and personnel of the Organized Reserves transferred to the Department of the Air Force, respectively

Approved March 25, 1948.

## IMPERIAL PALACE, DRAMATIC ORDER KNIGHTS OF KHORASSAN

### CHAPTER 158—PUBLIC LAW 461

[S. 468]

An Act to amend the Act entitled "An Act to incorporate the Imperial Palace, Dramatic Order Knights of Khorassan", to increase the amount of property which the corporation may hold from \$100,000 to \$5,000,000.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Section 2 of the Act entitled "An Act to incorporate the Imperial Palace, Dramatic Order Knights of Khorassan", approved February 25, 1909 (35 Stat. 646), is amended to read as follows:

"Sec. 2. That the said corporation shall have power to take and hold real and personal estate not exceeding in value five million dollars, which shall not be divided among the members of the corporation, but shall descend to their successors for the promotion of the fraternal and benevolent purposes of said corporation."

Approved March 27, 1948.

## PROVO RIVER PROJECT, UTAH

### CHAPTER 159—PUBLIC LAW 462

[S. 1990]

An Act to provide a means for the orderly continuation and completion of the Deer Creek and aqueduct divisions of the Provo River project, Utah.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

In order to provide a means for the orderly continuation and completion of the Deer Creek and aqueduct divisions of the Provo River project, Utah, and for the recovery by the United States of the actual construction cost thereof, the Secretary of the Interior in proceeding with the construction, completion, and administration of said divisions heretofore authorized, subject to the execution of such contracts as the Secretary may deem necessary to maintain existing repayment contracts between



the United States, the Provo River Water Users Association and the Metropolitan Water District of Salt Lake City consistent with the interim construction cost recovery plan herein provided, is authorized (a) to deliver water or make project works available therefor, as the case may be, on terms and at annual rates or other annual charges to be fixed by the Secretary from year to year, calculated to return to the United States (in addition to the cost of operation and maintenance) the actual cost in excess of existing repayment contract liability that may be incurred by the United States in completing said divisions of the Provo River project; and (b) to postpone the commencement of annual construction charge installments under existing repayment contracts: *Provided*, That any such postponement of annual construction charge installments shall in no event operate to delay the commencement of construction charges, as provided by existing repayment contracts, beyond the time when costs that may be incurred by the United States in excess of existing contract liability have been returned to the United States.

Approved March 29, 1948.

## KLAMATH WELFARE ACT

*See Legislative History, p. 838*

### CHAPTER 160—PUBLIC LAW 463

[H. R. 2502]

An Act to provide for the general welfare and advancement of the Klamath Indians in Oregon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

This Act shall be known as the "Klamath Welfare Act".

Sec. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed, from the capital reserve fund deposited in the Treasury of the United States to the credit of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians (hereinafter referred to as the "Klamath Tribes"), said fund being established pursuant to the Act of August 28, 1937 (ch. 874, 50 Stat. 872),<sup>\*</sup> as augmented by the proceeds of the judgment fund of the Klamath Indians as provided in the Act of August 7, 1939 (ch. 552, 53 Stat. 1252),<sup>†</sup> to credit the sum of \$500 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oregon, living upon the date of the enactment of this Act. The share of each adult member of the credit so established shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

Purchase of land or interests in land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable homes, including household equipment and furnishings; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, feed, seed, and grain; purchase or rehabilitation and repair of farming equipment, tools, trucks, tractors, machinery, and implements; and purchase of any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education and adult education, as will enable them to become self-supporting; and health, including dental work: *Provided, however*, That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support: *Provided*

\* 25 U.S.C.A. §§ 530-535.

† 25 U.S.C.A. §§ 541-543.

further, That during minority the share of each minor Indian shall be available for expenditure only for his education and for health purposes, including dental work, except that in an emergency expenditure of a minor Indian's share may be made for any of the purposes specified in this Act. As herein used, the term "minor" shall include all members of the tribe who have not attained the age of twenty-one years, except that minors eighteen years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *And provided further*, That each member of the Klamath Tribes honorably discharged from service to the United States in its armed forces shall, upon application to the Commissioner of Indian Affairs, be paid \$200 in cash, free from the aforesaid restrictions and in addition to the \$500 to be credited to such member as provided in section 2 of this Act.

Sec. 3. That in no event shall any portion of the funds hereby directed to be credited and paid become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act by any Indian of the Klamath Tribe, except debts to the United States or to the tribe.

Approved March 29, 1948.

## HOUSING AND RENT ACT OF 1948

*See Legislative History, p. 841*

### CHAPTER 161—PUBLIC LAW 464

[S. 2182]

An Act to extend certain provisions of the Housing and Rent Act of 1947, to provide for the termination of controls on maximum rents in areas and on housing accommodations where conditions justifying such controls no longer exist, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

This Act may be cited as the "Housing and Rent Act of 1948".

#### TITLE I—AMENDMENTS TO TITLE I OF HOUSING AND RENT ACT OF 1947

Sec. 2. Section 1 (b) of the Housing and Rent Act of 1947, as amended,<sup>1</sup> is hereby repealed.

Sec. 3. Section 4 of such Act, as amended,<sup>1a</sup> is amended by striking out "April 1, 1948" wherever such date appears therein and inserting in lieu thereof "April 1, 1949".

#### TITLE II—MAXIMUM RENTS

Sec. 201. Section 202 (c) of such Act, as amended,<sup>1b</sup> is amended by striking out paragraphs (2) and (3) thereof and inserting in lieu of such paragraphs the following:

"(2) any motor court, or any part thereof; any trailer or trailer space, or any part thereof; or any tourist home serving transient guests exclusively, or any part thereof; or

"(3) any housing accommodations (A) the construction of which was completed on or after February 1, 1947, or which are additional housing accommodations created by conversion on or after February 1, 1947, except that contracts for the rental of housing accommodations to veterans of World War II and their immediate families, the construction of which was assisted by allocations or priorities under Public Law 388, Seventy-

<sup>1</sup> 50 U.S.C.A. Appendix, §§ 1822, 1881.

<sup>1a</sup> 50 U.S.C.A. Appendix, § 1884(a).

<sup>1b</sup> 50 U.S.C.A. Appendix, § 1892(c).



ninth Congress, approved May 22, 1946,<sup>2</sup> shall remain in full force and effect; or (B) which for any successive twenty-four month period during the period February 1, 1945, to the date of enactment of the Housing and Rent Act of 1948, both dates inclusive, were not rented (other than to members of the immediate family of the landlord) as housing accommodations; or (C) the construction of which was completed on or after February 1, 1945, and prior to February 1, 1947, and which between the date of completion and June 30, 1947, both dates inclusive, at no time were rented (other than to members of the immediate family of the landlord) as housing accommodations; or

"(4) nonhousekeeping, furnished housing accommodations, located within a single dwelling unit not used as a rooming or boarding house, but only if (A) no more than two paying tenants, not members of the landlord's immediate family, live in such dwelling unit, and (B) the remaining portion of such dwelling unit is occupied by the landlord or his immediate family."

Sec. 202. (a) Section 204 (a) of such Act, as amended,<sup>3</sup> is amended by striking out "March 31, 1948" and inserting in lieu thereof "March 31, 1949".

(b) Section 204 (b) of such Act, as amended, is amended to read as follows:

"(b) (1) Subject to the provisions of paragraphs (2) and (3) of this subsection, during the period beginning on the effective date of this title and ending on the date this title ceases to be in effect, no person shall demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations greater than the maximum rent established under the authority of the Emergency Price Control Act of 1942, as amended,<sup>4</sup> and in effect with respect thereto on June 30, 1947: *Provided, however,* That the Housing Expediter shall, by regulation or order, make such individual and general adjustments in such maximum rents in any defense-rental area or any portion thereof, or with respect to any housing accommodations or any class of housing accommodations within any such area or any portion thereof, as may be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of this title. In the making of adjustments to remove hardships due weight shall be given to the question as to whether or not the landlord is suffering a loss in the operation of the housing accommodations.

"(2) In any case in which a landlord and tenant, on or before December 31, 1947, in accordance with the provisions of this subsection as then in effect, voluntarily entered into a valid written lease in good faith with respect to any housing accommodations, such housing accommodations shall not be subject to any maximum rent established or maintained under the provisions of this title unless such lease is hereafter terminated or expires before March 31, 1949, in which case the maximum rent for such housing accommodations shall, through March 31, 1949, be not in excess of 15 per centum over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of the Housing and Rent Act of 1948: *Provided,* That the landlord and a tenant (including any new tenant) may enter into a new voluntary lease subject to the conditions, specified in paragraph (3) of this subsection, applicable with respect to landlords and tenants who have not heretofore entered into voluntary leases, except that no maximum rent need be in effect on the date of execution of such new lease.

"(3) In any case in which a landlord and tenant (including any new tenant) on or before December 31, 1948, voluntarily enter into a valid written lease in good faith (at any rental agreed upon in the lease, but

<sup>2</sup> U.S. Code Cong. Service 1946, p. 139.

<sup>3</sup> 50 U.S.C.A. Appendix, § 1591.

<sup>4</sup> 50 U.S.C.A. Appendix, § 901 et seq.

not in excess of 15 per centum over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of the Housing and Rent Act of 1948) with respect to any housing accommodations for which a maximum rent is in effect under this section, and such lease takes effect on or after the effective date of the Housing and Rent Act of 1948 and expires on or after December 31, 1949, and if a true and duly executed copy of such lease is filed, within fifteen days after the date of execution of such lease, with the Housing Expediter, such housing accommodations shall not thereafter be subject to any maximum rent established or maintained under the provisions of this title unless such lease is terminated before March 31, 1949. If any such lease is so terminated the maximum rent (unless a subsequent lease entered into under the provisions of this paragraph is in force) shall be not in excess of 15 per centum over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of the Housing and Rent Act of 1948.

"(4) A landlord shall file a report with the Housing Expediter of any termination of a lease entered into under this subsection prior to the expiration date of the lease, including leases entered into under this subsection prior to the date of enactment of the Housing and Rent Act of 1948. Such report shall be filed within fifteen days after such termination or fifteen days after the effective date of such Act, whichever is the later date."

(c) Section 204 (c) of such Act, as amended,<sup>5</sup> is amended to read as follows:

"(c) The Housing Expediter is hereby authorized and directed to remove any or all maximum rents before this title ceases to be in effect, in any defense-rental area or portion thereof or with respect to any class of housing accommodations in any such area or portion thereof, if in his judgment the need for continuing maximum rents in such area or portion thereof or with respect to such class of housing accommodations no longer exist, due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met. The Housing Expediter shall from time to time make surveys with a view to carrying out the purpose of this subsection to decontrol housing accommodations at the earliest practicable time."

(d) Section 204 (e) of such Act, as amended, is amended to read as follows:

"(e) (1) The Housing Expediter is authorized and directed to create in each defense-rental area, or such portion thereof as he may designate, a local advisory board, each such board to consist of not less than five members who are citizens of the area and who, insofar as practicable, as a group are representative of the affected interests in the area, to be appointed by the Housing Expediter, from recommendations made by the respective Governors: *Provided*, That in any case where the Governor has made no recommendations for original appointments to local boards or appointments to fill vacancies, within thirty days after request therefor (subsequent to the date of enactment of the Housing and Rent Act of 1948) from the Housing Expediter, the Housing Expediter shall without such recommendations appoint the original members of such boards or such members as may be required to fill vacancies. Nothing in the foregoing provisions shall require the reappointment of present members of local advisory boards, but any change in the membership of any local advisory board necessitated by this provision shall be effectuated as promptly as may be practicable. Each such board shall have sufficient members to enable it promptly to consider individual adjustment cases coming before it on which the board shall make recommendations to the officials administering this title within its area; and before recommending any such adjustment the board shall give notice to the parties and



shall hold a hearing at the request of either party. Any local board may make such recommendations to the Housing Expediter as it deems advisable with respect to the following matters:

"(A) Removal of any or all maximum rents in the area, or any portion thereof, over which the local board has jurisdiction, or with respect to any class of housing accommodations within such area or any portion thereof, if in the judgment of the local board the need for continuing maximum rents in such area or portion thereof or with respect to such class of housing accommodations no longer exists, due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met; and

"(B) Adjustments, other than individual adjustments, in maximum rents in such area or any portion thereof or with respect to any class of housing accommodations within such area or any portion thereof, deemed by the local board to be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of this title; and

"(C) Operations generally of the local rent office with particular reference to hardship cases.

"(2) The Housing Expediter shall furnish the local boards suitable office space and stenographic assistance and shall make available to such boards any records and other information in the possession of the Housing Expediter with respect to the establishment and maintenance of maximum rents and housing accommodations in the respective defense-rental areas which may be requested by such boards.

"(3) Upon receipt of any recommendation from a local board, the Housing Expediter shall promptly notify the local board, in writing, of the date of his receipt of such recommendation. Except as provided hereinafter in this subsection, within thirty days after receipt of any recommendation of a local board such recommendation shall be approved or disapproved or the local board shall be notified in writing of the reasons why final action cannot be taken in thirty days. Any recommendation of a local board appropriately substantiated and in accordance with applicable law and regulations shall be approved and appropriate action shall promptly be taken to carry such recommendation into effect.

"(4) For the purposes of paragraph (3) any recommendation of a local board as to a matter referred to in paragraph (1) (A) or (B) shall be deemed to be appropriately substantiated and in accordance with applicable law and regulations, and shall be carried into effect as hereinafter provided—

"(A) If the local board held a public hearing on such matter, at which interested persons (including representatives of the State and of political subdivisions thereof) were given a reasonable opportunity to be heard, by interpleader or otherwise, with right to be represented by counsel;

"(B) If notice of the date, time, place, and purpose of such hearing was given (i) in writing to the Governor of the State not less than fifteen days prior to such date, and (ii) by publication in a newspaper of general circulation in the area over which the local board has jurisdiction at least fifteen days prior to such date, and a second notice was given by publication in such a newspaper at least five days prior to such date;

"(C) If a copy of the local board's recommendation was filed with the Governor of the State within five days after such recommendation was mailed to the Housing Expediter;

"(D) If a record is made of the evidence adduced at the public hearing held by the local board, and the local board certifies and transmits to the Housing Expediter, with such recommendation, a transcript of such record, or of those parts of such record, upon which its recommendation is based and a written statement of its findings made upon the basis of such record; and

"(E) if the record so certified and transmitted to the Housing Expediter contains adequate and substantial evidence to support the findings and recommendation of the local board.

If the Housing Expediter does not approve such recommendation within thirty days after the date of its receipt by him, he shall, within five days after the expiration of such thirty-day period, file such recommendation in the Emergency Court of Appeals, together with the record and statement of findings of the local board and such statement as the Housing Expediter may desire to make as to his views on the matter. The statement of the Housing Expediter may be accompanied by such supporting information as the Housing Expediter deems appropriate. Thereupon the Emergency Court of Appeals shall have jurisdiction to enter, within thirty days after the date of its receipt of such recommendation from the Housing Expediter (or within such additional period of not more than thirty days as the court may find necessary in exceptional cases), an order approving or disapproving the recommendation of the local board. The recommendation, record, and statement of findings of the local board, together with the statement and supporting information filed by the Housing Expediter, shall constitute the record before the court. If the court determines that the recommendation is not in accordance with law, or that the evidence in the record before the court, including such additional evidence as may be adduced before the court, is not of sufficient weight to justify such recommendation, the court shall enter an order disapproving such recommendation; otherwise it shall enter an order approving such recommendation. The judgment and decree of the court shall be final. The powers heretofore granted by law to the Emergency Court of Appeals are hereby continued for purposes of exercise of the jurisdiction granted by this subsection. The court shall prescribe rules governing its procedure in such manner as to expedite the determination of cases of which it has jurisdiction under this paragraph. The Housing Expediter, the local board, and representatives of the State or States involved, shall be granted, to the extent determined by the court, an opportunity to be heard, by interpleader or otherwise, with right to be represented by counsel.

"(5) Any recommendation to which paragraph (4) applies, if an order of disapproval thereof has not been entered by the Emergency Court of Appeals within the time prescribed in such paragraph, shall be carried out by the Housing Expediter—

"(A) if it is with respect to a matter referred to in paragraph (1) (A), so that the decontrol is effected, retroactively if necessary, on the date recommended by the local board, but not before sixty days after the date of the receipt of such recommendation by the Housing Expediter: *Provided*, That during the period of ninety days beginning with the date on which such decontrol is effected, the provisions of section 209 of this title shall be in effect as though such decontrol had not been effected; and

"(B) if it is with respect to a matter referred to in paragraph (1) (B), so that the adjustment in maximum rents is effected, retroactively if necessary, on the date recommended by the local board, but not before thirty days after the receipt of the recommendation by the Housing Expediter.

"(6) In addition to employees furnished under paragraph (2), local boards are hereby authorized to employ such attorneys as may be necessary for purposes of hearings and court proceedings under this subsection; and may pay the necessary costs of reporting hearings, but the cost of stenographic services in reporting such hearings shall not be in excess of twenty-five cents per hundred words, with one additional copy at a cost of not exceeding five cents per hundred words. Attorneys shall be paid not to exceed \$25 per day when actually employed, and shall be allowed necessary traveling and subsistence expenses.

"(7) Immediately upon the enactment of the Housing and Rent Act



of 1948 the Housing Expediter shall communicate with the Governors of the several States advising them of the provisions of this subsection as amended and of the number and location of defense-rental areas in their respective States and the areas or portions thereof in which boards are to be appointed therein, and requesting the cooperation of the Governors of the several States in carrying out such provisions."

(e) Section 204 (f) of such Act, as amended,<sup>6</sup> is amended to read as follows:

"(f) The provisions of this title shall cease to be in effect at the close of March 31, 1949."

(f) Section 204 of such Act, as amended, is amended by adding at the end thereof a new subsection as follows:

"(g) Nothing in this title shall be interpreted or construed to authorize the Housing Expediter to prohibit, in the case of any rental agreement hereafter entered into, the demand, collection, or retention of a security deposit, if said deposit does not exceed the rent for one month in addition to the otherwise authorized collection of rent in advance, if the demand, collection, or retention of such a security deposit was an accepted rental practice, prior to January 30, 1942, in the area in which the premises are located, or was customarily required before that date by the same landlord in the renting of the particular housing accommodations involved, and if the tenant is allowed, under the terms of the rental agreement, to occupy the premises for the period covered by the security deposit without further payment of rent."

Sec. 203. Section 206 of such Act, as amended,<sup>7</sup> is amended to read as follows:

"Sec. 206. (a) It shall be unlawful for any person to offer, solicit, demand, accept, or receive any rent for the use or occupancy of any controlled housing accommodations in excess of the maximum rent prescribed under section 204 or otherwise to do or omit to do any act in violation of any provision of this title.

"(b) Whenever in the judgment of the Housing Expediter any person has engaged or is about to engage in any act or practice which constitutes or will constitute a violation of any provision of this title, he may make application to any Federal, State, or Territorial court of competent jurisdiction, for an order enjoining such act or practice, or for an order enforcing compliance with such provision, and upon a showing by the Housing Expediter that such person has engaged or is about to engage in any such act or practice a permanent or temporary injunction, restraining order, or other order shall be granted without bond."

Sec. 204. (a) Section 209 (a) (2) of such Act, as amended,<sup>8</sup> is amended to read as follows:

"(2) the landlord seeks in good faith to recover possession of such housing accommodations for his immediate and personal use and occupancy as housing accommodations, or for the immediate and personal use and occupancy as housing accommodations by a member or members of his immediate family, or, in the case of a landlord which is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, or the immediate and personal use and occupancy as housing accommodations of members of its staff: *Provided*, That in the case of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association no action or proceeding under this paragraph or paragraph (3) to recover possession of any such housing accommodations shall be maintained unless stock in the cooperative corporation or association has been purchased by persons who are then stockholder tenants in occupancy of at least 65 per centum of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or

<sup>6</sup> 50 U.S.C.A. Appendix, § 1894.

<sup>7</sup> 50 U.S.C.A. Appendix, § 1896.

<sup>8</sup> 50 U.S.C.A. Appendix, § 1899.

premises; but this proviso shall not apply where such corporation or association acquires or leases such structure or premises after the effective date of the Housing and Rent Act of 1948 pursuant to a contract entered into prior to such date;"

(b) Section 209 (a) (4) of such Act, as amended, is amended to read as follows:

"(4) the landlord seeks in good faith to recover possession of such housing accommodations (A) for the immediate purpose of substantially altering or remodeling the same for continued use as housing accommodations, or for the immediate purpose of conversion into additional housing accommodations, and the altering, remodeling, or conversion cannot practically be done with the tenant in occupancy, and the landlord has obtained such approval as may be required by Federal, State, or local law for the alterations, remodeling, or any conversion planned, or (B) for the immediate purpose of demolishing such housing accommodations;"

(c) Section 209 (a) (5) of such Act, as amended, is hereby repealed.

(d) Section 209 (a) of such Act, as amended, is amended by adding after paragraph (4) thereof two new paragraphs to read as follows:

"(5) the landlord seeks in good faith to recover possession of such housing accommodations for the immediate purpose of withdrawing such housing accommodations from the rental market, and such housing accommodations shall not thereafter be offered for rent as such; or

"(6) the housing accommodations have been acquired by a State or any political subdivision thereof for the purpose of making a public improvement and are rented temporarily pending the construction of such improvement."

(e) Section 209 of such Act, as amended, is amended by adding at the end thereof the following new subsection:

"(c) No tenant shall be obliged to surrender possession of any housing accommodations pursuant to the provisions of paragraph (2), (3), (4), (5), or (6) of subsection (a) until the expiration of at least sixty days after written notice from the landlord that he desires to recover possession of such housing accommodations for one of the purposes specified in such paragraphs."

### TITLE III—MISCELLANEOUS

Sec. 301. Section 2 (a) of the Administrative Procedure Act, as amended,<sup>9</sup> is amended by inserting after "Housing and Rent Act of 1947" the following: ", as amended".

Sec. 302. Nothing in this Act or in the Housing and Rent Act of 1947,<sup>10</sup> as amended, shall be construed to require any person to offer any housing accommodations for rent.

Sec. 303. Nothing in this Act shall be construed to impose or authorize the imposition of maximum rents upon any housing accommodations in any defense-rental area or portion thereof, or upon housing accommodations of a class, in the case of which maximum rents have been removed by administrative action in accordance with the provisions of the Housing and Rent Act of 1947; and nothing in this Act shall be construed to affect any adjustment in maximum rent made in accordance with the Housing and Rent Act of 1947.

Sec. 304. Section 2 of Public Law 301, Eightieth Congress, approved July 31, 1947<sup>11</sup> (relating to eviction of tenants from publicly operated housing accommodations), as amended, is hereby amended by striking out "April 1, 1948" and inserting in lieu thereof "April 1, 1949".

Sec. 305. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the validity

<sup>9</sup> 5 U.S.C.A. § 1001.

<sup>10</sup> U.S. Code Cong. Service 1947, p. 200.

<sup>11</sup> 42 U.S.C.A. § 1412a.



of the remainder of the Act, and the applicability of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 306. This Act shall become effective on the first day of the first calendar month following the month in which it is enacted.

Approved March 31, 1948.

## NATIONAL FOREST LANDS—USE AND OCCUPANCY

*See Legislative History, p. 853*

### CHAPTER 162—PUBLIC LAW 465

[H. R. 1869]

An Act to facilitate the use and occupancy of national-forest lands, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of Agriculture, in conformity with regulations prescribed by him, may permit the use and occupancy of national-forest lands in Alaska for purposes of residence, recreation, public convenience, education, industry, agriculture, and commerce, not incompatible with the best use and management of the national forests, for such periods as may be warranted but not exceeding thirty years and of such areas as may be necessary but not exceeding eighty acres, and after such permits have been issued and so long as they continue in full force and effect the lands therein described shall not be subject to location, entry, or appropriation, under the public land laws or mining laws, or to disposition under the mineral leasing laws: *Provided*, That nothing herein contained shall prevent the said Secretary from canceling, revoking, or otherwise terminating a permit so issued upon proof of a breach of its terms and conditions or for other just cause.

Approved March 30, 1948.

## DISTRICT OF COLUMBIA—EMERGENCY RENT ACT

### CHAPTER 163—PUBLIC LAW 466

[H. R. 5856]

An Act to extend for a temporary period the provisions of the District of Columbia Emergency Rent Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Section 1(b) of the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended (D. C. Code, 1940 edition, sec. 45-1601), is hereby amended by striking out "March 31, 1948" and inserting in lieu thereof "April 30, 1948".

Approved March 30, 1948.

## RURAL MAIL CARRIERS—EQUIPMENT MAINTENANCE

*See Legislative History, p. 855*

### CHAPTER 164—PUBLIC LAW 467

[S. 203]

An Act to increase the equipment maintenance of rural carriers 1 cent per mile per day traveled by each rural carrier for a period of two years, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Each carrier in the rural mail delivery service shall be paid for equipment maintenance a sum equal to 1 cent per mile per day for each mile or major fraction of a mile scheduled in addition to the 6 cents per mile per day for each mile or major fraction of a mile scheduled as now provided by law. Payments for the additional equipment maintenance as provided herein shall be at the same periods and in the same manner as payments for regular compensation to rural carriers.

Sec. 2. There are hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this Act.

Sec. 3. This Act shall take effect on the first of the month following the date of its enactment and shall terminate two years from the beginning date or such earlier date as the Congress may by concurrent resolution prescribe.

Approved March 31, 1948.

## NATIONAL HOUSING ACT—TEMPORARY EXTENSION

*See Legislative History, p. 856*

### CHAPTER 165—PUBLIC LAW 468

[S. 2361]

An Act to provide for a temporary extension of the National Housing Act, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

(a) The first proviso of section 603(a) of the National Housing Act,<sup>12</sup> as amended, is amended to read as follows: "Provided, That the aggregate amount of principal obligations of all mortgages insured under this title shall not exceed \$5,350,000,000".

(b) Section 603(a) of such Act, as amended, is amended by striking out "March 31, 1948" in each place where it appears and inserting in lieu thereof "April 30, 1948".

(c) Section 603(b) (2) of such Act, as amended, is amended by striking out "necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Administrator shall approve)" and inserting in lieu thereof "value (as of the date the mortgage is accepted for insurance), except that as to applications received by the Administrator on or before March 31, 1948, the mortgage may involve a principal obligation in an amount not to exceed 90 per centum of the Administrator's estimate of the necessary current cost (including the land and such initial service charges and such appraisal, inspection, and other fees as the Administrator shall approve);".

<sup>12</sup> 12 U.S.C.A. § 1738.



(d) Section 604(b) of such Act,<sup>12</sup> as amended, is amended by striking out "necessary current cost" and inserting in lieu thereof "value".

Approved March 31, 1948.

## RUBBER ACT OF 1948

*See Legislative History, p. 857*

### CHAPTER 166—PUBLIC LAW 469

[H. R. 5314]

An Act to strengthen national security and the common defense by providing for the maintenance of an adequate domestic rubber-producing industry, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

This Act may be cited as the "Rubber Act of 1948".

#### DECLARATION OF POLICY

Sec. 2. It is the policy of the United States that there shall be maintained at all times in the interest of the national security and common defense, in addition to stock piles of natural rubber which are to be acquired, rotated, and retained pursuant to the Strategic and Critical Materials Stock Piling Act (Public Law 520, Seventy-ninth Congress, approved July 23, 1946),<sup>13</sup> a technologically advanced and rapidly expandable rubber-producing industry in the United States of sufficient productive capacity to assure the availability in times of national emergency of adequate supplies of synthetic rubber to meet the essential civilian, military, and naval needs of the country. It is further declared to be the policy of the Congress that the security interests of the United States can and will best be served by the development within the United States of a free, competitive synthetic-rubber industry. In order to strengthen national security through a sound industry it is essential that Government ownership of production facilities, Government production of synthetic rubber, regulations requiring mandatory use of synthetic rubber, and patent pooling be ended and terminated whenever consistent with national security, as provided in this Act.

#### AUTHORITY TO EXERCISE CERTAIN CONTROLS OVER NATURAL RUBBER AND SYNTHETIC RUBBER AND PRODUCTS CONTAINING NATURAL AND SYNTHETIC RUBBER

Sec. 3. To effectuate the policies set forth in section 2 of this Act, the President is authorized to exercise allocation, specification, and inventory controls of natural rubber and synthetic rubber, and specification controls of products containing natural rubber and synthetic rubber, notwithstanding any changes in the supply or estimated supply of natural rubber or synthetic rubber; and he shall exercise such controls by issuing such regulations as are required to insure (a) the consumption in the United States of general-purpose synthetic rubber in a specified percentage of the combined total estimated annual consumption of natural rubber and general-purpose synthetic rubber consumed within the United States, and (b) the consumption in the United States of any or all types of special-purpose synthetic rubber in specified percentages of the combined total estimated annual consumption of natural rubber, general-purpose synthetic rubber, and special-purpose synthetic rubber consumed within the United States. Such percentages shall be established so as to assure the production and consumption of general-purpose synthetic rubber and special-purpose synthetic rubber in quantities deter-

<sup>12</sup> 12 U.S.C.A. § 1739.

<sup>13</sup> 50 U.S.C.A. Appendix, §§ 98-98h, 1623, 1631 note.

mined by the President to be necessary to carry out the policy of section 2 of this Act, and the provisions of Public Law 520, Seventy-ninth Congress, approved July 23, 1946: *Provided*, That the minimum percentages established by the President shall result in a total annual tonnage consumption of synthetic rubber of at least the amounts specified in section 5(d) of this Act, and that any mandatory consumption in excess of the quantities specified in section 5(d) of this Act shall not be more than is deemed by the President to be necessary in the interest of national security and the common defense.

#### IMPORTATION AND EXPORTATION

Sec. 4. (a) The President may impose such import restrictions on finished and semifinished rubber products as he deems necessary to assure equality with like or similar products produced within the United States in accordance with regulations issued under this Act.

(b) The President may exempt from the regulations issued under this Act finished and semifinished rubber products manufactured in the United States exclusively for export outside the United States.

#### DOMESTIC RUBBER-PRODUCING CAPACITY

Sec. 5. (a) There shall be maintained at all times within the United States rubber-producing facilities having a rated production capacity of not less than six hundred thousand long tons per annum of general-purpose synthetic rubber and not less than sixty-five thousand long tons per annum of special-purpose synthetic rubber.

(b) Of the sixty-five-thousand-long-ton rated production capacity for special-purpose synthetic rubber, specified in section 5(a) of this Act, at least forty-five thousand long tons shall be of a type suitable for use in pneumatic inner tubes.

(c) The synthetic rubber used to satisfy the mandatory consumption provided in section 3 of this Act shall be produced by the Government or for the Government account, or purchased from others for resale by the Government or for the Government account.

(d) Facilities in operation by the Government or private persons shall produce annually not less than one-third of the rated production capacities specified in section 5(a) and (b) of this Act.

(e) The facilities to be maintained in operation by the Government and those to be maintained in adequate stand-by condition shall be determined from time to time by the President.

(f) At least one facility for making butadiene from alcohol shall be maintained in operation or in adequate stand-by condition.

#### RESEARCH AND DEVELOPMENT

Sec. 6. (a) To effectuate further the policies set forth in section 2 of this Act with respect to a technologically advanced domestic rubber-producing industry, continuous and extensive research by private parties and the Government is essential. The Government is hereby authorized to undertake research in rubber and allied fields and the powers, functions, duties, and authority of the Government to undertake research and development in rubber and allied fields shall be exercised and performed by such departments, agencies, officers, Government corporations, or instrumentalities of the United States as the President may designate, whether or not existing at the date of enactment of this Act.

(b) The cost of undertaking and maintaining the research and development authorized in section 6(a) of this Act may be paid from such sums as the Congress, from time to time, may appropriate to carry out the provisions of this Act.

#### OPERATION OF RUBBER-PRODUCING FACILITIES BY THE UNITED STATES GOVERNMENT

Sec. 7. (a) The powers, functions, duties, and authority to produce and sell synthetic rubber conferred in section 7(b) of this Act shall be



exercised and performed by such department, agency, officer, Government corporation, or instrumentality of the United States as the President may designate, whether or not existing at the date of enactment of this Act.

(b) The department, agency, officer, Government corporation, or instrumentality of the United States designated by the President pursuant to section 7(a) of this Act shall have the powers, functions, duties, and authority to produce and sell synthetic rubber, including the component materials thereof, in amounts sufficient to assure the production of synthetic rubber as required by the President in section 3 of this Act: *Provided*, That so far as practicable the President shall authorize such production of synthetic rubber, including the component materials thereof, as may be necessary to satisfy voluntary usage of synthetic rubber, including the component materials thereof.

(c) The aforesaid powers, functions, duties, and authority to produce and sell include all power and authority in such department, agency, officer, Government corporation, or instrumentality of the United States to do all things necessary and proper in connection with and related to such production and sale, including but not limited to the power and authority to make repairs, replacements, alterations, improvements, or betterments to the rubber-producing facilities owned by the Government or in connection with the operation thereof and to make capital expenditures as may be necessary for the efficient and proper operation and maintenance of the rubber-producing facilities owned by the Government and performance of said powers, functions, duties, and authority.

(d) Notwithstanding the provisions of this or any other Act, the aforesaid powers, functions, duties, and authority to produce and sell include the power and authority in such department, agency, officer, Government corporation, or instrumentality of the United States to (1) lease for operation for Government account all or any part of the Government-owned rubber-producing facilities in connection with the performance of said powers, functions, duties, and authority to produce and sell; (2) lease, for a period not extending beyond the termination date of this Act, Government-owned rubber-producing facilities for private purposes if such lease contains adequate provisions for the recapture thereof for the purposes set forth in section 7(b) of this Act and if such lease provides that any synthetic rubber or component material as may be produced by the leased facilities shall not be used to satisfy mandatory requirements established by section 3; (3) grant permanent easements or licenses for private purposes in, on, or over land comprising part of the Government-owned rubber-producing facilities if such grant provides that such easement or license shall not interfere with the use at any time of the rubber-producing facilities involved; and (4) sell or otherwise dispose of obsolete or other property not necessary for the production of the rated capacity of the particular plant to which such property is charged.

#### STAND-BY FACILITIES

Sec. 8. (a) To effectuate further the policies set forth in section 2 of this Act, the President is authorized to place in adequate stand-by condition such rubber-producing facilities as he shall determine necessary to maintain the continued existence of rubber-producing facilities capable of producing the tonnage of synthetic rubber required by section 5(a) of this Act.

(b) Rubber-producing facilities placed in stand-by condition by the President pursuant to section 8(a) of this Act may be maintained by such department, agency, officer, Government corporation, or instrumentality of the United States, whether or not existing on the date of enactment of this Act, as the President may designate: *Provided*, That nothing contained in section 8(b) of this Act shall preclude such department, agency, officer, Government corporation, or instrumentality of the

United States from entering into contracts with private persons for the maintenance of stand-by facilities: *Provided further*, That the cost of placing facilities in stand-by condition, maintaining such facilities in adequate stand-by condition, and, when necessary, reactivating such facilities, may be paid from such sums as the Congress, from time to time, may appropriate to carry out the provisions of this Act.

#### DISPOSAL OF GOVERNMENT-OWNED RUBBER-PRODUCING FACILITIES

Sec. 9. (a) The department, agency, officer, Government corporation, or instrumentality of the United States designated by the President pursuant to section 7(a) of this Act shall undertake immediate study, conducting such hearings as may be necessary, in order to determine and formulate a program for disposal to private industry by sale or lease of the Government-owned rubber-producing facilities other than those authorized to be disposed of pursuant to section 9(b) of this Act. A report with respect to the development of such a disposal program shall be made to the President and to Congress not later than April 1, 1949. On or before January 15, 1950, the President, after consultation with the National Security Resources Board, shall recommend to the Congress legislation with respect to the disposal of the Government-owned rubber-producing facilities other than those authorized to be sold, leased, or otherwise disposed of under the provisions of section 9(b) of this Act, together with such other recommendations as he deems desirable and appropriate: *Provided*, That the Government shall maintain the ownership of a rated rubber-producing capacity of six hundred thousand long tons of general-purpose rubber and a rated rubber-producing capacity of sixty-five thousand long tons of special-purpose rubber until a program is formulated and adopted for the sale or lease of such facilities as provided in this section.

(b) Notwithstanding the provisions of this or any other Act, the department, agency, officer, Government corporation, or instrumentality of the United States designated by the President pursuant to section 7(a) of this Act may, after consultation with the National Security Resources Board, sell, lease, or otherwise dispose of to private persons any rubber-producing facility, including such facilities as have been declared surplus pursuant to the Surplus Property Act of 1944, as amended,<sup>15</sup> not required to fulfill the capacity set forth in section 5(a) of this Act upon such terms and conditions as it may determine providing that such sale or lease shall be on the condition that any synthetic rubber or component materials produced in such facility shall not be used to satisfy the mandatory requirements established by section 3 of this Act.

#### ADMINISTRATION

Sec. 10. (a) The President may issue such rules and regulations as he deems necessary and appropriate to carry out the provisions of this Act.

(b) The President may exercise any or all of the powers, authority, and discretion conferred upon him by this Act, including but not limited to the powers and authority conferred in section 12 of this Act, through such departments, agencies, officers, Government corporations, or instrumentalities of the United States, whether or not existing at the date of the enactment of this Act, as he may direct.

(c) The President, insofar as practical, shall consolidate all of the powers, functions, and authority contained in this Act in one department, agency, officer, Government corporation, or instrumentality of the United States, whether or not existing at the date of enactment of this Act. The President is authorized to cause a corporation to be organized for the purpose of producing and selling synthetic rubber. Any such corporation so organized shall be authorized, subject to the Government

<sup>15</sup> 59 U.S.C.A. Appendix, §§ 1611-1630, 1632-1646.



Corporation Control Act and to pertinent provisions of law affecting Government corporations, to sue and be sued, to acquire, hold, and dispose of property, to use its revenues, to determine the character of and necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed and paid, and to exercise such other powers as may be necessary or appropriate to carry out the purposes of the corporation. The Secretary of the Treasury is authorized, out of appropriations made for that purpose, to subscribe to the capital stock of such corporation.

(d) The President may transfer to the departments, agencies, officers, Government corporations, or instrumentalities of the United States, or to any of them, which he directs to exercise the powers, authority, and discretion conferred upon him by this Act, such rubber-producing facilities, personnel, property, and records relating to such powers, authority, and discretion, as he deems necessary; and he may so transfer all appropriations or other funds available for carrying out such powers, authority, and discretion.

(e) In addition to the reports required by section 9(a) of this Act, each department, agency, officer, Government corporation, or instrumentality of the United States to whom the President may delegate any powers, authority, and discretion conferred by this Act shall make an annual report to the President and to the Congress of operations under this Act.

#### PATENT POOLING AND USE OF TECHNICAL INFORMATION

Sec. 11. (a) To effectuate further the policies of this Act, the President is authorized and directed to take such action as may be appropriate with respect to patent pooling, patent licensing and exchange of information agreements entered into with the Government as a part of the wartime synthetic rubber program and, insofar as practicable and consistent with the purposes of this Act, to effectuate immediate cessation of further accumulation of technical information or rights to patents under the agreement dated December 19, 1941, as supplemented June 12, 1942, between the Government and others.

(b) Any department, agency, officer, Government corporation, or instrumentality of the United States as the President may designate to perform the powers, functions, duties, and authority referred to in section 7(b) of this Act shall be entitled to the benefits of the Act of June 25, 1910 (36 Stat. 851), as amended July 1, 1918 (40 Stat. 705), or any similar Act.

#### INFORMATION, REPORTS, SUBPENAS, WITNESSES, AND TESTIMONY

Sec. 12. (a) The President shall be entitled to obtain such information from, require such reports and the keeping of such records by, make such inspection of the books, records, and other writings, premises, or property of, any person and make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this Act.

(b) For the purpose of obtaining any information, verifying any report required, or making any investigation pursuant to section 12(a) of this Act, the President may administer oaths and affirmations, and may require by subpoena or otherwise the attendance and testimony of witnesses and the production of any books or records or any other documentary or physical evidence which may be relevant to the inquiry. Such attendance and testimony of witnesses and the production of such books, records, or other documentary or physical evidence may be required at any designated place from any State, Territory, or other place subject to the jurisdiction of the United States: *Provided*, That the production of a person's books, records, or other documentary evidence shall not be required at any place other than the place where such person resides or transacts business, if, prior to the return date specified in the

subpena issued with respect thereto, such person furnishes the President with a true copy of such books, records, or other documentary evidence (certified by such person under oath to be a true and correct copy) or enters into a stipulation with the President as to the information contained in such books, records, or other documentary evidence. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States. No person shall be excused from attending and testifying or from producing any books, records, or other documentary evidence or certified copies thereof, or physical evidence, in obedience to any such subpena, or in any action or proceeding which may be instituted under this Act on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be subject to prosecution and punishment, or to any penalty or forfeiture, for or on account of any transaction, matter, or thing concerning which he is compelled to testify or produce evidence, documentary or otherwise, after having claimed his privilege against self-incrimination, except that any such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The President shall not publish or disclose any information obtained under this section which the President deems confidential or with reference to which a request for confidential treatment is made by the person furnishing such information, unless the President determines that the withholding thereof is contrary to the interest of the national defense and security; and anyone violating this provision shall be guilty of a felony and, upon conviction thereof, shall be fined not exceeding \$1,000 or be imprisoned not exceeding two years, or both.

#### PENALTIES

Sec. 13. Any person who willfully performs any act prohibited, or willfully fails to perform any act required by any provision of this Act or any rule, regulation, or order thereunder, shall upon conviction be fined not more than \$10,000 or imprisoned for not more than two years, or both.

#### JURISDICTION OF THE UNITED STATES COURTS

Sec. 14. (a) The district courts of the United States, and the United States courts of any Territory or other place subject to the jurisdiction of the United States, shall have jurisdiction of violations of this Act or any rule, regulation, or order or subpena thereunder, and of all civil actions under this Act to enforce any liability or duty created by, or to enjoin any violation of this Act or any rule, regulation, order, or subpena thereunder.

(b) Any criminal proceeding on account of any such violation may be brought in any district in which any act, failure to act, or transaction constituting the alleged violation occurred. Any such civil action may be brought in any such district or in the district in which the defendant resides or transacts business. Process in such cases, criminal or civil, may be served in any district wherein the defendant resides or transacts business or wherever the defendant may be found; and subpoenas for witnesses who are required to attend a court in any district in any such cases may run into any other district. No costs shall be assessed against the United States in any proceeding under this Act.

#### EXCULPATORY CLAUSE

Sec. 15. No person shall be held liable for damages or penalties for any default under any contract or order which shall result directly or indirectly from compliance with this Act or any rule, regulation, or order issued thereunder, notwithstanding that any such rule, regulation, or order shall thereafter be declared by judicial or other competent authority to be invalid.



## EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT

Sec. 16. Functions exercised under this Act shall be excluded from the operation of the Administrative Procedure Act<sup>10</sup> except as to the requirements of sections 3 and 10 thereof.

## SEPARABILITY

Sec. 17. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

## DEFINITIONS

Sec. 18. For the purposes of this Act—

(a) The term "natural rubber" means all forms and types of tree, vine, or shrub rubber, including guayule and natural rubber latex, but excluding reclaimed natural rubber;

(b) The term "synthetic rubber" means any product of chemical synthesis similar in general properties and applications to natural rubber, and specifically capable of vulcanization, produced in the United States, not including reclaimed synthetic rubber;

(c) The term "general-purpose synthetic rubber" means a synthetic rubber of a butadiene-styrene type generally suitable for use in the manufacture of transportation items such as tires or camel-back, as well as any other type of synthetic rubber equally or better suited for use in the manufacture of transportation items such as tires or camel-back as determined from time to time by the President;

(d) The term "special-purpose synthetic rubber" means a synthetic rubber of the types now known as butyl, neoprene, or N-types (butadiene-acrylonitrile types) as well as any synthetic rubber of similar or improved quality applicable to similar uses, as determined from time to time by the President;

(e) The term "rubber-producing facilities" means facilities, in whole or in part, for the manufacture of synthetic rubber, and the component materials thereof, including, but not limited to, buildings and land in which or on which such facilities may be located and all machinery and utilities associated therewith;

(f) The term "rated production capacity" means the actual productive capacity assigned to any rubber-producing facilities at time of authorization of construction or as thereafter amended in authorizations of additional construction or alterations thereto and used in published reports and in the records of the Office of Rubber Reserve, Reconstruction Finance Corporation, or successor agency, or privately owned plants, determined by the President based upon operating experience and records as determined from time to time by the President;

(g) The term "component materials" means the material, raw, semi-finished, and finished, necessary for the manufacture of synthetic rubber;

(h) The term "stand-by condition" means the condition in which rubber-producing facilities, in whole or in part, are placed when determined to be not needed for current operations, but are maintained so as to be readily available for the production of synthetic rubber or component materials;

(i) The term "person" means any individual, firm, copartnership, business trust, corporation, or any organized group of persons whether incorporated or not, and except for the provisions of section 13 any Government department, agency, officer, corporation, or instrumentality of the United States; and

(j) The term "United States" includes the several States, the District of Columbia, the Territories of Alaska and Hawaii, and Puerto Rico.

AUTHORIZATION FOR APPROPRIATIONS

Sec. 19. (a) There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act.

(b) Until such time as appropriations herein authorized are made, any department, agency, officer, Government corporation, or instrumentality of the United States may, in order to carry out its functions, powers, and duties under this Act, continue to incur obligations and make expenditures in accordance with laws in effect on March 31, 1948.

EFFECTIVE DATE

Sec. 20. This Act shall become effective on April 1, 1948, and shall remain in effect until June 30, 1950.

Approved March 31, 1948.

APPROPRIATIONS—FOREIGN AID, INDIAN WELFARE, ETC.

CHAPTER 167—PUBLIC LAW 470

[H. J. Res. 355]

Joint Resolution making appropriations for foreign aid, welfare of Indians, and refunding internal-revenue collections.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1948, and for other purposes, namely:

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN AID

Foreign aid: For an additional amount for "Foreign aid", \$55,000,000, to be applicable to Austria, France, and Italy: *Provided*, That, notwithstanding the provisions of section 15 of the Foreign Aid Act of 1947 (Public Law 389, Eightieth Congress),<sup>17</sup> all funds appropriated for the purposes of such Act shall remain available for obligation for the procurement of commodities for a period of thirty days following the date of enactment of this Act.

DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

Welfare of Indians: For an additional amount for "Welfare of Indians", \$125,000.

TREASURY DEPARTMENT

BUREAU OF INTERNAL REVENUE

Refunding internal-revenue collections: For an additional amount for "Refunding internal-revenue collections", \$500,000,000.

Approved March 31, 1948.

REVENUE ACT OF 1948

CHAPTER 168—PUBLIC LAW 471

[H. R. 4700]

*For text of Revenue Act of 1948 and Legislative History, see pp. 541-707.*

<sup>17</sup> U.S. Code Cong. Service 1947, p. 933.



## FOREIGN ASSISTANCE ACT OF 1948

*See Legislative History, p. 865*

## CHAPTER 169—PUBLIC LAW 472

[S. 2202]

An Act to promote world peace and the general welfare, national interest, and foreign policy of the United States through economic, financial, and other measures necessary to the maintenance of conditions abroad in which free institutions may survive and consistent with the maintenance of the strength and stability of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

This Act may be cited as the "Foreign Assistance Act of 1948".

## TITLE I

Sec. 101. This title may be cited as the "Economic Cooperation Act of 1948".

## FINDINGS AND DECLARATION OF POLICY

Sec. 102. (a) Recognizing the intimate economic and other relationships between the United States and the nations of Europe, and recognizing that disruption following in the wake of war is not contained by national frontiers, the Congress finds that the existing situation in Europe endangers the establishment of a lasting peace, the general welfare and national interest of the United States, and the attainment of the objectives of the United Nations. The restoration or maintenance in European countries of principles of individual liberty, free institutions, and genuine independence rests largely upon the establishment of sound economic conditions, stable international economic relationships, and the achievement by the countries of Europe of a healthy economy independent of extraordinary outside assistance. The accomplishment of these objectives calls for a plan of European recovery, open to all such nations which cooperate in such plan, based upon a strong production effort, the expansion of foreign trade, the creation and maintenance of internal financial stability, and the development of economic cooperation, including all possible steps to establish and maintain equitable rates of exchange and to bring about the progressive elimination of trade barriers. Mindful of the advantages which the United States has enjoyed through the existence of a large domestic market with no internal trade barriers, and believing that similar advantages can accrue to the countries of Europe, it is declared to be the policy of the people of the United States to encourage these countries through a joint organization to exert sustained common efforts as set forth in the report of the Committee of European Economic Cooperation signed at Paris on September 22, 1947, which will speedily achieve that economic cooperation in Europe which is essential for lasting peace and prosperity. It is further declared to be the policy of the people of the United States to sustain and strengthen principles of individual liberty, free institutions, and genuine independence in Europe through assistance to those countries of Europe which participate in a joint recovery program based upon self-help and mutual cooperation: *Provided*, That no assistance to the participating countries herein contemplated shall seriously impair the economic stability of the United States. It is further declared to be the policy of the United States that continuity of assistance provided by the United States should, at all times, be dependent upon continuity of cooperation among countries participating in the program.

## PURPOSES OF TITLE

(b) It is the purpose of this title to effectuate the policy set forth in subsection (a) of this section by furnishing material and financial assist-

ance to the participating countries in such a manner as to aid them, through their own individual and concerted efforts, to become independent of extraordinary outside economic assistance within the period of operations under this title, by—

- (1) promoting industrial and agricultural production in the participating countries;
- (2) furthering the restoration or maintenance of the soundness of European currencies, budgets, and finances; and
- (3) facilitating and stimulating the growth of international trade of participating countries with one another and with other countries by appropriate measures including reduction of barriers which may hamper such trade.

#### PARTICIPATING COUNTRIES

Sec. 103. (a) As used in this title, the term "participating country" means—

- (1) any country, together with dependent areas under its administration, which signed the report of the Committee of European Economic Cooperation at Paris on September 22, 1947; and
- (2) any other country (including any of the zones of occupation of Germany, any areas under international administration or control, and the Free Territory of Trieste or either of its zones) wholly or partly in Europe, together with dependent areas under its administration;

provided such country adheres to, and for so long as it remains an adherent to, a joint program for European recovery designed to accomplish the purposes of this title.

(b) Until such time as the Free Territory of Trieste or either of its zones becomes eligible for assistance under this title as a participating country, assistance to the Free Territory of Trieste, or either of its zones, is hereby authorized under the Foreign Aid Act of 1947<sup>18</sup> until June 30, 1949, and the said Foreign Aid Act of 1947 is hereby amended accordingly, and not to exceed \$20,000,000 out of funds authorized to be advanced by the Reconstruction Finance Corporation under subsection (a) of section 114 of this title, or under subsection (d) of section 11 of the Foreign Aid Act of 1947<sup>19</sup> notwithstanding any appropriation heretofore made under such Act, may be utilized for the purposes of this subsection: *Provided*, That section 11(b) of the Foreign Aid Act of 1947 shall not apply in respect of the Free Territory of Trieste or either of its zones: *And provided further*, That the provisions of section 115(b) (6) of this title shall apply to local currency deposited pursuant to section 5(b) of that Act.<sup>20</sup>

#### ESTABLISHMENT OF ECONOMIC COOPERATION ADMINISTRATION

Sec. 104. (a) There is hereby established, with its principal office in the District of Columbia, an agency of the Government which shall be known as the Economic Cooperation Administration, hereinafter referred to as the Administration. The Administration shall be headed by an Administrator for Economic Cooperation, hereinafter referred to as the Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate of \$20,000 per annum. The Administrator shall be responsible to the President and shall have a status in the executive branch of the Government comparable to that of the head of an executive department. Except as otherwise provided in this title, the administration of the provisions of this title is hereby vested in the Administrator and his functions shall be performed under the control of the President.

<sup>18</sup> 22 U.S.C.A. § 1411, 1411 note.

<sup>19</sup> 22 U.S.C.A. § 1411 note.

<sup>20</sup> 22 U.S.C.A. § 1411 note.



(b) There shall be in the Administration a Deputy Administrator for Economic Cooperation who shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of \$17,500 per annum. The Deputy Administrator for Economic Cooperation shall perform such functions as the Administrator shall designate, and shall be Acting Administrator for Economic Cooperation during the absence or disability of the Administrator or in the event of a vacancy in the office of Administrator.

(c) The President is authorized, pending the appointment and qualification of the first Administrator or Deputy Administrator for Economic Cooperation appointed hereunder, to provide, for a period of not to exceed thirty days after the date of enactment of this Act, for the performance of the functions of the Administrator under this title through such departments, agencies, or establishments of the United States Government as he may direct. In the event the President nominates an Administrator or Deputy Administrator prior to the expiration of such thirty-day period, the authority conferred upon the President by this subsection shall be extended beyond such thirty-day period but only until an Administrator or Deputy Administrator qualifies and takes office.

(d) (1) The Administrator, with the approval of the President, is hereby authorized and empowered to create a corporation with such powers as the Administrator may deem necessary or appropriate for the accomplishment of the purposes of this title.

(2) If a corporation is created under this section—

(i) it shall have the power to sue and be sued, to acquire, hold, and dispose of property, to use its revenues, to determine the character of any necessity for its obligations and expenditures and the manner in which they shall be incurred, allowed and paid, and to exercise such other powers as may be necessary or appropriate to carry out the purposes of the corporation;

(ii) its powers shall be set out in a charter which shall be valid only when certified copies thereof are filed with the Secretary of the Senate and the Clerk of the House of Representatives and published in the Federal Register, and all amendments to such charter shall be valid only when similarly filed and published;

(iii) it shall not have succession beyond June 30, 1952, except for purposes of liquidation, unless its life is extended beyond such date pursuant to Act of Congress; and

(iv) it shall be subject to the Government Corporation Control Act<sup>21</sup> to the same extent as wholly owned Government corporations listed in section 191 of such Act.<sup>22</sup>

(3) All capital stock of the corporation shall be of one class, be issued for cash only, and be subscribed for by the Administrator. Payment for such capital stock shall be made from funds available for the purposes of this title.

(e) Any department, agency, or establishment of the Government (including, whenever used in this title, any corporation which is an instrumentality of the United States) performing functions under this title is authorized to employ, for duty within the continental limits of the United States, such personnel as may be necessary to carry out the provisions and purposes of this title, and funds available pursuant to section 114 of this title shall be available for personal services in the District of Columbia and elsewhere without regard to section 14(a) of the Federal Employees Pay Act of 1946 (60 Stat. 219).<sup>23</sup> Of such personnel employed by the Administration, not to exceed one hundred may be compensated without regard to the provisions of the Classification Act of 1923, as amended,<sup>24</sup> of whom not more than twenty-five may be com-

<sup>21</sup> 31 U.S.C.A. §§ 841-869.

<sup>22</sup> 31 U.S.C.A. § 846.

<sup>23</sup> 5 U.S.C.A. § 947.

<sup>24</sup> 5 U.S.C.A. §§ 661-674.

pensated at a rate in excess of \$10,000 per annum, but not in excess of \$15,000 per annum. Experts and consultants or organizations thereof, as authorized by section 15 of the Act of August 2, 1946 (U. S. C., title 5, sec. 55a),<sup>25</sup> may be employed by the Administration, and individuals so employed may be compensated at rates not in excess of \$50 per diem and while away from their homes or regular places of business, they may be paid actual travel expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses while so employed.

(f) The Administrator may, from time to time, promulgate such rules and regulations as may be necessary and proper to carry out his functions under this title, and he may delegate authority to perform any of such functions to his subordinates, acting under his direction and under rules and regulations promulgated by him.

#### GENERAL FUNCTIONS OF ADMINISTRATOR.

Sec. 105. (a) The Administrator, under the control of the President, shall in addition to all other functions vested in him by this title—

- (1) review and appraise the requirements of participating countries for assistance under the terms of this title;
- (2) formulate programs of United States assistance under this title, including approval of specific projects which have been submitted to him by the participating countries;
- (3) provide for the efficient execution of any such programs as may be placed in operation; and
- (4) terminate provision of assistance or take other remedial action as provided in section 118 of this title.

(b) In order to strengthen and make more effective the conduct of the foreign relations of the United States—

(1) the Administrator and the Secretary of State shall keep each other fully and currently informed on matters, including prospective action, arising within the scope of their respective duties which are pertinent to the duties of the other;

(2) whenever the Secretary of State believes that any action, proposed action, or failure to act on the part of the Administrator is inconsistent with the foreign-policy objectives of the United States, he shall consult with the Administrator and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision;

(3) whenever the Administrator believes that any action, proposed action, or failure to act on the part of the Secretary of State in performing functions under this title is inconsistent with the purposes and provisions of this title, he shall consult with the Secretary of State and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision.

(c) The Administrator and the department, agency, or officer in the executive branch of the Government exercising the authority granted to the President by section 6 of the Act of July 2, 1940 (54 Stat. 714),<sup>26</sup> as amended, shall keep each other fully and currently informed on matters, including prospective action, arising within the scope of their respective duties which are pertinent to the duties of the other. Whenever the Administrator believes that any action, proposed action, or failure to act on the part of such department, agency, or officer in performing functions under this title is inconsistent with the purposes and provisions of this title, he shall consult with such department, agency, or officer and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision.

<sup>25</sup> 5 U.S.C.A. § 55a.

<sup>26</sup> 50 U.S.C.A. Appendix, § 701.



## NATIONAL ADVISORY COUNCIL

Sec. 106. Section 4(a) of the Bretton Woods Agreements Act (59 Stat. 512, 513)<sup>27</sup> is hereby amended to read as follows:

"Sec. 4. (a) In order to coordinate the policies and operations of the representatives of the United States on the Fund and the Bank and of all agencies of the Government which make or participate in making foreign loans or which engage in foreign financial, exchange or monetary transactions, there is hereby established the National Advisory Council on International Monetary and Financial Problems (hereinafter referred to as the 'Council'), consisting of the Secretary of the Treasury, as Chairman, the Secretary of State, the Secretary of Commerce, the Chairman of the Board of Governors of the Federal Reserve System, the Chairman of the Board of Directors of the Export-Import Bank of Washington, and during such period as the Economic Cooperation Administration shall continue to exist, the Administrator for Economic Cooperation."

## PUBLIC ADVISORY BOARD

Sec. 107. (a) There is hereby created a Public Advisory Board, hereinafter referred to as the Board, which shall advise and consult with the Administrator with respect to general or basic policy matters arising in connection with the Administrator's discharge of his responsibilities. The Board shall consist of the Administrator, who shall be Chairman, and not to exceed twelve additional members to be appointed by the President, by and with the advice and consent of the Senate, and who shall be selected from among citizens of the United States of broad and varied experience in matters affecting the public interest, other than officers and employees of the United States (including any agency or instrumentality of the United States) who, as such, regularly receive compensation for current services. The Board shall meet at least once a month and at other times upon the call of the Administrator or when three or more members of the Board request the Administrator to call a meeting. Not more than a majority of two of the members shall be appointed to the Board from the same political party. Members of the Board, other than the Administrator, shall receive, out of funds made available for the purposes of this title, a per diem allowance of \$50 for each day spent away from their homes or regular places of business, for the purpose of attendance at meetings of the Board, or at conferences held upon the call of the Administrator, and in necessary travel, and while so engaged, they may be paid actual travel expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses.

(b) The Administrator may appoint such other advisory committees as he may determine to be necessary or desirable to effectuate the purposes of this title.

## UNITED STATES SPECIAL REPRESENTATIVE ABROAD

Sec. 108. There shall be a United States Special Representative in Europe who shall (a) be appointed by the President, by and with the advice and consent of the Senate, (b) be entitled to receive the same compensation and allowances as a chief of mission, class 1, within the meaning of the Act of August 13, 1946 (60 Stat. 999),<sup>28</sup> and (c) have the rank of ambassador extraordinary and plenipotentiary. He shall be the representative of the Administrator, and shall also be the chief representative of the United States Government to any organization of participating countries which may be established by such countries to further a joint program for European recovery, and shall discharge in Europe such additional responsibilities as may be assigned to him with the approval of the President in furtherance of the purposes of this title. He may also be designated as the United States representative on the

<sup>27</sup> 33 U.S.C.A. § 286b.

<sup>28</sup> 22 U.S.C.A. § 801 et seq.

Economic Commission for Europe. He shall receive his instructions from the Administrator and such instructions shall be prepared and transmitted to him in accordance with procedures agreed to between the Administrator and the Secretary of State in order to assure appropriate coordination as provided by subsection (b) of section 105 of this title. He shall coordinate the activities of the chiefs of special missions provided for in section 109 of this title. He shall keep the Administrator, the Secretary of State, the chiefs of the United States diplomatic missions, and the chiefs of the special missions provided for in section 109 of this title currently informed concerning his activities. He shall consult with the chiefs of all such missions, who shall give him such cooperation as he may require for the performance of his duties under this title.

#### SPECIAL ECA MISSIONS ABROAD

Sec. 109. (a) There shall be established for each participating country, except as provided in subsection (d) of this section, a special mission for economic cooperation under the direction of a chief who shall be responsible for assuring the performance within such country of operations under this title. The chief shall be appointed by the Administrator, shall receive his instructions from the Administrator, and shall report to the Administrator on the performance of the duties assigned to him. The chief of the special mission shall take rank immediately after the chief of the United States diplomatic mission in such country.

(b) The chief of the special mission shall keep the chief of the United States diplomatic mission fully and currently informed on matters, including prospective action, arising within the scope of the operations of the special mission and the chief of the diplomatic mission shall keep the chief of the special mission fully and currently informed on matters relative to the conduct of the duties of the chief of the special mission. The chief of the United States diplomatic mission will be responsible for assuring that the operations of the special mission are consistent with the foreign-policy objectives of the United States in such country and to that end whenever the chief of the United States diplomatic mission believes that any action, proposed action, or failure to act on the part of the special mission is inconsistent with such foreign-policy objectives, he shall so advise the chief of the special mission and the United States Special Representative in Europe. If differences of view are not adjusted by consultation, the matter shall be referred to the Secretary of State and the Administrator for decision.

(c) The Secretary of State shall provide such office space, facilities, and other administrative services for the United States Special Representative in Europe and his staff, and for the special mission in each participating country, as may be agreed between the Secretary of State and the Administrator.

(d) With respect to any of the zones of occupation of Germany and of the Free Territory of Trieste, during the period of occupation, the President shall make appropriate administrative arrangements for the conduct of operations under this title, in order to enable the Administrator to carry out his responsibility to assure the accomplishment of the purposes of this title.

#### PERSONNEL OUTSIDE UNITED STATES

Sec. 110. (a) For the purpose of performing functions under this title outside the continental limits of the United States the Administrator may—

(1) employ persons who shall receive compensation at any of the rates provided for the Foreign Service Reserve and Staff by the Foreign Service Act of 1946 (60 Stat. 999),<sup>29</sup> together with allowances and benefits established thereunder; and

<sup>29</sup> 22 U.S.C.A. § 801 et seq.



(2) recommend the appointment or assignment of persons, and the Secretary of State may appoint or assign such persons, to any class in the Foreign Service Reserve or Staff for the duration of operations under this title, and the Secretary of State may assign, transfer, or promote such persons upon the recommendation of the Administrator. Persons so appointed to the Foreign Service Staff shall be entitled to the benefits of section 528 of the Foreign Service Act of 1946.<sup>20</sup>

(b) For the purpose of performing functions under this title outside the continental limits of the United States, the Secretary of State may, at the request of the Administrator, appoint, for the duration of operations under this title, alien clerks and employees in accordance with applicable provisions of the Foreign Service Act of 1946 (60 Stat. 999).

(c) No citizen or resident of the United States may be employed, or if already employed, may be assigned to duties by the Secretary of State or the Administrator under this title for a period to exceed three months unless such individual has been investigated as to loyalty and security by the Federal Bureau of Investigation and a report thereon has been made to the Secretary of State and the Administrator, and until the Secretary of State or the Administrator has certified in writing (and filed copies thereof with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs) that, after full consideration of such report, he believes such individual is loyal to the United States, its Constitution, and form of government, and is not now and has never been a member of any organization advocating contrary views. This subsection shall not apply in the case of any officer appointed by the President by and with the advice and consent of the Senate.

#### NATURE AND METHOD OF ASSISTANCE

Sec. 111. (a) The Administrator may, from time to time, furnish assistance to any participating country by providing for the performance of any of the functions set forth in paragraphs (1) through (5) of this subsection when he deems it to be in furtherance of the purposes of this title, and upon the terms and conditions set forth in this title and such additional terms and conditions consistent with the provisions of this title as he may determine to be necessary and proper.

(1) Procurement from any source, including Government stocks on the same basis as procurement by Government agencies under Public Law 375 (Seventy-ninth Congress)<sup>21</sup> for their own use, of any commodity which he determines to be required for the furtherance of the purposes of this title. As used in this title, the term "commodity" means any commodity, material, article, supply, or goods necessary for the purposes of this title.

(2) Processing, storing, transporting, and repairing any commodities, or performing any other services with respect to a participating country which he determines to be required for accomplishing the purposes of this title. The Administrator shall, in providing for the procurement of commodities under authority of this title, take such steps as may be necessary to assure, so far as is practicable, that at least 50 per centum of the gross tonnage of commodities, procured within the United States out of funds made available under this title and transported abroad on ocean vessels, is so transported on United States flag vessels to the extent such vessels are available at market rates.

(3) Procurement of and furnishing technical information and assistance.

(4) Transfer of any commodity or service, which transfer shall be signified by delivery of the custody and right of possession and

<sup>20</sup> 22 U.S.C.A. § 228.

<sup>21</sup> 50 U.S.C.A. Appendix, §§ 1621, 1622, 1625, 1627.

use of such commodity, or otherwise making available any such commodity, or by rendering a service to a participating country or to any agency or organization representing a participating country.

(5) The allocation of commodities or services to specific projects designed to carry out the purposes of this title, which have been submitted to the Administrator by participating countries and have been approved by him.

(b) In order to facilitate and maximize the use of private channels of trade, subject to adequate safeguards to assure that all expenditures in connection with such procurement are within approved programs in accordance with terms and conditions established by the Administrator, he may provide for the performance of any of the functions described in subsection (a) of this section—

(1) by establishing accounts against which, under regulations prescribed by the Administrator—

(i) letters of commitment may be issued in connection with supply programs approved by the Administrator (and such letters of commitment, when issued, shall constitute obligations of the United States and monies due or to become due thereunder shall be assignable under the Assignment of Claims Act of 1940 and shall constitute obligations of applicable appropriations); and

(ii) withdrawals may be made by participating countries, or agencies or organizations representing participating countries or by other persons or organizations, upon presentation of contracts, invoices, or other documentation specified by the Administrator under arrangements prescribed by the Administrator to assure the use of such withdrawals for purposes approved by the Administrator.

Such accounts may be established on the books of the Administration, or any other department, agency, or establishment of the Government specified by the Administrator, or, on terms and conditions approved by the Secretary of the Treasury, in banking institutions in the United States. Expenditures of funds which have been made available through accounts so established shall be accounted for on standard documentation required for expenditures of Government funds: *Provided*, That such expenditures for commodities or services procured outside the continental limits of the United States under authority of this section may be accounted for exclusively on such certification as the Administrator may prescribe in regulations promulgated by him with the approval of the Comptroller General of the United States to assure expenditure in furtherance of the purposes of this title.

(2) by utilizing the services and facilities of any department, agency, or establishment of the Government as the President shall direct, or with the consent of the head of such department, agency, or establishment, or, in the President's discretion, by acting in cooperation with the United Nations or with other international organizations or with agencies of the participating countries, and funds allocated pursuant to this section to any department, agency, or establishment of the Government shall be established in separate appropriation accounts on the books of the Treasury.

(3) by making, under rules and regulations to be prescribed by the Administrator, guaranties to any person of investments in connection with projects approved by the Administrator and the participating country concerned as furthering the purposes of this title (including guaranties of investments in enterprises producing or distributing informational media: *Provided*, That the amount of such guaranties in the first year after the date of the enactment of this Act



does not exceed \$15,000,000), which guaranties shall terminate not later than fourteen years from the date of enactment of this Act: *Provided, That—*

(i) the guaranty to any person shall not exceed the amount of dollars invested in the project by such person with the approval of the Administrator and shall be limited to the transfer into United States dollars of other currencies, or credits in such currencies, received by such person as income from the approved investment, as repayment or return thereof, in whole or in part, or as compensation for the sale or disposition of all or any part thereof: *Provided, That*, when any payment is made to any person under authority of this paragraph, such currencies, or credits in such currencies, shall become the property of the United States Government;

(ii) the Administrator may charge a fee in an amount determined by him not exceeding 1 per centum per annum of the amount of each guaranty, and all fees collected hereunder shall be available for expenditure in discharge of liabilities under guaranties made under this paragraph until such time as all such liabilities have been discharged or have expired, or until all such fees have been expended in accordance with the provisions of this paragraph; and

(iii) as used in this paragraph, the term "person" means a citizen of the United States or any corporation, partnership, or other association created under the law of the United States or of any State or Territory and substantially beneficially owned by citizens of the United States.

The total amount of the guaranties made under this paragraph (3) shall not exceed \$300,000,000, and as such guaranties are made the authority to realize funds from the sale of notes for the purpose of allocating funds to the Export-Import Bank of Washington under paragraph (2) of subsection (c) of this section shall be accordingly reduced. Any payments made to discharge liabilities under guaranties issued under paragraph (3) of this subsection shall be paid out of fees collected under subparagraph (ii) of paragraph (3) of this subsection as long as such fees are available, and thereafter shall be paid out of funds realized from the sale of notes which shall be issued under authority of paragraph (2) of subsection (c) of this section when necessary to discharge liabilities under any such guaranty.

(c) (1) The Administrator may provide assistance for any participating country, in the form and under the procedures authorized in subsections (a) and (b), respectively, of this section, through grants or upon payment in cash, or on credit terms, or on such other terms of payment as he may find appropriate, including payment by the transfer to the United States (under such terms and in such quantities as may be agreed to between the Administrator and the participating country) of materials which are required by the United States as a result of deficiencies or potential deficiencies in its own resources. In determining whether such assistance shall be through grants or upon terms of payment, and in determining the terms of payment, he shall act in consultation with the National Advisory Council on International Monetary and Financial Problems, and the determination whether or not a participating country should be required to make payment for any assistance furnished to such country in furtherance of the purposes of this title, and the terms of such payment, if required, shall depend upon the character and purpose of the assistance and upon whether there is reasonable assurance of repayment considering the capacity of such country to make such payments without jeopardizing the accomplishment of the purposes of this title.

(2) When it is determined that assistance should be extended under the provisions of this title on credit terms, the Administrator shall allo-

cate funds for the purpose to the Export-Import Bank of Washington, which shall, notwithstanding the provisions of the Export-Import Bank Act of 1945 (59 Stat. 526), as amended,<sup>33</sup> make and administer the credit on terms specified by the Administrator in consultation with the National Advisory Council on International Monetary and Financial Problems. The Administrator is authorized to issue notes from time to time for purchase by the Secretary of the Treasury in an amount not exceeding in the aggregate \$1,000,000,000 (i) for the purpose of allocating funds to the Export-Import Bank of Washington under this paragraph during the period of one year following the date of enactment of this Act and (ii) for the purpose of carrying out the provisions of paragraph (3) of subsection (b) of this section until all liabilities arising under guaranties made pursuant to such paragraph (3) have expired or have been discharged. Such notes shall be redeemable at the option of the Administrator before maturity in such manner as may be stipulated in such notes and shall have such maturity as may be determined by the Administrator with the approval of the Secretary of the Treasury. Each such note shall bear interest at a rate determined by the Secretary of the Treasury, taking into consideration the current average rate on outstanding marketable obligations of the United States as of the last day of the month preceding the issuance of the note. Payment under this paragraph of the purchase price of such notes and repayments thereof by the Administrator shall be treated as public-debt transactions of the United States. In allocating funds to the Export-Import Bank of Washington under this paragraph, the Administrator shall first utilize such funds realized from the sale of notes authorized by this paragraph as he determines to be available for this purpose, and when such funds are exhausted, or after the end of one year from the date of enactment of this Act, whichever is earlier, he shall utilize any funds appropriated under this title. The Administrator shall make advances to, or reimburse, the Export-Import Bank of Washington for necessary administrative expenses in connection with such credits. Credits made by the Export-Import Bank of Washington with funds so allocated to it by the Administrator shall not be considered in determining whether the Bank has outstanding at any one time loans and guaranties to the extent of the limitation imposed by section 7 of the Export-Import Bank Act of 1945 (59 Stat. 529), as amended.<sup>34</sup> Amounts received in repayment of principal and interest on any credits made under this paragraph shall be deposited into miscellaneous receipts of the Treasury: *Provided, That*, to the extent required for such purpose, amounts received in repayment of principal and interest on any credits made out of funds realized from the sale of notes authorized under this paragraph shall be deposited into the Treasury for the purpose of the retirement of such notes.

#### PROTECTION OF DOMESTIC ECONOMY

Sec. 112. (a) The Administrator shall provide for the procurement in the United States of commodities under this title in such a way as to (1) minimize the drain upon the resources of the United States and the impact of such procurement upon the domestic economy, and (2) avoid impairing the fulfillment of vital needs of the people of the United States.

(b) The procurement of petroleum and petroleum products under this title shall, to the maximum extent practicable, be made from petroleum sources outside the United States; and, in furnishing commodities under the provisions of this title, the Administrator shall take fully into account the present and anticipated world shortage of petroleum and its products and the consequent undesirability of expansion in petroleum-consuming equipment where the use of alternate fuels or other sources of power is practicable.

<sup>33</sup> 12 U.S.C.A. §§ 635-635i.  
<sup>34</sup> 12 U.S.C.A. § 635e.



(c) In order to assure the conservation of domestic grain supplies and the retention in the United States of byproduct feeds necessary to the maintenance of the agricultural economy of the United States, the amounts of wheat and wheat flour produced in the United States to be transferred by grant to the participating countries shall be so determined that the total quantity of United States wheat used to produce the wheat flour procured in the United States for transfer by grant to such countries under this title shall not be less than 25 per centum of the aggregate of the unprocessed wheat and wheat in the form of flour procured in the United States for transfer by grant to such countries under this title.

(d) The term "surplus agricultural commodity" as used in this section is defined as any agricultural commodity, or product thereof, produced in the United States which is determined by the Secretary of Agriculture to be in excess of domestic requirements. In providing for the procurement of any such surplus agricultural commodity for transfer by grant to any participating country in accordance with the requirements of such country, the Administrator shall, insofar as practicable and where in furtherance of the purposes of this title, give effect to the following:

(1) The Administrator shall authorize the procurement of any such surplus agricultural commodity only within the United States: *Provided*, That this restriction shall not be applicable (i) to any agricultural commodity, or product thereof, located in one participating country, and intended for transfer to another participating country, if the Administrator, in consultation with the Secretary of Agriculture, determines that such procurement and transfer is in furtherance of the purposes of this title, and would not create a burdensome surplus in the United States or seriously prejudice the position of domestic producers of such surplus agricultural commodities, or (ii) if, and to the extent that any such surplus agricultural commodity is not available in the United States in sufficient quantities to supply the requirements of the participating countries under this title.

(2) In providing for the procurement of any such surplus agricultural commodity, the Administrator shall, insofar as practicable and applicable, and after giving due consideration to the excess of any such commodity over domestic requirements, and to the historic reliance of United States producers of any such surplus agricultural commodity upon markets in the participating countries, provide for the procurement of each class or type of any such surplus agricultural commodity in the approximate proportion that the Secretary of Agriculture determines such classes or types bear to the total amount of excess of such surplus agricultural commodity over domestic requirements.

(e) Whenever the Secretary of Agriculture determines that any quantity of any surplus agricultural commodity, heretofore or hereafter acquired by Commodity Credit Corporation in the administration of its price-support programs, is available for use in furnishing assistance to foreign countries, he shall so advise all departments, agencies, and establishments of the Government administering laws providing for the furnishing of assistance or relief to foreign countries (including occupied or liberated countries or areas of such countries). Thereafter the department, agency, or establishment administering any such law shall, to the maximum extent practicable, consistent with the provisions and in furtherance of the purposes of such law, and where for transfer by grant and in accordance with the requirements of such foreign country, procure or provide for the procurement of such quantity of such surplus agricultural commodity. The sales price paid as reimbursement to Commodity Credit Corporation for any such surplus agricultural commodity shall be in such amount as Commodity Credit Corporation determines will fully reimburse it for the cost to it of such surplus agricultural commodity at the time and place such surplus agricultural commodity is delivered by

it, but in no event shall the sales price be higher than the domestic market price at such time and place of delivery as determined by the Secretary of Agriculture, and the Secretary of Agriculture may pay not to exceed 50 per centum of such sales price as authorized by subsection (f) of this section.

(f) Subject to the provisions of this section, but notwithstanding any other provision of law, in order to encourage utilization of surplus agricultural commodities pursuant to this or any other Act providing for assistance or relief to foreign countries, the Secretary of Agriculture, in carrying out the purposes of clause (1), section 32, Public Law 320, Seventy-fourth Congress,<sup>25</sup> as amended, may make payments, including payments to any government agency procuring or selling such surplus agricultural commodities, in an amount not to exceed 50 per centum of the sales price (basis free along ship or free on board vessel, United States ports), as determined by the Secretary of Agriculture, of such surplus agricultural commodities. The rescission of the remainder of section 32 funds by the Act of July 30, 1947 (Public Law 266, Eightieth Congress),<sup>26</sup> is hereby canceled and such funds are hereby made available for the purposes of section 32 for the fiscal year ending June 30, 1948.

(g) No export shall be authorized pursuant to authority conferred by section 6 of the Act of July 2, 1940 (54 Stat. 714),<sup>27</sup> including any amendment thereto, of any commodity from the United States to any country wholly or partly in Europe which is not a participating country, if the department, agency, or officer in the executive branch of the Government exercising the authority granted to the President by section 6 of the Act of July 2, 1940, as amended, determines that the supply of such commodity is insufficient (or would be insufficient if such export were permitted) to fulfill the requirements of participating countries under this title as determined by the Administrator: *Provided, however,* That such export may be authorized if such department, agency, or officer determines that such export is otherwise in the national interest of the United States.

(h) In providing for the performance of any of the functions described in subsection (a) of section 111, the Administrator shall, to the maximum extent consistent with the accomplishment of the purposes of this title, utilize private channels of trade.

#### REIMBURSEMENT TO GOVERNMENT AGENCIES

Sec. 113. (a) The Administrator shall make reimbursement or payment, out of funds available for the purposes of this title, for any commodity, service, or facility procured under section 111 of this title from any department, agency, or establishment of the Government. Such reimbursement or payment shall be made to the owning or disposal agency, as the case may be, at replacement cost, or, if required by law, at actual cost, or at any other price authorized by law and agreed to between the Administrator and such agency. The amount of any reimbursement or payment to an owning agency for commodities, services, or facilities so procured shall be credited to current applicable appropriations, funds, or accounts from which there may be procured replacements of similar commodities or such services or facilities: *Provided,* That such commodities, services, or facilities may be procured from an owning agency only with the consent of such agency: *And provided further,* That where such appropriations, funds, or accounts are not reimbursable except by reason of this subsection, and when the owning agency determines that replacement of any commodity procured under authority of this section is not necessary, any funds received in payment therefor shall be covered into the Treasury as miscellaneous receipts.

<sup>25</sup> 7 U.S.C.A. § 612c.

<sup>26</sup> U.S. Code Cong. Service 1947, p. 526.

<sup>27</sup> 50 U.S.C.A. Appendix, § 701



(b) The Administrator, whenever in his judgment the interests of the United States will best be served thereby, may dispose of any commodity procured out of funds made available for the purposes of this title, in lieu of transferring such commodity to a participating country, (1) by transfer of such commodity, upon reimbursement, to any department, agency, or establishment of the Government for use or disposal by such department, agency, or establishment as authorized by law, or (2) without regard to provisions of law relating to the disposal of Government-owned property, when necessary to prevent spoilage or wastage of such commodity or to conserve the usefulness thereof. Funds realized from such disposal or transfer shall revert to the respective appropriation or appropriations out of which funds were expended for the procurement of such commodity.

#### AUTHORIZATION OF APPROPRIATIONS

Sec. 114. (a) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to subsection (c) of this section, to make advances not to exceed in the aggregate \$1,000,000,000 to carry out the provisions of this title, in such manner, at such time, and in such amounts as the President shall determine, and no interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation for this purpose. The Reconstruction Finance Corporation shall be repaid without interest for advances made by it hereunder, from funds made available for the purposes of this title.

(b) Such part as the President may determine of the unobligated and unexpended balances of appropriations or other funds available for the purposes of the Foreign Aid Act of 1947 <sup>22</sup> shall be available for the purpose of carrying out the purposes of this title.

(c) In order to carry out the provisions of this title with respect to those participating countries which adhere to the purposes of this title, and remain eligible to receive assistance hereunder, such funds shall be available as are hereafter authorized and appropriated to the President from time to time through June 30, 1952, to carry out the provisions and accomplish the purposes of this title: *Provided, however,* That for carrying out the provisions and accomplishing the purposes of this title for the period of one year following the date of enactment of this Act, there are hereby authorized to be so appropriated not to exceed \$4,300,000,000. Nothing in this title is intended nor shall it be construed as an express or implied commitment to provide any specific assistance, whether of funds, commodities, or services, to any country or countries. The authorization in this title is limited to the period of twelve months in order that subsequent Congresses may pass on any subsequent authorizations.

(d) Funds made available for the purposes of this title shall be available for incurring and defraying all necessary expenses incident to carrying out the provisions of this title, including administrative expenses and expenses for compensation, allowances and travel of personnel, including Foreign Service personnel whose services are utilized primarily for the purposes of this title, and, without regard to the provisions of any other law, for printing and binding, and for expenditures outside the continental limits of the United States for the procurement of supplies and services and for other administrative purposes (other than compensation of personnel) without regard to such laws and regulations governing the obligation and expenditure of government funds, as the Administrator shall specify in the interest of the accomplishment of the purposes of this title.

(e) The unencumbered portions of any deposits which may have been made by any participating country pursuant to section 6 of the joint res-

<sup>22</sup> 22 U.S.C.A. §§ 1411, 1411 note.

olution providing for relief assistance to the people of countries devastated by war (Public Law 84, Eightieth Congress)<sup>39</sup> and section 5(b) of the Foreign Aid Act of 1947 (Public Law 389, Eightieth Congress)<sup>40</sup> may be merged with the deposits to be made by such participating country in accordance with section 115(b) (6) of this title, and shall be held or used under the same terms and conditions as are provided in section 115(b) (6) of this title.

(f) In order to reserve some part of the surplus of the fiscal year 1948 for payments thereafter to be made under this title, there is hereby created on the books of the Treasury of the United States a trust fund to be known as the Foreign Economic Cooperation Trust Fund. Notwithstanding any other provision of law, an amount of \$3,000,000,000, out of sums appropriated pursuant to the authorization contained in this title shall, when appropriated, be transferred immediately to the trust fund, and shall thereupon be considered as expended during the fiscal year 1948, for the purpose of reporting governmental expenditures. The Secretary of the Treasury shall be the sole trustee of the trust fund and is authorized and directed to pay out of the fund such amounts as the Administrator shall duly requisition. The first expenditures made out of the appropriations authorized under this title in the fiscal year 1949 shall be made with funds requisitioned by the Administrator out of the trust fund until the fund is exhausted, at which time such fund shall cease to exist. The provisions of this subsection shall not be construed as affecting the application of any provision of law which would otherwise govern the obligation of funds so appropriated or the auditing or submission of accounts of transactions with respect to such funds.

#### BILATERAL AND MULTILATERAL UNDERTAKINGS

Sec. 115. (a) The Secretary of State, after consultation with the Administrator, is authorized to conclude, with individual participating countries or any number of such countries or with an organization representing any such countries, agreements in furtherance of the purposes of this title. The Secretary of State, before an Administrator or Deputy Administrator shall have qualified and taken office, is authorized to negotiate and conclude such temporary agreements in implementation of subsection (b) of this section as he may deem necessary in furtherance of the purposes of this title: *Provided*, That when an Administrator or Deputy Administrator shall have qualified and taken office, the Secretary of State shall conclude the basic agreements required by subsection (b) of this section only after consultation with the Administrator or Deputy Administrator, as the case may be.

(b) The provision of assistance under this title results from the multilateral pledges of the participating countries to use all their efforts to accomplish a joint recovery program based upon self-help and mutual cooperation as embodied in the report of the Committee of European Economic Cooperation signed at Paris on September 22, 1947, and is contingent upon continuous effort of the participating countries to accomplish a joint recovery program through multilateral undertakings and the establishment of a continuing organization for this purpose. In addition to continued mutual cooperation of the participating countries in such a program, each such country shall conclude an agreement with the United States in order for such country to be eligible to receive assistance under this title. Such agreement shall provide for the adherence of such country to the purposes of this title and shall, where applicable, make appropriate provision, among others, for—

- (1) promoting industrial and agricultural production in order to enable the participating country to become independent of extraordinary outside economic assistance; and submitting for the approval

<sup>39</sup> 22 U.S.C.A. § 1416.  
<sup>40</sup> 22 U.S.C.A. § 1411 note.



of the Administrator, upon his request and whenever he deems it in furtherance of the purposes of this title, specific projects proposed by such country to be undertaken in substantial part with assistance furnished under this title, which projects, whenever practicable, shall include projects for increased production of coal, steel, transportation facilities, and food;

(2) taking financial and monetary measures necessary to stabilize its currency, establish or maintain a valid rate of exchange, to balance its governmental budget as soon as practicable, and generally to restore or maintain confidence in its monetary system;

(3) cooperating with other participating countries in facilitating and stimulating an increasing interchange of goods and services among the participating countries and with other countries and cooperating to reduce barriers to trade among themselves and with other countries;

(4) making efficient and practical use, within the framework of a joint program for European recovery, of the resources of such participating country, including any commodities, facilities, or services furnished under this title, which use shall include, to the extent practicable, taking measures to locate and identify and put into appropriate use, in furtherance of such program, assets, and earnings therefrom, which belong to the citizens of such country and which are situated within the United States, its Territories and possessions;

(5) facilitating the transfer to the United States by sale, exchange, barter, or otherwise for stock-piling or other purposes, for such period of time as may be agreed to and upon reasonable terms and in reasonable quantities, of materials which are required by the United States as a result of deficiencies or potential deficiencies in its own resources, and which may be available in such participating country after due regard for reasonable requirements for domestic use and commercial export of such country;

(6) placing in a special account a deposit in the currency of such country, in commensurate amounts and under such terms and conditions as may be agreed to between such country and the Government of the United States, when any commodity or service is made available through any means authorized under this title, and is furnished to the participating country on a grant basis. Such special account, together with the unencumbered portions of any deposits which may have been made by such country pursuant to section 6 of the joint resolution providing for relief assistance to the people of countries devastated by war (Public Law 84, Eightieth Congress)<sup>41</sup> and section 5(b) of the Foreign Aid Act of 1947 (Public Law 389, Eightieth Congress),<sup>42</sup> shall be held or used within such country for such purposes as may be agreed to between such country and the Administrator in consultation with the National Advisory Council on International Monetary and Financial Problems, and the Public Advisory Board provided for in section 107(a) for purposes of internal monetary and financial stabilization, for the stimulation of productive activity and the exploration for and development of new sources of wealth, or for such other expenditures as may be consistent with the purposes of this title, including local currency administrative expenditures of the United States incident to operations under this title, and under agreement that any unencumbered balance remaining in such account on June 30, 1952, shall be disposed of within such country for such purposes as may, subject to approval by Act or joint resolution of the Congress, be agreed to between such country and the Government of the United States;

(7) publishing in such country and transmitting to the United

<sup>41</sup> 22 U.S.C.A. § 1416.

<sup>42</sup> 22 U.S.C.A. § 1411 note.

States, not less frequently than every calendar quarter after the date of the agreement, full statements of operations under the agreement, including a report of the use of funds, commodities, and services received under this title;

(8) furnishing promptly, upon request of the United States, any relevant information which would be of assistance to the United States in determining the nature and scope of operations and the use of assistance provided under this title;

(9) recognizing the principle of equity in respect to the drain upon the natural resources of the United States and of the recipient countries, by agreeing to negotiate (a) a future schedule of minimum availabilities to the United States for future purchase and delivery of a fair share of materials which are required by the United States as a result of deficiencies or potential deficiencies in its own resources at world market prices so as to protect the access of United States industry to an equitable share of such materials either in percentages of production or in absolute quantities from the participating countries, and (b) suitable protection for the right of access for any person as defined in paragraph (iii) of subparagraph (3) of section 111(b) in the development of such materials on terms of treatment equivalent to those afforded to the nationals of the country concerned, and (c) an agreed schedule of increased production of such materials where practicable in such participating countries and for delivery of an agreed percentage of such increased production to be transferred to the United States on a long-term basis in consideration of assistance furnished by the Administrator to such countries under this title; and

(10) submitting for the decision of the International Court of Justice or of any arbitral tribunal mutually agreed upon any case espoused by the United States Government involving compensation of a national of the United States for governmental measures affecting his property rights, including contracts with or concessions from such country.

(c) Notwithstanding the provisions of subsection (b) of this section, the Administrator, during the three months after the date of enactment of this Act, may perform with respect to any participating country any of the functions authorized under this title which he may determine to be essential in furtherance of the purposes of this title, if (1) such country has signified its adherence to the purposes of this title and its intention to conclude an agreement pursuant to subsection (b) of this section, and (2) he finds that such country is complying with the applicable provisions of subsection (b) of this section: *Provided, That*, notwithstanding the provisions of this subsection, the Administrator may, through June 30, 1948, provide for the transfer of food, medical supplies, fibers, fuel, petroleum and petroleum products, fertilizer, pesticides, and seed to any country of Europe which participated in the Committee of European Economic Cooperation and which undertook pledges to the other participants therein, when the Administrator determines that the transfer of any such supplies to any such country is essential in order to make it possible to carry out the purposes of this title by alleviating conditions of hunger and cold and by preventing serious economic retrogression.

(d) The Administrator shall encourage the joint organization of the participating countries referred to in subsection (b) of this section to ensure that each participating country makes efficient use of the resources of such country, including any commodities, facilities, or services furnished under this title, by observing and reviewing such use through an effective follow-up system approved by the joint organization.

(e) The Administrator shall encourage arrangements among the participating countries in conjunction with the International Refugee Organization looking toward the largest practicable utilization of manpower



available in any of the participating countries in furtherance of the accomplishment of the purposes of this title.

(f) The Administrator will request the Secretary of State to obtain the agreement of those countries concerned that such capital equipment as is scheduled for removal as reparations from the three western zones of Germany be retained in Germany if such retention will most effectively serve the purposes of the European recovery program.

(g) It is the understanding of the Congress that, in accordance with agreements now in effect, prisoners of war remaining in participating countries shall, if they so freely elect, be repatriated prior to January 1, 1949.

#### WESTERN HEMISPHERE COUNTRIES

Sec. 116. The President shall take appropriate steps to encourage all countries in the Western Hemisphere to make available to participating countries such assistance as they may be able to furnish.

#### OTHER DUTIES OF THE ADMINISTRATOR

Sec. 117. (a) The Administrator, in furtherance of the purposes of section 115(b) (5), and in agreement with a participating country, shall, whenever practicable, promote, by means of funds made available for the purposes of this title, an increase in the production in such participating country of materials which are required by the United States as a result of deficiencies or potential deficiencies in the resources within the United States.

(b) The Administrator, in cooperation with the Secretary of Commerce, shall facilitate and encourage, through private and public travel, transport, and other agencies, the promotion and development of travel by citizens of the United States to and within participating countries.

(c) In order to further the efficient use of United States voluntary contributions for relief in participating countries receiving assistance under this title in the form of grants or any of the zones of occupation of Germany for which assistance is provided under this title and the Free Territory of Trieste or either of its zones, funds made available for the purposes of this title shall be used insofar as practicable by the Administrator, under rules and regulations prescribed by him, to pay ocean freight charges from a United States port to a designated foreign port of entry (1) of supplies donated to, or purchased by, United States voluntary nonprofit relief agencies registered with and recommended by the Advisory Committee on Voluntary Foreign Aid for operations in Europe, or (2) of relief packages conforming to such specified size, weight, and contents, as the Administrator may prescribe originating in the United States and consigned to an individual residing in a participating country receiving assistance under this title in the form of grants or any of the zones of occupation of Germany for which assistance is provided under this title and the Free Territory of Trieste or either of its zones. Where practicable the Administrator is directed to make an agreement with such country for the use of a portion of the deposit of local currency placed in a special account pursuant to paragraph 6 of subsection (b) of section 115 of this title, for the purpose of defraying the transportation cost of such supplies and relief packages from the port of entry of such country to the designated shipping point of consignee. The Secretary of State, after consultation with the Administrator, shall make agreements where practicable with the participating countries for the free entry of such supplies and relief packages.

(d) The Administrator is directed to refuse delivery insofar as practicable to participating countries of commodities which go into the production of any commodity for delivery to any nonparticipating European country which commodity would be refused export licenses to those countries by the United States in the interest of national security. Whenever the Administrator believes that the issuance of a license for the ex-

port of any commodity to any country wholly or partly in Europe which is not a participating country is inconsistent with the purposes and provisions of this title, he shall so advise the department, agency, or officer in the executive branch of the Government exercising the authority with respect to such commodity granted to the President by section 6 of the Act of July 2, 1940 (54 Stat. 714),<sup>43</sup> as amended, and, if differences of view are not adjusted by consultation, the matter shall be referred to the President for final decision.

#### TERMINATION OF ASSISTANCE

Sec. 118. The Administrator, in determining the form and measure of assistance provided under this title to any participating country, shall take into account the extent to which such country is complying with its undertakings embodied in its pledges to other participating countries and in its agreement concluded with the United States under section 115. The Administrator shall terminate the provision of assistance under this title to any participating country whenever he determines that (1) such country is not adhering to its agreement concluded under section 115, or is diverting from the purposes of this title assistance provided hereunder, and that in the circumstances remedial action other than termination will not more effectively promote the purposes of this title or (2) because of changed conditions, assistance is no longer consistent with the national interest of the United States. Termination of assistance to any country under this section shall include the termination of deliveries of all supplies scheduled under the aid program for such country and not yet delivered.

#### EXEMPTION FROM CONTRACT AND ACCOUNTING LAWS

Sec. 119. When the President determines it to be in furtherance of the purposes of this title, the functions authorized under this title may be performed without regard to such provisions of law regulating the making, performance, amendment, or modification of contracts and the expenditure of Government funds as the President may specify.

#### EXEMPTION FROM CERTAIN FEDERAL LAWS RELATING TO EMPLOYMENT

Sec. 120. Service of an individual as a member of the Public Advisory Board (other than the Administrator) created by section 107(a), as a member of an advisory committee appointed pursuant to section 107(b), as an expert or consultant under section 104(e), or as an expert, consultant, or technician under section 124(d), shall not be considered as service or employment bringing such individual within the provisions of section 109 or 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203),<sup>44</sup> of section 190 of the Revised Statutes (U. S. C., title 5, sec. 99),<sup>45</sup> or of section 19(e) of the Contract Settlement Act of 1944,<sup>46</sup> or of any other Federal law imposing restrictions, requirements, or penalties in relation to the employment of persons, the performance of services, or the payment or receipt of compensation in connection with any claim, proceeding, or matter involving the United States.

#### UNITED NATIONS

Sec. 121. (a) The President is authorized to request the cooperation of or the use of the services and facilities of the United Nations, its organs and specialized agencies, or other international organizations, in carrying out the purposes of this title, and may make payments, by advancements or reimbursements, for such purposes, out of funds made available for the purposes of this title, as may be necessary therefor,

<sup>43</sup> 50 U.S.C.A. Appendix, § 701.

<sup>44</sup> 18 U.S.C.A. §§ 198, 203.

<sup>45</sup> 5 U.S.C.A. § 39.

<sup>46</sup> 41 U.S.C.A. § 119.



to the extent that special compensation is usually required for such services and facilities. Nothing in this title shall be construed to authorize the Administrator to delegate to or otherwise confer upon any international or foreign organization or agency any of his authority to decide the method of furnishing assistance under this title to any participating country or the amount thereof.

(b) The President shall cause to be transmitted to the Secretary General of the United Nations copies of reports to Congress on the operations conducted under this title.

(c) Any agreements concluded between the United States and participating countries, or groups of such countries, in implementation of the purposes of this title, shall be registered with the United Nations if such registration is required by the Charter of the United Nations.

#### TERMINATION OF PROGRAM

Sec. 122. (a) After June 30, 1952, or after the date of the passage of a concurrent resolution by the two Houses of Congress before such date, which declares that the powers conferred on the Administrator by or pursuant to subsection (a) of section 111 of this title are no longer necessary for the accomplishment of the purposes of this title, whichever shall first occur, none of the functions authorized under such provisions may be exercised; except that during the twelve months following such date commodities and services with respect to which the Administrator had, prior to such date, authorized procurement for, shipment to, or delivery in a participating country, may be transferred to such country, and funds appropriated under authority of this title may be obligated during such twelve-month period for the necessary expenses of procurement, shipment, delivery, and other activities essential to such transfer, and shall remain available during such period for the necessary expenses of liquidating operations under this title.

(b) At such time as the President shall find appropriate after such date, and prior to the expiration of the twelve months following such date, the powers, duties, and authority of the Administrator under this title may be transferred to such other departments, agencies, or establishments of the Government as the President shall specify, and the relevant funds, records, and personnel of the Administration may be transferred to the departments, agencies, or establishments to which the related functions are transferred.

#### REPORTS TO CONGRESS

Sec. 123. The President from time to time, but not less frequently than once every calendar quarter through June 30, 1952, and once every year thereafter until all operations under this title have been completed, shall transmit to the Congress a report of operations under this title, including the text of bilateral and multilateral agreements entered into in carrying out the provisions of this title. Reports provided for under this section shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

#### JOINT CONGRESSIONAL COMMITTEE

Sec. 124. (a) There is hereby established a joint congressional committee to be known as the Joint Committee on Foreign Economic Cooperation (hereinafter referred to as the committee), to be composed of ten members as follows:

(1) Three members who are members of the Committee on Foreign Relations of the Senate, two from the majority and one from the minority party, to be appointed by the chairman of the committee; two members who are members of the Committee on Appropriations of the Senate, one from the majority and one from the minority party, to be appointed by the chairman of the committee; and

(2) Three members who are members of the Committee on Foreign Affairs of the House, two from the majority and one from the minority party, to be appointed by the chairman of the committee; and two members who are members of the Committee on Appropriations of the House, one from the majority and one from the minority party, to be appointed by the chairman of the committee.

A vacancy in the membership of the committee shall be filled in the same manner as the original selection. The committee shall elect a chairman from among its members.

(b) It shall be the function of the committee to make a continuous study of the programs of United States economic assistance to foreign countries, and to review the progress achieved in the execution and administration of such programs. Upon request, the committee shall aid the several standing committees of the Congress having legislative jurisdiction over any part of the programs of United States economic assistance to foreign countries; and it shall make a report to the Senate and the House of Representatives, from time to time, concerning the results of its studies, together with such recommendations as it may deem desirable. The Administrator, at the request of the committee, shall consult with the committee from time to time with respect to his activities under this Act.

(c) The committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes<sup>47</sup> shall apply in case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this subsection.

(d) The committee is authorized to appoint and, without regard to the Classification Act of 1923, as amended,<sup>48</sup> fix the compensation of such experts, consultants, technicians, and organizations thereof, and clerical and stenographic assistants as it deems necessary and advisable.

(e) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, to be disbursed by the Secretary of the Senate on vouchers signed by the chairman.

#### SEPARABILITY CLAUSE

Sec. 125. If any provision of this Act or the application of such provision to any circumstances or persons shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other circumstances or persons shall not be affected thereby.

#### TITLE II

Sec. 201. This title may be cited as the "International Children's Emergency Fund Assistance Act of 1948".

Sec. 202. It is the purpose of this title to provide for the special care and feeding of children by authorizing additional moneys for the International Children's Emergency Fund of the United Nations.

Sec. 203. The President is hereby authorized and directed any time after the date of the enactment of this Act and before July 1, 1949, to make contributions (a) from sums appropriated to carry out the purposes of this title and (b) from sums appropriated to carry out the general purposes of the proviso in the first paragraph of the first section of the joint resolution of May 31, 1947 (Public Law 84, Eightieth Con-

<sup>47</sup> 2 U.S.C.A. §§ 192-194.

<sup>48</sup> 5 U.S.C.A. §§ 661-674.



gress),<sup>49</sup> as amended, to the International Children's Emergency Fund of the United Nations for the special care and feeding of children.

Sec. 204. No contribution shall be made pursuant to this title or such joint resolution of May 31, 1947, which would cause the sum of (a) the aggregate amount contributed pursuant to this title and (b) the aggregate amount contributed by the United States pursuant to such joint resolution of May 31, 1947, to exceed whichever of the following sums is the lesser:

(1) 72 per centum of the total resources contributed after May 31, 1947, by all governments, including the United States, for programs carried out under the supervision of such Fund: *Provided*, That in computing the amount of resources contributed there shall not be included contributions by any government for the benefit of persons located within the territory of such contributing government; or

(2) \$100,000,000.

Sec. 205. Funds appropriated for the purposes of such joint resolution of May 31, 1947, shall remain available through June 30, 1949.

Sec. 206. There is hereby authorized to be appropriated to carry out the purposes of this title for the fiscal year ending June 30, 1949, the sum of \$60,000,000.

### TITLE III

Sec. 301. This title may be cited as the "Greek-Turkish Assistance Act of 1948".

Sec. 302. In addition to the amounts authorized to be appropriated under subsection (b) of section 4 of the Act of May 22, 1947 (61 Stat. 103),<sup>50</sup> there are hereby authorized to be appropriated not to exceed \$275,000,000 to carry out the provisions of such Act, as amended.

Sec. 303. (a) Subsection (a) of section 4 of such Act of May 22, 1947, is hereby amended by adding at the end thereof the following: "The Reconstruction Finance Corporation is authorized and directed to make additional advances, not to exceed in the aggregate \$50,000,000, to carry out the provisions of this Act, as amended, in such manner and in such amounts as the President shall determine. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation for this purpose."

(b) Subsection (b) of section 4 of the said Act is hereby amended by inserting after the word "repaid" the following: "without interest".

Sec. 304. Subsections (2) and (3) of section 1 of such Act of May 22, 1947, are hereby amended to permit detaching of persons referred to in such subsections to the United States Missions to Greece and Turkey as well as to the governments of those countries. Section 302 of the Act of January 27, 1948 (Public Law 402, Eightieth Congress),<sup>51</sup> and section 110(c) of the Economic Cooperation Act of 1948 (relating to investigations of personnel by the Federal Bureau of Investigation) shall be applicable to any person so detailed pursuant to such subsection (2) of such Act of 1947: *Provided*, That any military or civilian personnel detailed under section 1 of such Act of 1947 may receive such station allowances or additional allowances as the President may prescribe (and payments of such allowances heretofore made are hereby validated).

### TITLE IV

Sec. 401. This title may be cited as the "China Aid Act of 1948".

Sec. 402. Recognizing the intimate economic and other relationships between the United States and China, and recognizing that disruption following in the wake of war is not contained by national frontiers, the

<sup>49</sup> 22 U.S.C.A. §§ 1411-1417.

<sup>50</sup> 22 U.S.C.A. § 1404.

<sup>51</sup> 22 U.S.C.A. § 1452.

Congress finds that the existing situation in China endangers the establishment of a lasting peace, the general welfare and national interest of the United States, and the attainment of the objectives of the United Nations. It is the sense of the Congress that the further evolution in China of principles of individual liberty, free institutions, and genuine independence rests largely upon the continuing development of a strong and democratic national government as the basis for the establishment of sound economic conditions and for stable international economic relationships. Mindful of the advantages which the United States has enjoyed through the existence of a large domestic market with no internal trade barriers, and believing that similar advantages can accrue to China, it is declared to be the policy of the people of the United States to encourage the Republic of China and its people to exert sustained common efforts which will speedily achieve the internal peace and economic stability in China which are essential for lasting peace and prosperity in the world. It is further declared to be the policy of the people of the United States to encourage the Republic of China in its efforts to maintain the genuine independence and the administrative integrity of China, and to sustain and strengthen principles of individual liberty and free institutions in China through a program of assistance based on self-help and cooperation: *Provided*, That no assistance to China herein contemplated shall seriously impair the economic stability of the United States. It is further declared to be the policy of the United States that assistance provided by the United States under this title should at all times be dependent upon cooperation by the Republic of China and its people in furthering the program: *Provided further*, That assistance furnished under this title shall not be construed as an express or implied assumption by the United States of any responsibility for policies, acts, or undertakings of the Republic of China or for conditions which may prevail in China at any time.

Sec. 403. Aid provided under this title shall be provided under the applicable provisions of the Economic Cooperation Act of 1948 which are consistent with the purposes of this title. It is not the purpose of this title that China, in order to receive aid hereunder, shall adhere to a joint program for European recovery.

Sec. 404. (a) In order to carry out the purposes of this title, there is hereby authorized to be appropriated to the President for aid to China a sum not to exceed \$338,000,000 to remain available for obligation for the period of one year following the date of enactment of this Act.

(b) There is also hereby authorized to be appropriated to the President a sum not to exceed \$125,000,000 for additional aid to China through grants, on such terms as the President may determine and without regard to the provisions of the Economic Cooperation Act of 1948, to remain available for obligation for the period of one year following the date of enactment of this Act.

Sec. 405. An agreement shall be entered into between China and the United States containing those undertakings by China which the Secretary of State, after consultation with the Administrator for Economic Cooperation, may deem necessary to carry out the purposes of this title and to improve commercial relations with China.

Sec. 406. Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation is made pursuant to section 404, to make advances, not to exceed in the aggregate \$50,000,000, to carry out the provisions of this title in such manner and in such amounts as the President shall determine. From appropriations authorized under section 404, there shall be repaid without interest to the Reconstruction Finance Corporation the advances made by it under the authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation in implementation of this section.

Sec. 407. (a) The Secretary of State, after consultation with the



Administrator, is hereby authorized to conclude an agreement with China establishing a Joint Commission on Rural Reconstruction in China, to be composed of two citizens of the United States appointed by the President of the United States and three citizens of China appointed by the President of China. Such Commission shall, subject to the direction and control of the Administrator, formulate and carry out a program for reconstruction in rural areas of China, which shall include such research and training activities as may be necessary or appropriate for such reconstruction: *Provided*, That assistance furnished under this section shall not be construed as an express or implied assumption by the United States of any responsibility for making any further contributions to carry out the purposes of this section.

(b) Insofar as practicable, an amount equal to not more than 10 per centum of the funds made available under subsection (a) of section 404 shall be used to carry out the purposes of subsection (a) of this section. Such amount may be in United States dollars, proceeds in Chinese currency from the sale of commodities made available to China with funds authorized under subsection (a) of section 404, or both.

Approved April 3, 1948.

## VETERANS' ADMINISTRATION—ADMINISTRATIVE EXPENDITURES

*See Legislative History, p. 953*

### CHAPTER 170—PUBLIC LAW 473

[H. R. 4478]

An Act to provide basic authority for certain administrative expenditures for the Veterans' Administration, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Appropriations hereafter made for the Veterans' Administration shall be available, subject to such limitations as the Administrator of Veterans' Affairs may prescribe by regulations, (1) for furnishing and laundering such wearing apparel as may be prescribed for employees in the performance of their official duties, and (2) for transporting children of Veterans' Administration employees located at isolated stations to and from school in available Government-owned automotive equipment.

Sec. 2. Veterans Regulation Numbered 6(a), as amended,<sup>53</sup> is hereby amended by adding a new paragraph IX as follows:

"IX. Subject to such regulations as he may prescribe, the Administrator of Veterans' Affairs is authorized to provide for the purchase of tobacco to be furnished to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes."

Sec. 3. The Act of March 14, 1940 (54 Stat. 49; 38 U. S. C. 76), is hereby amended by adding thereto a new section as follows:

"Sec. 2. The Administrator of Veterans' Affairs is hereby authorized to provide for the purchase of printed reduced-fare requests for use by veterans when traveling at their own expense from or to Veterans' Administration facilities."

Sec. 4. Within the limitations of the appropriations made therefor the Administrator of Veterans' Affairs is authorized to provide for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures and other visual educational information and descriptive material, including the purchase or rental of equipment.

Sec. 5. Section 1500 of the Servicemen's Readjustment Act of 1944,

<sup>53</sup> 38 U.S.C.A. foll. ch. 12.

as amended (38 U. S. C. 697),<sup>55</sup> is amended by inserting "(a)" immediately following "Sec. 1500" and adding at the end thereof the following new paragraph:

"(b) When so specified in an appropriation or other Act, the Administrator of Veterans' Affairs is authorized to make allotments and transfers to the Federal Security Agency (Public Health Service), the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration: *Provided*, That the amounts to be charged the Veterans' Administration for such care and treatment of patients in hospitals shall be calculated on the basis of a per diem rate approved by the Bureau of the Budget."

Sec. 6. Section 406 of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended (50 U. S. C. App. 546),<sup>56</sup> is amended by adding the following new sentence at the end thereof: "Any moneys received as repayment of debts incurred under this article, as originally enacted and as amended, shall be credited to the appropriation for the payment of claims under this article."

Approved April 3, 1948.

## VETERANS' OFFICES—PHILIPPINE REPUBLIC

*See Legislative History, p. 956*

### CHAPTER 171—PUBLIC LAW 474

[H. R. 4943]

An Act to extend the authority of the Administrator of Veterans' Affairs to establish and continue offices in the territory of the Republic of the Philippines.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Public Law 91, Eightieth Congress, approved June 14, 1947,<sup>57</sup> is hereby amended to read as follows:

"That the authority in section 7 of the World War Veterans' Act, 1924 (43 Stat. 609; 38 U. S. C. 430),<sup>58</sup> and section 101 of the Servicemen's Readjustment Act of 1944 (58 Stat. 284; 38 U. S. C. 693a),<sup>59</sup> to establish and continue regional offices, suboffices, contact units, or other subordinate offices may continue to be exercised by the Administrator of Veterans' Affairs with respect to territory of the Republic of the Philippines on and after the date of its independence if he deems such offices necessary, but in no event after June 30, 1950."

Approved April 3, 1948.

<sup>55</sup> 38 U.S.C.A. § 697.

<sup>56</sup> 50 U.S.C.A. Appendix, § 546.

<sup>57</sup> 38 U.S.C.A. § 693a note.

<sup>58</sup> 38 U.S.C.A. § 430.

<sup>59</sup> 38 U.S.C.A. § 693a.



## PLATINUM FOXES AND FURS—CUSTOMS DUTIES

*See Legislative History, p. 962*

## CHAPTER 173—PUBLIC LAW 475

[H. R. 4938]

An Act to amend the Tariff Act of 1930 with reference to platinum foxes, and platinum fox furs, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Paragraph 1519 of the Tariff Act of 1930<sup>60</sup> is hereby amended by adding at the end thereof a new subparagraph to read as follows:

"(f) As used in this paragraph the term 'silver or black fox' includes platinum fox and any fox which is a mutation, or type developed, from silver, black, or platinum foxes."

Sec. 2. Paragraph 1606(a) of such Tariff Act<sup>61</sup> is amended by striking out "except black or silver foxes" and inserting in lieu thereof "except black, silver, or platinum foxes, and any fox which is a mutation, or type developed, therefrom".

Approved April 5, 1948.

## HAWAII AND ALASKA—TRADE STATISTICS

*See Legislative History, p. 965*

## CHAPTER 177—PUBLIC LAW 476

[H. R. 3229]

An Act to exempt Hawaii and Alaska from the requirements of the Act of April 29, 1902, relating to the procurement of statistics of trade between the United States and its noncontiguous territory.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Act entitled "An Act to facilitate the procurement of statistics of trade between the United States and its noncontiguous territory", approved April 29, 1902 (U. S. C., 1940 edition, title 46, sec. 95),<sup>1</sup> is hereby amended by striking out "Hawaii, Puerto Rico, Alaska," and inserting in lieu thereof "Puerto Rico,".

Approved April 7, 1948.

OREGON AND CALIFORNIA RAILROAD AND COOS BAY  
WAGON ROAD GRANT LANDS

## CHAPTER 179—PUBLIC LAW 477

[H. R. 5049]

An Act to reopen the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands to exploration, location, entry, and disposition under the general mining laws.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Notwithstanding any provisions of the Act of August 28, 1937 (50 Stat. 874), or any other Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands, all

<sup>60</sup> 19 U.S.C.A. § 1001, par. 1519.  
<sup>61</sup> 19 U.S.C.A. § 1201, par. 1606(a).  
<sup>1</sup> 46 U.S.C.A. § 95.

of such revested or reconveyed lands, except power sites, shall be open for exploration, location, entry, and disposition under the mineral-land laws of the United States, and all mineral claims heretofore located upon said lands, if otherwise valid under the mineral-land laws of the United States, are hereby declared valid to the same extent as if such lands had remained open to exploration, location, entry, and disposition under such laws from August 28, 1937, to the date of enactment of this Act: *Provided*, That any person who under such laws has entered since August 28, 1937, or shall hereafter enter, any of said lands, shall not acquire title, possessory or otherwise, to the timber, now or hereafter growing thereon, which timber may be managed and disposed of as is or may be provided by law, except that such person shall have the right to use so much of the timber thereon as may be necessary in the development and operation of his mine until such time as such timber is disposed of by the United States: *Provided further*, That locations made prior to August 28, 1937, may be perfected in accordance with the laws under which initiated.

The owner of any unpatented mining claim located upon any of such lands shall file for record in the United States district land office of the land district in which the claim is situated (1) within one hundred and eighty days after the effective date of this Act, as to locations heretofore made, or within sixty days of locations, as to locations hereafter made, a copy of the notice of location of the claim; (2) within sixty days after the expiration of any annual assessment year, a statement under oath as to the assessment work done or improvements made during the previous assessment year, or as to compliance, in lieu thereof, with any applicable relief Act.

Approved April 8, 1948.

## INTERSTATE COMMERCE ACT—SECURITIES OF CARRIERS

*See Legislative History, p. 966*

### CHAPTER 180—PUBLIC LAW 478

[H. R. 2298]

An Act to amend the Interstate Commerce Act, as amended, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

It is hereby declared to be in aid of the national transportation policy of the Congress, as set forth in the preamble of the Interstate Commerce Act, as amended, in order to promote the public interest in avoiding the deterioration of service and the interruption of employment which inevitably attend the threat of financial difficulties and which follow upon financial collapse and in order to promote the public interest in increased stability of values of railroad securities with resulting greater confidence therein of investors, to assure, insofar as possible, continuity of sound financial condition of common carriers subject to part I of said Act,<sup>1</sup> to enhance the marketability of railroad securities impaired by large and continuing accumulations of interest on income bonds and dividends on preferred stock and to enable said common carriers, insofar as possible, to avoid prospective financial difficulties, inability to meet debts as they mature, and insolvency. To assist in accomplishing these ends and because certain classes of the securities of such carriers are in the usual case held by a very large number of holders, and, further, to enable modification and reformation of provisions of the aforesaid classes of securities and of provisions of the instruments pursuant to

<sup>1</sup> 49 U.S.C.A. §§ 1-22, 26, 27, 231.



which they are issued or by which they are secured in cases where such modification and reformation shall have become necessary or desirable in the public interest in order to avoid obstruction to or interference with the economical, efficient, and orderly conduct by such carriers of their affairs, it is deemed necessary to provide means, in the manner and with the safeguards herein provided, for the alteration and modification, without the assent of every holder thereof, of the provisions of such classes of securities and of the instruments pursuant to which they are outstanding or by which they are secured.

Sec. 2. Part I of the Interstate Commerce Act, as amended, is amended by adding after section 20a<sup>2</sup> the following new section:

"Sec. 20b. (1) It shall be lawful (any express provision contained in any mortgage, indenture, deed of trust, corporate charter, stock certificate, or other instrument or any provision of State law to the contrary notwithstanding), with the approval and authorization of the Commission, as provided in paragraph (2) hereof, for a carrier as defined in section 20a (1) of this part to alter or modify (a) any provision of any class or classes of its securities as defined in section 20a (2) of this part being hereinafter in this section sometimes called 'securities'; or (b) any provision of any mortgage, indenture, deed of trust, corporate charter, or other instrument pursuant to which any class of its securities shall have been issued or by which any class of its obligations is secured (hereinafter referred to as instruments): *Provided*, That the provisions of this section shall not apply to any equipment-trust certificates in respect of which a carrier is obligated, or to any evidences of indebtedness of a carrier the payment of which is secured in any manner solely by equipment, or to any instrument, whether an agreement, lease, conditional-sale agreement, or otherwise, pursuant to which such equipment-trust certificates or such evidences of indebtedness shall have been issued or by which they are secured.

"(2) Whenever an alteration or modification is proposed under paragraph (1) hereof, the carrier seeking authority therefor shall, pursuant to such rules and regulations as the Commission shall prescribe, present an application to the Commission. Upon presentation of any such application, the Commission may, in its discretion, but need not, as a condition precedent to further consideration, require the applicant to secure assurances of assent to such alteration or modification by holders of such percentage of the aggregate principal amount or number of shares outstanding of the securities affected by such alteration or modification as the Commission shall in its discretion determine. If the Commission shall not require the applicant to secure any such assurances, or when such assurances, as the Commission may require shall have been secured, the Commission shall set such application for public hearing and the carrier shall give reasonable notice of such hearing in such manner, by mail, advertisement, or otherwise, as the Commission may find practicable and may direct, to holders of such of its classes of securities and to such other persons in interest as the Commission shall determine to be appropriate and shall direct. If the Commission, after hearing, in addition to making (in any case where such alteration or modification involves an issuance of securities) the findings required by paragraph (2) of section 20a, not inconsistent with paragraph (1) of this section shall find that, subject to such terms and conditions and with such amendments as it shall determine to be just and reasonable, the proposed alteration or modification—

"(a) is within the scope of paragraph (1);

"(b) will be in the public interest;

"(c) will be in the best interests of the carrier, of each class of its stockholders, and of the holders of each class of its obligations affected by such modification or alteration; and

<sup>2</sup> 49 U.S.C.A. § 20a.

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"(d) will not be adverse to the interests of any creditor of the carrier not affected by such modification or alteration, then (unless the applicant, carrier shall withdraw its application) the Commission shall cause the carrier, in such manner as it shall direct, to submit the proposed alteration or modification (with such terms, conditions, and amendments, if any) to the holders of each class of its securities affected thereby, for acceptance or rejection. All letters, circulars, advertisements, and other communications, and all financial and statistical statements, or summaries thereof, to be used in soliciting the assents or the opposition of such holders shall, before being so used, be submitted to the Commission for its approval as to correctness and sufficiency of the material facts stated therein. If the Commission shall find that as a result of such submission the proposed alteration or modification has been assented to by the holders of at least 75 per centum of the aggregate principal amount or number of shares outstanding of each class of securities affected thereby (or in any case where 75 per centum thereof is held by fewer than twenty-five holders, such larger percentage, if any, as the Commission may determine to be just and reasonable and in the public interest), the Commission shall enter an order approving and authorizing the proposed alteration or modification upon the terms and conditions and with the amendments, if any, so determined to be just and reasonable. Such order shall make provision as to the time when such alteration or modification shall become and be binding, which may be upon publication of a declaration to that effect by the carrier, or otherwise, as the Commission may determine. Any alteration or modification which shall become and be binding pursuant to the approval and authority of the Commission hereunder shall be binding upon each holder of any security of the carrier of each class affected by such alteration or modification, and upon any trustee or other party to any instrument under which any class of obligations shall have been issued or by which it is secured, and when any alteration or modification shall become and be binding the rights of each such holder and of any such trustee or other party shall be correspondingly altered or modified.

"(3) For the purposes of this section a class of securities shall be deemed to be affected by any modification or alteration proposed only (a) if a modification or alteration is proposed as to any provision of such class of securities, or (b) if any modification or alteration is proposed as to any provision of any instrument pursuant to which such class of securities shall have been issued or shall be secured: *Provided*, That in any case where more than one class of securities shall have been issued and be outstanding or shall be secured pursuant to any instrument, any alteration or modification proposed as to any provision of such instrument which does not relate to all of the classes of securities issued thereunder, shall be deemed to affect only the class or classes of securities to which such alteration or modification is related. For the purpose of the finding of the Commission referred to in paragraph (2) of this section as to whether the required percentage of the aggregate principal amount or number of shares outstanding of each class of securities affected by any proposed alteration or modification has assented to the making of such alteration or modification, any security which secures any evidence or evidences of indebtedness of the carrier or of any company controlling or controlled by the carrier shall be deemed to be outstanding unless the Commission in its discretion determines that the proposed alteration or modification does not materially affect the interests of the holder or holders of the evidence or evidences of indebtedness secured by such security. Whenever any such pledged security is, for said purposes, to be deemed outstanding, assent in respect of such security, as to any proposed alteration or modification, may be given only (any express or implied provision in any mortgage, indenture, deed of trust, note, or other instrument to the contrary notwithstanding) as follows: (a) Where such security is pledged as security under a mort-



gage, indenture, deed of trust, or other instrument, pursuant to which any evidences of indebtedness are issued and outstanding, by the holders of a majority in principal amount of such evidences of indebtedness, or (b) where such security secures an evidence or evidences of indebtedness not issued pursuant to such a mortgage, indenture, deed of trust, or other instrument, by the holder or holders of such evidence or evidences of indebtedness; and in any such case the Commission, in addition to the submission referred to in paragraph (2) of this section, shall cause the carrier in such manner as it shall direct to submit the proposed alteration or modification (with such terms, conditions, and amendments, if any, as the Commission shall have determined to be just and reasonable) for acceptance or rejection, to the holders of the evidences of indebtedness issued and outstanding pursuant to such mortgage, indenture, deed of trust, or other instrument, or to the holder or holders of such evidence or evidences of indebtedness not so issued, and such proposed alteration or modification need not be submitted to the trustee of any such mortgage, indenture, deed of trust, or other instrument, but assent in respect of any such security shall be determined as hereinbefore in this section provided. For the purposes of this section a security or an evidence of indebtedness shall not be deemed to be outstanding if in the determination of the Commission the assent of the holder thereof to any proposed alteration or modification is within the control of the carrier or of any person or persons controlling the carrier.

"(4) (a) Any authorization and approval hereunder of any alteration or modification of a provision of any class of securities of a carrier or of a provision of any instrument pursuant to which a class of securities has been issued, or by which it is secured, shall be deemed to constitute authorization and approval of a corresponding alteration or modification of the obligation of any other carrier which has assumed liability in respect of such class of securities as guarantor, endorser, surety, or otherwise: *Provided*, That such other carrier consents in writing to such alteration or modification of such class of securities in respect of which it has assumed liability or of the instrument pursuant to which such class of securities has been issued or by which it is secured and, such consent having been given, any such corresponding alteration or modification shall become effective, without other action, when the alteration or modification of such class of securities or of such instrument shall become and be binding.

"(b) Any person who is liable or obligated contingently or otherwise on any class or classes of securities issued by a carrier shall, with respect to such class or classes of securities, for the purposes of this section, be deemed a carrier.

"(5) The authority conferred by this section shall be exclusive and plenary and any carrier, in respect of any alteration or modification authorized and approved by the Commission hereunder, shall have full power to make any such alteration or modification and to take any actions incidental or appropriate thereto, and may make any such alteration or modification and take any such actions, and any such alteration or modification may be made without securing the approval of the Commission under any other section of this Act or other paragraph of this section, and without securing approval of any State authority, and any carrier and its officers and employees and any other persons, participating in the making of an alteration or modification approved and authorized under the provisions of this section or the taking of any such actions, shall be, and they hereby are, relieved from the operation of all restraints, limitations, and prohibitions of law, Federal, State, or municipal, insofar as may be necessary to enable them to make and carry into effect the alteration or modification so approved and authorized in accordance with the conditions and with the amendments, if any, imposed by the Commission. Any power granted by this section to any carrier shall be deemed to be in addition to and



in modification of its powers under its corporate charter or under the laws of any State. The provisions of this section shall not affect in any way the negotiability of any security of any carrier or of the obligation of any carrier which has assumed liability in respect thereto.

"(6) The Commission shall require periodical or special reports from each carrier which shall hereafter secure from the Commission approval and authorization of any alteration or modification under this section, which shall show, in such detail as the Commission may require, the action taken by the carrier in the making of such alteration or modification.

"(7) The provisions of this section are permissive and not mandatory and shall not require any carrier to obtain authorization and approval of the Commission hereunder for the making of any alteration or modification of any provision of any of its securities or of any class thereof or of any provision of any mortgage, indenture, deed of trust, corporate charter, or other instrument, which it may be able lawfully to make in any other manner, whether by reason of provisions for the making of such alteration or modification in any such mortgage, indenture, deed of trust, corporate charter, or other instrument, or otherwise: *Provided*, That the provisions of paragraph (2) of section 20a, if applicable to such alteration or modification made otherwise than pursuant to the provisions of this section, shall continue to be so applicable.

"(8) The provisions of paragraph (6) of section 20a, except the provisions thereof in respect of hearings, shall apply to applications made under this section. In connection with any order entered by the Commission pursuant to paragraph (2) hereof, the Commission may from time to time, for good cause shown, make such supplemental orders in the premises as it may deem necessary or appropriate, and may by any such supplemental order modify the provisions of any such order, subject always to the requirements of said paragraph (2).

"(9) The provisions of subdivision (a) of section 14 of the Securities Exchange Act of 1934 shall not apply to any solicitation in connection with a proposed alteration or modification pursuant to this section.

"(10) The Commission shall have the power to make such rules and regulations appropriate to its administration of the provisions of this section as it shall deem necessary or desirable.

"(11) Any issuance of securities under this section which shall be found by the Commission to comply with the requirements of paragraph (2) of section 20a shall be deemed to be an issuance which is subject to the provisions of section 20a within the meaning of section 3(a) (6) of the Securities Act of 1933, as amended.<sup>3</sup> Section 5<sup>4</sup> of said Securities Act shall not apply to the issuance, sale, or exchange of certificates of deposit representing securities of, or claims against, any carrier which are issued by committees in proceedings under this section, and said certificates of deposit and transactions therein shall, for the purposes of said Securities Act, be deemed to be added to those exempted by sections 3 and 4, respectively,<sup>5</sup> of said Securities Act.

"(12) The provisions of sections 1801, 1802, 3481, and 3482 of the Internal Revenue Code<sup>6</sup> and any amendments thereto, unless specifically providing to the contrary, shall not apply to the issuance, transfer, or exchange of securities or the making or delivery of conveyances to make effective any alteration or modification effected pursuant to this section.

"(13) The Commission shall not approve an application filed under this section by any carrier while in equity receivership or in process of reorganization under section 77 of the Bankruptcy Act, as amended,<sup>7</sup> except that the Commission may approve an application filed by a car-

<sup>3</sup> 15 U.S.C.A. § 77c (a) (6).

<sup>4</sup> 15 U.S.C.A. § 77e.

<sup>5</sup> 15 U.S.C.A. §§ 77c, 77d.

<sup>6</sup> 26 U.S.C.A. §§ 1801, 1802, 3481, 3482.

<sup>7</sup> 11 U.S.C.A. § 205.



rier which, on the date of enactment of this Act, is in equity receivership and with respect to which no order confirming the sale of the carrier's property has been entered, or is in process of reorganization under section 77 and with respect to which no order confirming a plan shall have been entered, or, such an order having been entered, if an appeal from said order is pending on said date in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such appeal or to file such petition has not expired, if prior to the filing of such application with the Commission such carrier shall have applied for and been granted permission to file such application by the district judge before whom the equity receivership or section 77 proceeding is pending. Any such carrier applying for permission to file such application shall file with the court as a prerequisite to the granting of such permission (1) a copy of the proposed application, (2) a copy of the proposed plan of alteration or modification of its securities, and (3) assurances satisfactory to the court of the acceptance of such plan from holders of at least 25 per centum of the aggregate amount of all securities, including not less than 25 per centum of the aggregate amount of all creditors' claims, affected by such plan. An order of a district judge granting or withholding such permission shall be final and shall not be subject to review. Upon granting of such permission, such proceeding, so far as it relates to a plan of reorganization, shall be suspended until the Commission shall have notified the court that (a) the application filed by such carrier under this section has been dismissed or denied by the Commission or withdrawn, (b) the Commission has approved and authorized an alteration or modification under this section with respect to the securities of such carrier, or (c) twelve months have elapsed since the filing of such application and no such alteration or modification has been approved and authorized by the Commission. Upon receipt by the court of notification that such application has been dismissed or denied or withdrawn or that twelve months have elapsed and no alteration or modification has been approved and authorized, the equity receivership or section 77 proceeding shall be resumed as though permission to file application under this section had not been granted. Upon receipt by the court of notification that the Commission has authorized and approved such alteration or modification of the carrier's securities under this section as, in the judgment of the court, makes further receivership or section 77 proceeding unnecessary, the court shall enter an order restoring custody of the property to the debtor, and making such other provision as may be necessary to terminate the equity receivership or section 77 proceeding."

Sec. 3. (a) Notwithstanding any other provision of law—

(1) with respect to any plan of reorganization or modified plan of reorganization approved by the Interstate Commerce Commission under the provisions of section 77 of the Bankruptcy Act, as amended, subsequent to the effective date of this Act, it shall be the duty of the Commission, upon petition of any party to the proceeding filed at any time more than eighteen months after certification by the Commission to the court of the plan or of an order disposing of a like petition, but before any order confirming the plan shall have been entered, or, such an order having been entered, if an appeal from said order is pending on said date in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such appeal or to file such petition has not expired, to report to the court in which consideration of such plan is then pending, any changes, facts, or developments which have occurred since the approval of such plan by the Commission, which were not provided for in the plan, and which in the opinion of the Commission make it necessary or expedient for

the Commission to reexamine or reconsider and, if necessary, to revise such plan in order to insure that such plan, if consummated and put into effect, shall then, in the opinion of the Commission, be fair and equitable and in the public interest and compatible with the provisions of this section and section 77 of the Bankruptcy Act, as amended. Upon the filing of any such report by the Commission with the court, the court shall remand the plan to the Commission for such reexamination, reconsideration, and possible revision;

(2) if, with respect to any plan of reorganization or modified plan of reorganization approved by the Commission subsequent to the effective date of this Act, the court before which such plan is then pending, for approval or confirmation, no order of confirmation having been entered, or, such an order having been entered, if an appeal from said order is pending on said date in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such appeal or to file such petition has not expired, upon petition of any party to the proceeding and either with or without a hearing, shall find that changes, facts, or developments have occurred since the approval of such plan by the Commission which were not provided for in the plan and which make it necessary or expedient, in the opinion of the court, that the Commission reexamine and reconsider and revise such plan in order to insure that the plan consummated and put into effect shall then, in the opinion of the court and the Commission, be fair and equitable and in the public interest and compatible with the provisions of this section, and section 77 of the Bankruptcy Act, as amended, the court shall return the plan to the Commission for such reexamination, reconsideration and possible revision;

(3) with respect to any plan of reorganization or modified plan of reorganization which, on the date of enactment of this Act, is before any district court for approval or confirmation, no order of confirmation having been entered, or, such order having been entered, if an appeal from said order is pending in a circuit court of appeals or the matter is pending in the Supreme Court on a petition to review any order of a circuit court of appeals dealing with said order of confirmation or the time within which to make such an appeal or to file such petition has not expired, it shall be the duty of the Commission, upon petition of any party to the proceeding, to report to such court any changes, facts, or developments which have occurred since December 31, 1939, which were not provided for in the plan and which, in the opinion of the Commission, make it necessary or expedient for the Commission to reexamine or reconsider and, if necessary, to revise such plan in order to insure that if consummated and put into effect, such plan shall then, in the opinion of the Commission, be fair and equitable and in the public interest and compatible with the provisions of this section and section 77 of the Bankruptcy Act, as amended. Upon the filing of any such report by the Commission with the court, the court shall remand the plan to the Commission for such reexamination, reconsideration, and possible revision;

(4) in the event of the return of a plan to the Commission pursuant to the provisions of this subsection (a), the proceedings with respect thereto shall be governed by the provisions of subsection (d) of section 77 of the Bankruptcy Act, as amended;

(5) each petition filed under the provisions of paragraph (1) or paragraph (3) of this subsection (a) shall be filed with the court before which is pending the plan which is the subject of the petition and such petition shall be referred by the court to the Commission. Upon the filing of such petition with the court all further proceedings for confirmation of the plan shall be suspended pending disposition



of the petition by the Commission and certification of its action thereon to the court.

(b) As to any plan so returned to the Commission by the court, the Commission, upon further hearing at which all parties may appear and submit evidence as to prospective earning power and other relevant facts, and upon consideration of all changes, facts, and developments which have occurred since the date of approval of the plan by the Commission (or which have occurred since December 31, 1939, in the case of plans which on the date of enactment of this Act were pending before, but had not been confirmed by, the court by order which shall have become final), including, without limitation, for such period total railway operating revenues, operating expenses and other charges, net earnings, the full effect of amortization deductions on earnings of past and future years, improvements to property, the effect of released collateral through past or future payments of loans, cash and net current assets, retirements and purchases of debt, including retirements and purchases at a discount that have been made or that can reasonably be made, adjustment and reduction of interest rates on outstanding debt that may be made, shall, in a supplemental report and order, modify, or refuse to modify, any plan which it has approved, stating the reasons for such modification or for its refusal to modify the plan. The Commission, if it modifies the plan, shall certify the modified plan to the court, together with a transcript of the proceeding before it and a copy of its report and order approving the modified plan. Thereafter proceedings upon the plan shall be governed by the provisions of subsection (e) of section 77 of the Bankruptcy Act, as amended, and of this section. If the Commission refuses to modify the plan, it shall transmit to the court a copy of its report and order, together with a transcript of the proceedings before it. Thereafter, if the court shall find that the refusal of the Commission to modify the plan is based on sufficient findings and is supported by the record, the proceeding upon the plan shall continue as if the plan had not been returned to the Commission; otherwise the court shall return the plan to the Commission for further consideration. Upon such consideration, the Commission shall again certify the plan to the court with such modifications, if any, as it may find necessary, and thereafter further proceedings upon the plan shall be as provided in said subsection (e) and in this section.

Sec. 4. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved April 9, 1948.

## NAVAL HOSPITAL, HOUSTON, TEXAS—REFLECTING POOL

### CHAPTER 181—PUBLIC LAW 479

[S. 1794]

An Act to authorize the Houston Council, Navy League of the United States, to construct a reflecting pool at the United States naval hospital, Houston, Texas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of the Navy be, and he is hereby, authorized to permit the Houston Council, Navy League of the United States, to construct a reflecting pool on the grounds of the United States naval hospital, at Houston, Texas.

Sec. 2. The site of the reflecting pool and its design and construction shall be subject to the approval of the Secretary of the Navy. The de-

sign and construction of the reflecting pool shall be without cost to the United States.

Sec. 3. Upon completion of the construction of the reflecting pool, the Secretary of the Navy is authorized to accept it as an unconditional gift to the United States from the Houston Council, Navy League of the United States.

Approved April 9, 1948.

## MONTANA, NORTH DAKOTA, SOUTH DAKOTA—LEASE OF LANDS FOR PRODUCTION OF MINERALS, ETC.

### CHAPTER 183—PUBLIC LAW 480

[H. R. 4167]

An Act to authorize the States of Montana, North Dakota, South Dakota, and Washington to lease their State lands for production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, for such terms of years and on such conditions as may be from time to time provided by the legislatures of the respective States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The second paragraph of section 11 of the Act relating to the admission into the Union of the States of North Dakota, South Dakota, Montana, and Washington, approved February 22, 1889, as amended, is amended to read as follows: "Except as otherwise provided herein, the said lands may be leased under such regulations as the legislature may prescribe. Leases for the production of minerals, including leases for exploration for oil, gas, and other hydrocarbons and the extraction thereof, shall be for such term of years and on such conditions as may be from time to time provided by the legislatures of the respective States; leases for grazing and agricultural purposes shall be for a term not longer than ten years; and leases for development of hydroelectric power shall be for a term not longer than fifty years."

Approved April 13, 1948.

## ROOSEVELT, UTAH—HIGH-SCHOOL BUILDING

### CHAPTER 185—PUBLIC LAW 481

[S. 805]

An Act authorizing an appropriation for the construction, extension, and improvement of a high-school building near Roosevelt, Utah, for the district embracing the east portion of Duchesne County and the west portion of Uintah County.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$250,000 for the purpose of cooperating with the school districts in Utah comprising the east portion of Duchesne County and the west portion of Uintah County for the construction, extension, and improvement of a high-school building near Roosevelt, Utah: *Provided*, That the expenditure of any moneys appropriated hereunder shall be subject to the condition that the school authorities for the said school districts shall take any and all necessary steps, under the laws of the State of Utah, to provide any and all additional funds required to complete the construction, extension, and improvement of the said high-school building, and shall submit proof of compliance with this provision to the Commissioner of Indian Affairs: *Provided further*, That plans and specifications for the construction, extension, and improvement of the said high-school building shall be fur-



nished by the local or State authorities, without cost to the United States, and submitted to the Commissioner of Indian Affairs for approval, before any moneys appropriated hereunder may be expended, and that upon compliance with this provision actual work shall proceed under the direction of such local or State officials: *Provided further*, That payment for work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropriation made hereunder shall be final and sufficient for such payment thereof: *And provided further*, That the said high school so constructed, extended, and improved shall be maintained by the said school districts and shall be available to all the Indian children of the said districts on the same terms, as to other children of said school districts.

Approved April 15, 1948.

## SAN JACINTO-SAN VICENTE AQUEDUCT—CONSTRUCTION AND DISPOSITION

### CHAPTER 186—PUBLIC LAW 482

[S. 1306]

An Act relating to the construction and disposition of the San Jacinto-San Vicente aqueduct.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Congress hereby (1) ratifies the action taken by various departments and agencies in the executive branch of the Government in planning for and proceeding with the construction of an aqueduct running from a connection with the Colorado River aqueduct of the Metropolitan Water District of Southern California near the west portal of San Jacinto tunnel in Riverside County, California, to San Vicente Reservoir in San Diego County, California; (2) authorizes the completion of such aqueduct in accordance with existing Government plans for the completion thereof; and (3) ratifies the action of the Navy Department in disposing of the aqueduct to the city of San Diego, California, pursuant to contract NOY-13300 which provides, among other things, for the leasing of such aqueduct to such city.

Approved April 15, 1948.

## PORT NEWARK ARMY BASE—EXTENSION OF TIME FOR PAYMENT

### CHAPTER 187—PUBLIC LAW 483

[S. 1581]

An Act to provide additional time to the city of Newark, New Jersey, for paying certain installments on the purchase price of the Port Newark Army Base, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The first section of the Act entitled "An Act to provide for the sale of the Port Newark Army Base to the city of Newark, New Jersey, and for other purposes", approved June 20, 1936, is amended by striking out "of which \$100,000 shall be paid in cash and the balance in annual installments, on or before August 1 of each succeeding year, of \$100,000 per year for the first five years and \$200,000 per year thereafter" and inserting in lieu thereof "of which \$100,000 shall be paid in cash and the balance in annual installments of \$100,000 on or before August 1 of

each of the first nine years in which the city of Newark or its lessee has possession and of \$200,000 on or before August 1 of each of the next five years in which the city of Newark or its lessee has possession".

Sec. 2. The Secretary of War is authorized to execute a supplement to the contract of sale entered into with the city of Newark, New Jersey, pursuant to the Act of June 26, 1936, in order to make effective the amendments made to such Act by this Act.

Approved April 15, 1948.

## CANAL ZONE, GUAM, ETC.—PROTECTION OF THE UNIFORM OF ARMY

*See Legislative History, p. 982*

### CHAPTER 188—PUBLIC LAW 484

[S. 1799]

An Act to amend the Act of June 3, 1916, as amended, to make it applicable to the Canal Zone, Guam, American Samoa, and the Virgin Islands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Section 125 of the Act of June 3, 1916 (39 Stat. 216; 10 U. S. C. 1393), as amended,\* is hereby further amended by inserting between the first and second paragraphs thereof the following new paragraph:

"The provisions of this section shall apply to the Canal Zone, Guam, American Samoa, and the Virgin Islands, as well as to all other places within the jurisdiction of the United States."

Approved April 15, 1948.

## U. S. MERCHANT MARINE ACADEMY—CHAPEL AND LIBRARY

### CHAPTER 191—PUBLIC LAW 485

[H. R. 3569]

An Act to authorize the construction of a chapel and a library at the United States Merchant Marine Academy at Kings Point, New York, and to authorize the acceptance of private contributions to assist in defraying the cost of construction thereof.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The United States Maritime Commission is authorized to construct a suitable chapel for religious worship by any denomination, sect, or religion, and a library at the United States Merchant Marine Academy at Kings Point, New York.

Sec. 2. The Maritime Commission is authorized to acquire title to an appropriate site or sites adjoining the present Merchant Marine Academy reservation either by purchase, condemnation, gift, or otherwise.

Sec. 3. The Maritime Commission is authorized to accept private contributions to assist in defraying the cost of construction of the chapel and library provided for herein. Such contributions shall be received and accounted for under such regulations as the Comptroller General of the United States may prescribe.

Sec. 4. There are authorized to be appropriated such sums as may be necessary to complete the purposes of this Act.

Approved April 17, 1948.

\* 10 U.S.C.A. § 1393.



## FEDERAL AIRPORT ACT—EXTENSION TO VIRGIN ISLANDS

*See Legislative History, p. 985*

## CHAPTER 192—PUBLIC LAW 486

[S. 2081]

An Act to extend the provisions of the Federal Airport Act to the Virgin Islands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Federal Airport Act of 1946 is hereby amended by—

(1) Adding after the words "Puerto Rico", wherever they appear in paragraph 7 of section 2(a)<sup>9</sup> and in sections 3(a), 7, and 9(c)<sup>10</sup> thereof, the phrase "and the Virgin Islands".

(2) Adding after the word "Alaska" appearing in section 10(c)<sup>11</sup> the phrase "and the Virgin Islands".

Approved April 17, 1948.

DISTRICT OF COLUMBIA—MOTOR VEHICLE OPERATORS'  
PERMITS

## CHAPTER 215—PUBLIC LAW 487

[H. R. 4572]

An Act to amend section 7 of the District of Columbia Traffic Act, 1925, as amended, to provide for learners' permits, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Section 7(a) of the District of Columbia Traffic Act, 1925, as amended, is amended to read as follows:

"(a) (1) Upon application made under oath and the payment of the fee hereinafter prescribed, the Commissioners or their designated agent shall issue a motor vehicle operator's permit to any individual who, after examination, in the opinion of the Commissioners or their designated agent, is mentally, morally, and physically qualified to operate a motor vehicle in such manner as not to jeopardize the safety of individuals or property. The Commissioners or their designated agent shall cause each applicant to be examined as to his knowledge of the traffic regulations of the District and shall require the applicant to give a practical demonstration of his ability to operate a motor vehicle within a congested portion of the District and in the presence of such individuals as may be authorized to conduct the demonstration, except that upon the renewal of any such operator's permit such examination and demonstration may be waived in the discretion of the Commissioners or their designated agent. Should the Commissioners or their designated agent believe that the issuance or reissuance of a permit in accordance with the provisions of this Act may prove a menace to public safety, they or their agent may refuse the issuance or reissuance thereof. Operators' permits shall be issued for a period not in excess of three years upon compliance with such regulations as the Commissioners or their designated agent may prescribe. The fee for any such permit shall be \$3. No operator's permit shall be issued to any individual under sixteen years of age. No operator's permit issued to any individual under eighteen years of age shall authorize the operation by such individual while he is under the age

<sup>9</sup> 49 U.S.C.A. § 1161.

<sup>10</sup> 49 U.S.C.A. §§ 1102, 1106, 1108.

<sup>11</sup> 49 U.S.C.A. § 1109.

of eighteen years of any motor vehicle other than a passenger vehicle or motorcycle or motor bicycle, used solely for purposes of pleasure: *Provided*, That such permit shall not authorize the operation by any such individual under the age of eighteen years of any such motor vehicle for compensation.

"(2) Upon application made under oath and the payment of a fee of \$1, the commissioners or their designated agent may issue a learner's permit to any applicant who has successfully passed all parts of the examination other than the driving demonstration test. Such permit shall entitle the permittee, while having such permit in his immediate possession, to drive a passenger motor vehicle in the District for a period of thirty days, when accompanied by the holder of a motor vehicle operator's permit who is occupying a seat beside such permittee. Any such learner's permit may be extended for one additional period of thirty days. No learner's permit shall be issued to any individual under sixteen years of age; and no such permit issued to any individual sixteen years of age or over but under eighteen years of age shall authorize the operation of any motor vehicle unless the holder of such permit is accompanied by the holder of a motor-vehicle instructor's license who is occupying a seat beside such learner or unless the holder of such permit is operating a passenger vehicle used solely for purposes of pleasure and owned by such learner or his parent or guardian and such learner is accompanied by the holder of a motor-vehicle operator's permit who is occupying a seat beside such learner.

"(3) Any pupil fifteen years of age or over enrolled in a high school or junior high school driver education and training course approved by the Commissioners or their designated agent may, without obtaining either an operator's or a learner's permit, operate a dual-control motor vehicle at such times as such pupil is under instruction and accompanied by a licensed motor-vehicle driving instructor: *Provided*, That such instructor shall at all times while he is engaged in such instruction have on his person a certificate from the principal or other person in charge of such school, stating that such instructor is officially designated to instruct pupils enrolled in such course, and whenever demand is made by a police officer such instructor shall display to him such certificate.

"(4) In case of the loss of an operator's permit or a learner's permit, the individual to whom such permit was issued shall forthwith notify the commissioners or their designated agent, who shall furnish such individual with a duplicate permit. The fee for each such duplicate permit shall be 50 cents.

"(5) Enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be issued, without charge, a permit to operate Government-owned vehicles, while engaged in official business, upon the presentation of a certificate from their commanding officers to the effect that they are assigned to operate a Government vehicle and are qualified to drive, and upon proving to the satisfaction of the director of vehicles and traffic that they are familiar with the traffic regulations of the District of Columbia."

Sec. 2. Section 7(e) of the District of Columbia Traffic Act, 1925, as amended, is amended to read as follows:

"(e) No individual shall operate a motor vehicle in the District, except as provided in section 8, without having first obtained an operator's permit or a learner's permit issued under the provisions of this Act. Any individual violating any provision of this subsection shall, upon conviction thereof, be fined not more than \$300 or be imprisoned not more than ninety days."

Approved April 20, 1948.



## DISTRICT OF COLUMBIA—PRACTICE OF HEALING ART

## CHAPTER 216—PUBLIC LAW 488

[H. R. 4636]

An Act to amend an Act entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", approved February 27, 1929, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The penultimate sentence of section 6 of the Act of Congress entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia" is hereby amended to read as follows: "If the commission finds that an applicant is entitled to a license by virtue of an outstanding license to practice medicine and surgery in the District of Columbia or by virtue of years of practice, under the provisions of section 24 of this Act or by virtue of reciprocity, under the provisions of section 25, or by virtue of a certificate or diploma by a national examining board as provided in section 25(a) of this Act, it shall issue to him a license accordingly."

Sec. 2. The penultimate sentence of section 11 of the said Act is hereby amended to read as follows: "An applicant who is reported by the board as qualified in said sciences and who is entitled to a license by reciprocity, without examination, or by virtue of a certificate or diploma issued by a national examining board, shall thereupon be given such a license."

Sec. 3. (a) The third sentence of section 23 is hereby amended to read as follows: "Each application shall show whether the applicant (a) seeks a license (1) on the basis of a license to practice medicine and surgery in the District of Columbia, under section 24 of this Act; (2) on the basis of years of practice, under section 24; (3) on the basis of reciprocity, under section 25 of this Act; (4) by virtue of a certificate or diploma issued by a national examining board, as provided in section 25(a) of this Act; or (5) on the basis of examination, under section 26; or (b) seeks registration as a person exempted from licensure, under section 42."

Sec. 3. (b) The fourth sentence of section 23 is hereby amended to read as follows: "Each application shall be accompanied by a fee, as follows: For a license on the basis of a license to practice medicine and surgery in the District of Columbia, a fee of \$1; on the basis of years of practice in the District of Columbia, a fee of \$25; for a license on the basis of reciprocity, a fee of \$50; for a license on the basis of a certificate or diploma from a national examining board, a fee of \$25; for certification of applications for license by reciprocity in other jurisdictions, a fee of \$10; for a license on the basis of examination, a fee of \$25; for registration as a person exempted from license, a fee of \$1; but physicians and surgeons of the United States Army, Navy, and Public Health Service, and medical officers in any other branch of the Federal Government whatsoever, and practitioners of the healing art residing within and licensed by States bordering on the District of Columbia, who do not maintain an office or appoint places where patients may be met within the District of Columbia, applying for registration as persons exempted from licensure in the District of Columbia, shall not be required to pay any fee in connection with any such application."

Sec. 4. The said Act is further amended by inserting after section 25 a new section designated "Sec. 25. (a)" to read as follows:

"Sec. 25. (a) The commission may issue a license, without examination, to anyone holding a certificate or diploma from a national examining board: *Provided*, That the examination given by the national examining board was as comprehensive and as exhaustive as that required in the

District of Columbia. The applicant for license on this basis shall submit with his application proof satisfactory to the commission that he is not less than twenty-one years of age; that he is of good moral character; that he has had not less than two years of preprofessional education and training in a college or university acceptable to the commission before entering on the study of the healing art; that he has studied the healing art through not less than four graded courses of not less than nine months each, in a professional school or schools registered under this Act, and has been graduated by such school with the degree of doctor of medicine, doctor of osteopathy, or some equivalent degree; and, if required by the commission, that he has had not less than one year of training in a hospital registered by the commission under this Act: *Provided further*, That the license issued on the basis of a certificate or diploma from a national examining board shall so state on its face."

Approved April 20, 1948.

## DISTRICT OF COLUMBIA—ALCOHOLIC BEVERAGE CONTROL BOARD—COMPENSATION OF MEMBERS

### CHAPTER 217—PUBLIC LAW 489

[H. R. 4649]

An Act to provide that compensation of members of the Alcoholic Beverage Control Board of the District of Columbia shall be fixed in accordance with the Classification Act of 1923, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The positions of members of the Alcoholic Beverage Control Board for the District of Columbia shall be classified in accordance with the Classification Act of 1923, as amended.<sup>12</sup>

Sec. 2. That the sentence in section 4 of the Act entitled "An Act to control the manufacture, transportation, possession, and sale of alcoholic beverages in the District of Columbia", approved January 24, 1934, as amended, which reads: "The salary of each of the members of the Board shall be \$5,000 per annum", shall remain in force and effect until the classifications provided for by the first section of this Act shall have been effected and thereafter said sentence shall stand repealed.

Approved April 20, 1948.

## EXPOSED X-RAY FILM—FREE IMPORTATION

*See Legislative History, p. 988*

### CHAPTER 218—PUBLIC LAW 490

[H. R. 4739]

An Act to amend paragraph 1629 of the Tariff Act of 1930 so as to provide for the free importation of exposed X-ray film.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

(a) Paragraph 1629 of the Tariff Act of 1930<sup>13</sup> is hereby amended by inserting after "Par 1629." "(a)", and by adding at the end of the paragraph a new subparagraph to read as follows:

"(b) X-ray film, exposed, whether or not developed."

(b) This Act shall be effective as to merchandise entered for consumption, or withdrawn from warehouse for consumption, on and after the thirtieth day after the enactment of this Act.

Approved April 20, 1948.

<sup>12</sup> 5 U.S.C.A. §§ 661-674.

<sup>13</sup> 19 U.S.C.A. § 1201, par. 1629.



## INDEPENDENT OFFICES APPROPRIATION ACT, 1949

## CHAPTER 219—PUBLIC LAW 491

[H. R. 5214]

An Act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1949, namely:

## TITLE I

## EXECUTIVE OFFICE OF THE PRESIDENT

## COMPENSATION OF THE PRESIDENT

For compensation of the President of the United States, \$75,000.

## THE WHITE HOUSE OFFICE

Salaries and expenses: For expenses necessary for The White House Office, including compensation of the Secretary to the President, the two additional secretaries to the President and the six administrative assistants to the President at \$10,000 each, and other personal services in the District of Columbia; not to exceed \$3,000 for deposit in the Treasury for penalty mail (39 U.S.C. 321d);<sup>1</sup> automobiles; printing and binding; services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a),<sup>2</sup> at rates for individuals not in excess of \$35 per diem (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget); and travel and official entertainment expenses of the President, to be accounted for on his certificate solely; \$969,612: *Provided*, That employees of the departments and independent offices of the executive branch of the Government may be detailed from time to time to The White House Office for temporary assistance.

For additional personal services, for The White House Office to meet emergencies that may arise, without regard to the provisions of law regulating the employment and compensation of persons in the Government service, \$200,000.

## EMERGENCY FUND FOR THE PRESIDENT

To provide for emergencies affecting the national interest or security, as the President may specify, without regard to such provisions of law regulating the expenditure of Government funds, \$200,000: *Provided*, That no part of such fund shall be available for allocation to finance a function or project for which function or project a budget estimate of appropriation was transmitted pursuant to law during the Eightieth Congress or the first session of the Eighty-first Congress and such appropriation denied after consideration thereof by the Senate or House of Representatives or by the Committee on Appropriations of either body.

## EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Mansion and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, \$230,700.

<sup>1</sup> 39 U.S.C.A. § 321d.

<sup>2</sup> 5 U.S.C.A. § 55a.

BUREAU OF THE BUDGET

Salaries and expenses: For expenses necessary for the Bureau of the Budget and Federal Board of Hospitalization, including personal services in the District of Columbia and elsewhere; exchange of books; newspapers and periodicals (not exceeding \$200); teletype news service (not exceeding \$900); not to exceed \$800 for deposit in the Treasury for penalty mail (39 U.S.C. 321d);<sup>3</sup> not to exceed \$35,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a),<sup>4</sup> at rates not to exceed \$35 per diem for individuals (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget); purchase of two passenger motor vehicles for replacement only; a health-service program as authorized by law (5 U.S.C. 150);<sup>5</sup> and the payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U.S.C. 92f);<sup>6</sup> \$2,992,000.

Printing and binding: For printing and binding, \$122,000.

No part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of more than four regional, field, or any other offices outside the District of Columbia.

COUNCIL OF ECONOMIC ADVISERS

Salaries and expenses: For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021),<sup>7</sup> including personal services in the District of Columbia; travel expenses; printing and binding; newspapers and periodicals (not exceeding \$200); press clippings (not exceeding \$300); a health service program as authorized by law (5 U.S.C. 150);<sup>8</sup> the payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U.S.C. 921);<sup>9</sup> and not to exceed \$900 for deposit in the Treasury for penalty mail (39 U.S.C. 321d);<sup>10</sup> \$300,000.

OFFICE FOR EMERGENCY MANAGEMENT

PHILIPPINE ALIEN PROPERTY ADMINISTRATION

Administrative expenses, Philippine Alien Property Administration: The Philippine Alien Property Administrator is hereby authorized to pay out of any funds or other property or interest vested in him or transferred to him, necessary expenses incurred in carrying out the powers and duties conferred on him pursuant to the Trading With the Enemy Act, as amended (50 U.S.C.App.),<sup>11</sup> and the Philippine Property Act of 1946 (60 Stat. 418);<sup>12</sup> *Provided*, That not to exceed \$440,000 shall be available for the fiscal year 1949 for the general administrative expenses of the Philippine Alien Property Administration, including the salary of the Administrator at \$10,000 per annum; printing and binding; not to exceed \$100 for deposit in the Treasury for penalty mail (39 U.S.C. 321d);<sup>13</sup> rent of private or Government-owned space in the District of Columbia; employment outside the United States of persons without regard to the civil service and classification laws including temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a);<sup>14</sup> personal services in the District of Columbia and expenses of attendance at meetings of organizations concerned with the work of the agency: *Provided further*, That on or before November 1, 1948, the Philippine Alien Property Administrator shall make a report to the Appropriations Committees of the Senate and

<sup>3</sup> 39 U.S.C.A. § 321d.

<sup>4</sup> 5 U.S.C.A. § 55a.

<sup>5</sup> 5 U.S.C.A. § 150.

<sup>6</sup> 28 U.S.C.A. § 921.

<sup>7</sup> 15 U.S.C.A. § 1021.

<sup>8</sup> 5 U.S.C.A. § 150.

<sup>9</sup> 28 U.S.C.A. § 921.

<sup>10</sup> 39 U.S.C.A. § 321d.

<sup>11</sup> 50 U.S.C.A. Appendix, § 1 et seq.

<sup>12</sup> 22 U.S.C.A. §§ 1381-1386.

<sup>13</sup> 39 U.S.C.A. § 321d.

<sup>14</sup> 5 U.S.C.A. § 55a.



the House of Representatives giving detailed information on all administrative and nonadministrative expenses incurred during the fiscal year 1948, in connection with the activities of the Philippine Alien Property Administration.

## INDEPENDENT OFFICES

### AMERICAN BATTLE MONUMENTS COMMISSION

Salaries and expenses: For necessary expenses, as authorized by the Act of June 26, 1946 (36 U.S.C. 121, 123-132, 138),<sup>15</sup> including the acquisition of land or interest in land in foreign countries; personal services in the District of Columbia; purchase and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its Territories and possessions at a cost not exceeding \$1,350; travel expenses; not to exceed \$50 for deposit in the Treasury for penalty mail (39 U.S.C. 321d);<sup>16</sup> rent of office and garage space in foreign countries; the purchase of two passenger motor vehicles; printing, binding, engraving, lithographing, photographing, and typewriting; \$355,000: *Provided*, That where station allowance has been authorized by the War Department for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the armed forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance: *Provided further*, That when traveling on business of the Commission, officers of the armed forces serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission.

Construction of memorials and cemeteries: For the permanent design and construction of memorials and cemeteries in foreign countries as authorized by the Act of June 26, 1946 (36 U.S.C. 121, 123-132, 138),<sup>17</sup> and the Act of August 5, 1947 (Public Law 368),<sup>18</sup> \$723,500, to remain available until expended; and in addition the Commission is authorized to enter into contracts in the amount of \$1,276,500 for the purposes of this appropriation.

### CIVIL SERVICE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; not to exceed \$12,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a);<sup>19</sup> not to exceed \$10,000 for medical examinations performed for veterans by private physicians on a fee basis; travel expenses of examiners acting under the direction of the Commission, and expenses of examinations and investigations held in Washington and elsewhere; not to exceed \$500 for payment in advance for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed \$425,000 for printing and binding; \$15,641,000, of which not to exceed \$56,000 shall be available for performing the duties imposed upon the Civil Service Commission by the Act of July 19, 1940 (54 Stat. 767);<sup>20</sup> not to exceed \$500,000 for deposit in the Treasury for penalty mail (39 U.S.C. 321d);<sup>21</sup> for a health service program as authorized by law (5 U.S.C. 150);<sup>22</sup> for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U.S.C. 921);<sup>23</sup> and not to exceed \$5,000 for actuarial services by contract, without regard to section 3709, Revised Statutes,<sup>24</sup> as amended: *Provided*, That no de-

<sup>15</sup> 36 U.S.C.A. §§ 121, 123-132, 138.

<sup>16</sup> 39 U.S.C.A. § 321d.

<sup>17</sup> 36 U.S.C.A. §§ 121, 123-132, 138.

<sup>18</sup> 50 U.S.C.A. Appendix, §§ 1811-1819.

<sup>19</sup> 5 U.S.C.A. § 55a.

<sup>20</sup> 18 U.S.C.A. § 61a et seq.

<sup>21</sup> 39 U.S.C.A. § 321d.

<sup>22</sup> 5 U.S.C.A. § 150.

<sup>23</sup> 28 U.S.C.A. § 921.

<sup>24</sup> 41 U.S.C.A. § 5.

tails from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its regional offices shall be made during the fiscal year ending June 30, 1949, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the Commission in Washington or of the regional directors, nor shall it affect the making of details of persons qualified to serve as expert examiners on special subjects: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force: *Provided further*, That members of the Loyalty Review Board in Washington and of the regional loyalty boards in the field may be paid actual transportation expenses, and not to exceed \$10 per diem in lieu of subsistence while traveling on official business away from their homes or regular places of business, and while en route to and from and at the place where their services are to be performed: *Provided further*, That nothing in sections 109 and 113 of the Criminal Code (18 U.S.C. 198, 203)<sup>25</sup> or in section 190 of the Revised Statutes (5 U.S.C. 99)<sup>26</sup> shall be deemed to apply to any person because of his appointment for part-time or intermittent service as a member of the Loyalty Review Board or a regional loyalty board in the Civil Service Commission.

No part of the appropriations herein made to the Civil Service Commission shall be available for the salaries and expenses of the Legal Examining Unit in the Examining and Personnel Utilization Division of the Commission, established pursuant to Executive Order Numbered 9358 of July 1, 1943.<sup>27</sup>

No part of appropriations herein shall be used to pay the compensation of officers and employees of the Civil Service Commission who allocate or reallocate supervisory positions in the classified civil service solely on the size of the group, section, bureau, or other organization unit, or on the number of subordinates supervised. References to size of the group, section, bureau, or other organization unit or the number of subordinates supervised may be given effect only to the extent warranted by the work load of such organization unit and then only in combination with other factors, such as the kind, difficulty, and complexity of work supervised, the degree and scope of responsibility delegated to the supervisor, and the kind, degree, and value of the supervision actually exercised.

#### PANAMA CANAL CONSTRUCTION ANNUITY FUND

Panama Canal construction annuity fund: For payment of annuities authorized by the Act of May 29, 1944, as amended (48 U.S.C. 1373a),<sup>28</sup> \$2,259,098.

#### CIVIL-SERVICE RETIREMENT AND DISABILITY FUND

For financing the liability of the United States, created by the Act approved May 22, 1920, and Acts amendatory thereof (5 U. S. C. chap. 14),<sup>29</sup> \$224,000,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund".

#### CANAL ZONE RETIREMENT AND DISABILITY FUND

For financing the liability of the United States, created by the Act approved March 2, 1931, and Acts amendatory thereof (48 U. S. C. 1371n),<sup>30</sup> \$1,177,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund".

<sup>25</sup> 18 U.S.C.A. §§ 198, 203.

<sup>26</sup> 5 U.S.C.A. § 99.

<sup>27</sup> U.S. Code Cong. Service 1943, p. 5•60.

<sup>28</sup> 48 U.S.C.A. § 1373a.

<sup>29</sup> 5 U.S.C.A. §§ 691-738.

<sup>30</sup> 48 U.S.C.A. § 1371n.



## ALASKA RAILROAD RETIREMENT AND DISABILITY FUND

For financing the Liability of the United States created by the Act approved June 29, 1936 (5 U. S. C. 745),<sup>31</sup> \$217,000, which amount shall be placed to the credit of the "Alaska Railroad retirement and disability fund".

## FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For necessary expenses in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064),<sup>32</sup> the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484-487),<sup>33</sup> the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President July 7, 1936, including contract stenographic reporting services, special counsel fees, health service program as authorized by law (5 U. S. C. 150),<sup>34</sup> improvement and care of grounds and repairs to buildings (not to exceed \$17,500), purchase of not to exceed fifteen passenger motor vehicles for replacement only, travel expenses (not to exceed \$122,500), not to exceed \$17,500 for deposit in the Treasury for penalty mail (39 U. S. C. 321d)<sup>35</sup> and reimbursements to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934,<sup>36</sup> as amended, \$6,310,000, of which amount not to exceed \$3,695,500 may be expended for personal services in the District of Columbia.

Printing and binding: For printing and binding for the Federal Communications Commission, \$40,000.

## FEDERAL POWER COMMISSION

Salaries and expenses: For expenses necessary for the work of the Commission as authorized by law except for the work authorized by the Act of June 28, 1938 (33 U. S. C. 701j),<sup>37</sup> and sections 10 and 12 of the Act of December 22, 1944 (58 Stat. 892, 904), authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, including not to exceed \$245,500 for travel; health service program as authorized by law (5 U. S. C. 150);<sup>38</sup> payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921);<sup>39</sup> not to exceed \$8,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>40</sup> purchase of three and hire of passenger motor vehicles; \$3,649,550, of which amount not to exceed \$2,122,000 shall be available for personal services in the District of Columbia exclusive of not to exceed \$10,000 for special counsel and temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a),<sup>41</sup> but at rates not exceeding \$35 per diem for individuals (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget).

Flood-control surveys: For expenses necessary for the work of the Commission as authorized by the Act of June 28, 1938 (33 U. S. C. 701j),<sup>37</sup> and sections 10 and 12 of the Act of December 22, 1944 (58 Stat. 892, 904), including contract stenographic reporting services; \$340,-

<sup>31</sup> 5 U.S.C.A. § 745.

<sup>32</sup> 47 U.S.C.A. § 151 et seq.

<sup>33</sup> 46 U.S.C.A. §§ 484-487.

<sup>34</sup> 5 U.S.C.A. § 150.

<sup>35</sup> 39 U.S.C.A. § 321d.

<sup>36</sup> 47 U.S.C.A. § 357.

<sup>37</sup> 33 U.S.C.A. § 701j.

<sup>38</sup> 5 U.S.C.A. § 150.

<sup>39</sup> 28 U.S.C.A. § 921.

<sup>40</sup> 39 U.S.C.A. § 321d.

<sup>41</sup> 5 U.S.C.A. § 55a.

000, of which amount not to exceed \$142,000 shall be available for personal services in the District of Columbia.

Printing and binding: For printing and binding, including engraving, lithographing, and photolithographing, \$60,000.

#### FEDERAL TRADE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by law (5 U. S. C. 150); <sup>42</sup> payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); <sup>43</sup> contract stenographic reporting services; newspapers not to exceed \$500; and not to exceed \$9,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d); <sup>44</sup> \$3,401,510, of which not less than \$228,695 shall be available for the enforcement of the Wool Products Labeling Act; <sup>45</sup> and not less than \$207,000 shall be available for the Trade Practice Conference Rule work: *Provided*, That no part of the funds appropriated herein for the Federal Trade Commission shall be expended upon any investigation hereafter provided by concurrent resolution of the Congress until funds are appropriated subsequently to the enactment of such resolution to finance the cost of such investigation.

Printing and binding: For all printing and binding for the Federal Trade Commission, \$46,525.

#### FEDERAL WORKS AGENCY

##### OFFICE OF THE ADMINISTRATOR

Salaries and expenses: For salaries and expenses in the Office of the Administrator in the District of Columbia, including the salaries of an Assistant Administrator and a general counsel at \$10,000 each per annum; printing and binding (not to exceed \$6,000); purchase of newspapers and periodicals (not to exceed \$150); health service program as authorized by law (5 U. S. C. 150); <sup>46</sup> preparation, shipment, and installation of photographic displays, exhibits, and other descriptive materials; travel expenses; not to exceed \$4,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a), <sup>47</sup> but at rates for individuals not in excess of \$35 per diem (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget); \$344,540.

Public Works Administration Liquidation: The funds made available for "Public Works Administration Liquidation" by the Second Deficiency Appropriation Act, 1944, <sup>48</sup> as amended by the First Deficiency Appropriation Act, 1945, <sup>49</sup> the First Deficiency Appropriation Act, 1946, <sup>50</sup> the Third Deficiency Appropriation Act, 1946, <sup>51</sup> and the Independent Offices Appropriation Act, 1948, <sup>52</sup> are hereby continued available until June 30, 1949, of which not to exceed \$21,200 shall be available for administrative expenses during the fiscal year 1949.

Penalty mail costs: For deposit in the Treasury for penalty mail of the Federal Works Agency (39 U. S. C. 321d), <sup>53</sup> \$28,800.

Damage claims: For payment of claims arising from the activity of the Federal Works Agency pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921), <sup>54</sup> \$10,000.

<sup>42</sup> 5 U.S.C.A. § 150.

<sup>43</sup> 28 U.S.C.A. § 921.

<sup>44</sup> 39 U.S.C.A. § 321d.

<sup>45</sup> 15 U.S.C.A. §§ 68-68j.

<sup>46</sup> 5 U.S.C.A. § 150.

<sup>47</sup> 5 U.S.C.A. § 55a.

<sup>48</sup> U.S. Code Cong. Service 1944, p. 585.

<sup>49</sup> U.S. Code Cong. Service 1945, p. 73.

<sup>50</sup> U.S. Code Cong. Service 1946, p. 610.

<sup>51</sup> U.S. Code Cong. Service 1946, p. 571.

<sup>52</sup> U.S. Code Cong. Service 1947, p. 583.

<sup>53</sup> 39 U.S.C.A. § 321d.

<sup>54</sup> 28 U.S.C.A. § 921.



## PUBLIC BUILDINGS ADMINISTRATION

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (31 U. S. C. 683),<sup>55</sup> and for the repair, preservation, and upkeep of all completed public buildings under the control of the Federal Works Agency, the mechanical equipment and the grounds thereof, and sites acquired for buildings, and for the operation of certain completed and occupied buildings under the control of the Federal Works Agency, including furniture and repairs thereof, but exclusive, with respect to operation, of buildings of the United States Coast Guard, of hospitals, quarantine stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, and buildings operated by the Treasury and Post Office Departments in the District of Columbia:

General administrative expenses: For necessary expenses of the Public Buildings Administration, including personal services in the District of Columbia, and printing and binding (not to exceed \$10,000); ground rent of the Federal buildings at Salamanca, New York, and Columbus, Mississippi, for which payment may be made in advance; \$2,160,500: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate.

Repair, preservation, and equipment, outside the District of Columbia: For the repair, alteration, improvement, preservation, and equipment, not otherwise provided for, of completed Federal buildings, the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding of sites acquired for Federal buildings and of surplus real property, the custody of which is the responsibility of the Public Buildings Administration under the Act of August 27, 1935, pending sale or disposition; the demolition of buildings thereon; the purchase and repair of equipment and fixtures in buildings under the administration of the Federal Works Agency; and for changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533); \$10,000,000: *Provided*, That the total expenditures for the fiscal year for the repair and preservation of buildings not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

Salaries and expenses, public buildings and grounds in the District of Columbia and adjacent area: For expenses necessary for the administration, protection, maintenance, and improvement of public buildings and grounds in the District of Columbia and the area adjacent thereto, maintained and operated by the Public Buildings Administration, including repair, preservation, and equipment of buildings operated by the Treasury and Post Office Departments in the District of Columbia; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses; the purchase of two passenger motor vehicles for replacement only; furnishings and equipment; arms and ammunition for the guard force; and purchase, repair, and cleaning of uniforms for guards and elevator conductors; \$30,115,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rent-

<sup>55</sup> 31 U.S.C.A. § 683.



ed by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Salaries and expenses, public buildings and grounds outside the District of Columbia: For expenses necessary for the administration, operation, protection, and maintenance of public buildings and grounds outside the District of Columbia maintained and operated by the Public Buildings Administration, including cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, furnishings and equipment, personal services in the District of Columbia, arms, ammunition, uniforms for guards and elevator conductors, the purchase of five passenger motor vehicles for replacement only, expenses incident to moving Government agencies in connection with the assignment, allocation, and transfer of building space, and the restoration of leased premises, \$22,220,000: *Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture.

Under the appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, per diem employees may be paid at rates approved by the Commissioner of Public Buildings not exceeding current rates for similar services in the place where such services are employed, and such employees in emergencies may be entered on duty subject to confirmation by the Federal Works Administrator.

The appropriations for salaries and expenses, public buildings and grounds in and outside the District of Columbia, shall be available for printing and binding and for communication services serving one or more governmental activities, and for services to motor vehicles, and where such services, together with quarters, maintenance, or other services, are furnished on a reimbursable basis to any governmental activity, such activity shall make payment therefor promptly by check upon the request of the Public Buildings Administration, either in advance or after the service has been furnished, for deposit to the credit of the applicable appropriation, of all or part of the estimated or actual cost thereof, as the case may be, proper adjustment upon the basis of actual cost to be made for services paid for in advance.

Costs of maintenance, upkeep, and repair paid by Government corporations pursuant to section 306 of the Government Corporations Appropriation Act, 1948,<sup>56</sup> shall be credited to the appropriations of the Public Buildings Administration bearing such costs.

Funds available to the Public Buildings Administration shall also be available for health-service programs as authorized by law (5 U. S. C. 150).<sup>57</sup>

Hospital center, District of Columbia: For an additional amount for carrying out the purposes of the Act of August 7, 1946 (60 Stat. 896), including the construction of a hospital center in the District of Columbia, \$500,000, to remain available until expended, and in addition thereto the Public Buildings Administration is authorized to enter into contracts for such purposes in an amount not exceeding \$19,500,000.

Geophysical Institute, Alaska: For the establishment of a geophysical institute at the University of Alaska, as authorized by the Act of July 31, 1946 (48 U. S. C. 175, 175a),<sup>58</sup> \$100,000, to be immediately available and to remain available until expended, and in addition thereto the Public Buildings Administration is authorized to enter into contracts for this purpose in an amount not exceeding \$875,000: *Provided*, That no part of this appropriation shall become available unless and until title to the land upon which said institute is to be constructed shall have been conveyed to the United States: *Provided further*, That, notwithstanding

<sup>56</sup> U.S.Code Cong.Service 1947, p. 573.

<sup>57</sup> 5 U.S.C.A. § 150.

<sup>58</sup> 48 U.S.C.A. §§ 175, 175a.



the provision of any other law, all buildings and equipment constructed or acquired with funds herein appropriated or under authority to contract shall, upon the establishment of the institute, be the property of the United States.

Funds available to the Public Buildings Administration for construction shall be available for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a),<sup>59</sup> at rates for individuals not in excess of \$35 per diem (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget). No part of the foregoing appropriations to the Federal Works Agency shall be used for the purpose of converting any existing coal heating units to oil or natural gas in any federally owned or rented buildings in or outside the District of Columbia when there is a fuel oil shortage.

#### PUBLIC ROADS ADMINISTRATION

General administrative expenses: For the employment of persons and means, including rent, advertising (including advertising in the city of Washington for work to be performed in areas adjacent thereto), printing and binding (not to exceed \$55,000), purchase of periodicals, purchase of one hundred passenger motor vehicles for replacement only, health service program as authorized by law (5 U. S. C. 150),<sup>60</sup> and the preparation, distribution, and display of exhibits, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; studies of types of mechanical plants and appliances used for road building and maintenance, and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916, as amended (23 U. S. C. 21),<sup>61</sup> or as otherwise provided.

In carrying out the provisions of "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", as amended and supplemented (23 U. S. C. 1-117),<sup>62</sup> none of the money appropriated for the work of the Public Roads Administration during the fiscal year 1949 shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided*, That during the fiscal year 1949, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies, cooperating foreign countries and State cooperating agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1949 the appropriations for the work of the Public Roads Administration shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Public

<sup>59</sup> 5 U.S.C.A. § 55a.

<sup>60</sup> 5 U.S.C.A. § 150.

<sup>61</sup> 23 U.S.C.A. § 21.

<sup>62</sup> 23 U.S.C.A. §§ 1-117.



Roads Administration, and for sale and for distribution to other Government activities, cooperating foreign countries and State cooperating agencies, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Public Roads Administration may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Administration, and (not exceeding \$15,000) for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a),<sup>63</sup> but at rates for individuals not in excess of \$35 per diem (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget).

For all necessary expenses to enable the President to utilize the services of the Public Roads Administration in fulfilling the obligations of the United States under the Convention on the Pan-American Highway Between the United States and Other American Republics, signed at Buenos Aires, December 23, 1936, and proclaimed September 16, 1937 (51 Stat. 152), for the continuation of cooperation with several governments, members of the Pan American Union, in connection with the survey and construction of the Inter-American Highway as provided in public resolution, approved March 4, 1929 (Public Resolution 104), as amended or supplemented, and for performing engineering service in Pan-American countries for and upon the request of any agency or governmental corporation of the United States, \$100,000 to be derived from the administrative funds provided under the Act of July 11, 1916, as amended or supplemented (23 U. S. C. 21),<sup>64</sup> or as otherwise provided.

Elimination of grade crossings: For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, \$7,300,000, to be immediately available and to remain available until expended, which sum is a part of the amount authorized to be appropriated for the fiscal year 1943, by section 5 of the Act approved September 5, 1940 (54 Stat. 869).

Federal-aid postwar highways: For carrying out the provisions of the Federal-Aid Highway Act of 1944 (58 Stat. 838),<sup>65</sup> \$427,288,854, to be immediately available and to remain available until expended, which sum is composed of \$77,288,854, the remainder of the amount authorized to be appropriated for the first postwar fiscal year by section 2 of said Act, and \$350,000,000, a part of the amount authorized to be appropriated for the second postwar year by said section 2.

Testing and research laboratory: For continuing the construction of a laboratory, on a site already acquired, for permanent quarters for the testing and research work of the Public Roads Administration, \$1,000,000, to remain available until expended.

Access roads: During the fiscal year 1949, not to exceed \$70,000 of funds remaining unexpended upon completion of access road projects authorized to be constructed under the provisions of the Defense Highway Act of 1941, as amended by the Act of July 2, 1942 (23 U. S. C. 106),<sup>66</sup> shall be available for the maintenance of roads and bridges under the jurisdiction of the Public Roads Administration on Government-owned land in Arlington County, Virginia.

<sup>63</sup> 5 U.S.C.A. § 55a.

<sup>64</sup> 23 U.S.C.A. § 21.

<sup>65</sup> U.S. Code Cong. Service 1944, p. 840.

<sup>66</sup> 23 U.S.C.A. § 106.



## BUREAU OF COMMUNITY FACILITIES

Liquidation of public works advance planning: Not to exceed \$675,000 of the unobligated balance on June 30, 1947, of the funds made available for public works advance planning under title V of the War Mobilization and Reconversion Act of 1944 (58 Stat. 791)<sup>67</sup> shall be available during the fiscal year 1949 for administrative expenses incident to the liquidation of the activity for which said funds were appropriated, including the objects specified under this head in the Independent Offices Appropriation Act, 1946;<sup>68</sup> *Provided*, That \$20,000 of the foregoing amount shall be for payment for accumulated and accrued leave of employees separated from the Government service due to said liquidation.

Virgin Islands public works: For an additional amount to carry out the provisions of the Act of December 20, 1944 (58 Stat. 827), \$896,250.

War public works (community facilities) liquidation: For administrative expenses necessary during the fiscal year 1949 for the liquidation of all activities under titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534, 1541, and 1562),<sup>69</sup> including personal services and rents in the District of Columbia; printing and binding; health service program as authorized by law (5 U. S. C. 150);<sup>70</sup> not to exceed \$337,000 of the unobligated balances of the funds heretofore appropriated for carrying out the provisions of titles II, III, and IV of the Act of October 14, 1940, as amended (42 U. S. C. 1531-1534, 1541, and 1562), of which amount \$29,000 shall be for payment for accumulated and accrued leave of employees separated from the Government service due to said liquidation.

Veterans' educational facilities: The limitation on the amount for administrative expenses under this head in the Third Deficiency Appropriation Act, 1946,<sup>71</sup> as supplemented by the Second Deficiency Appropriation Act, 1947,<sup>72</sup> is hereby increased from \$3,750,000 to \$4,000,000, of which amount \$467,000 shall be used exclusively for payment for accumulated and accrued leave.

## GENERAL ACCOUNTING OFFICE

Salaries: For personal services in the District of Columbia and elsewhere, \$31,429,000.

Miscellaneous expenses: For necessary expenses, including printing and binding and the purchase of one passenger motor vehicle, \$1,732,000, of which not to exceed \$50,000 shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d).<sup>73</sup>

Appropriations for the General Accounting Office shall be available for a health service program as authorized by law (5 U. S. C. 150),<sup>74</sup> for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921),<sup>75</sup> and services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a)<sup>76</sup> at rates for individuals not in excess of \$35 per diem (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget).

## INDIAN CLAIMS COMMISSION

Salaries and expenses: For expenses necessary to carry out the purposes of the Act of August 13, 1946 (Public Law 726),<sup>77</sup> creating an Indian Claims Commission, including personal services in the District

<sup>67</sup> 50 U.S.C.A. Appendix, § 1671.

<sup>68</sup> U.S. Code Cong. Service 1946, p. 100.

<sup>69</sup> 42 U.S.C.A. §§ 1531-1534, 1541, 1562.

<sup>70</sup> 5 U.S.C.A. § 150.

<sup>71</sup> U.S. Code Cong. Service 1946, p. 571.

<sup>72</sup> U.S. Code Cong. Service 1947, p. 104.

<sup>73</sup> 39 U.S.C.A. § 321d.

<sup>74</sup> 5 U.S.C.A. § 150.

<sup>75</sup> 28 U.S.C.A. § 921.

<sup>76</sup> 5 U.S.C.A. § 55a.

<sup>77</sup> 25 U.S.C.A. §§ 70-70v.

of Columbia; printing and binding; and for deposit in the Treasury for penalty mail (39 U. S. C. 321d); <sup>78</sup> \$90,000.

#### INTERSTATE COMMERCE COMMISSION

General expenses: For expenses necessary in performing the functions vested by law in the Commission (49 U. S. C. 1-24, 301-327, 901-923, 1001-1022),<sup>79</sup> except those otherwise specifically provided for in this Act, and for general administration, including one chief counsel, one director of finance, one director of motor transport, and one director of traffic, at \$10,000 each per annum; not to exceed \$50,000 for the employment of special counsel; contract stenographic reporting services; personal services in the District of Columbia; newspapers (not to exceed \$200); health service program as authorized by law (5 U. S. C. 150); <sup>80</sup> payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921); <sup>81</sup> and purchase of thirty-two passenger automobiles, of which sixteen shall be for replacement only; \$9,131,317: *Provided*, That Joint Board members and cooperating State commissioners may use Government transportation requests when traveling in connection with their duties as such: *Provided further*, That not to exceed \$5,000 may be used for the purchase of evidence in connection with investigations of apparent violations of part II of the Interstate Commerce Act.<sup>82</sup>

Railroad safety: For expenses necessary in performing functions authorized by law (45 U. S. C. 1-15, 17-21, 35-46, 61-64; 49 U. S. C. 26)<sup>83</sup> to insure a maximum of safety in the operation of railroads, including authority to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including those pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906, and the Sundry Civil Act of May 27, 1908 (45 U. S. C. 35-37),<sup>84</sup> and to require carriers by railroad subject to the Act to install automatic train-stop or train-control devices as prescribed by the Commission (49 U. S. C. 26),<sup>85</sup> including the employment of inspectors, engineers, and personal services in the District of Columbia, \$908,000.

Locomotive inspection: For expenses necessary in the enforcement of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto", as amended (45 U. S. C. 22-34),<sup>86</sup> including personal services in the District of Columbia, \$615,000.

Printing and binding: For all printing and binding for the Interstate Commerce Commission, including not to exceed \$17,000 to print and furnish to the States, at cost, blank annual report forms of common carriers, \$205,000.

Penalty mail costs: For deposit in the Treasury for penalty mail of the Interstate Commerce Commission (39 U. S. C. 321d),<sup>87</sup> \$35,000.

#### INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

Contribution to Interstate Commission on the Potomac River Basin: To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution

<sup>78</sup> 39 U.S.C.A. § 321d.

<sup>79</sup> 49 U.S.C.A. §§ 1-24, 301-327, 901-923, 1001-1022.

<sup>80</sup> 5 U.S.C.A. § 150.

<sup>81</sup> 28 U.S.C.A. § 921.

<sup>82</sup> 49 U.S.C.A. §§ 301-327.

<sup>83</sup> 45 U.S.C.A. §§ 1-15, 17-21, 35-46, 61-64; 49 U.S.C.A. § 26.

<sup>84</sup> 45 U.S.C.A. §§ 35-37.

<sup>85</sup> 49 U.S.C.A. § 26.

<sup>86</sup> 45 U.S.C.A. §§ 22-34.

<sup>87</sup> 39 U.S.C.A. § 321d.



toward the expenses of the Commission during the fiscal year 1949 in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), \$5,000.

#### NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Salaries and expenses: For necessary expenses of the Committee, including contracts, without regard to section 3709, Revised Statutes,<sup>88</sup> as amended, for the making of special investigations and reports and for engineering and drafting services; traveling expenses of members and for examination of estimates of appropriations and activities in the field; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory, the Ames Aeronautical Laboratory, and the Flight Propulsion Research Laboratory at Cleveland, Ohio; purchase and maintenance of cafeteria equipment; purchase of three (not to exceed \$25,000) and maintenance and operation of aircraft; purchase of seven passenger motor vehicles of which six shall be for replacement; personal services in the District of Columbia; not to exceed \$12,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>89</sup> not to exceed \$10,000 for services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a)<sup>90</sup> at not to exceed \$35 per diem for individuals (unless a higher rate, not exceeding \$50, shall be approved by the Director of the Bureau of the Budget); including \$2,500 for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921);<sup>91</sup> and a health service program for employees as authorized by law (5 U. S. C. 150);<sup>92</sup> in all, \$37,810,000: *Provided*, That statutory provisions prohibiting the payment of compensation to aliens shall not apply to any person whose employment by the Committee shall be determined by the Chairman thereof to be necessary: *Provided further*, That aircraft and parts, equipment, and supplies may be transferred to the Committee by the Air Force, Army, and Navy without reimbursement.

Printing and binding: For printing and binding, \$95,000.

Construction and equipment: For construction and equipment at laboratories and research stations of the Committee, \$10,000,000, to be available until June 30, 1950, and of which \$2,143,000 shall be available for payments under contracts entered into pursuant to the contract authority under this head in the Independent Offices Appropriation Act, 1948:<sup>93</sup> *Provided*, That in addition, the Committee may, prior to July 1, 1950, enter into contracts for the purposes of this appropriation in an amount not in excess of \$18,200,000.

#### NATIONAL ARCHIVES

Salaries and expenses: For necessary expenses of the Archivist and the National Archives; including personal services in the District of Columbia; scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic and other records (including motion-picture and other films and sound recordings) in the custody of the Archivist; contract stenographic reporting services; not to exceed \$100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; not to exceed \$675 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>94</sup> and travel expenses; \$1,334,555,

<sup>88</sup> 41 U.S.C.A. § 5.

<sup>89</sup> 39 U.S.C.A. § 321d.

<sup>90</sup> 5 U.S.C.A. § 55a.

<sup>91</sup> 28 U.S.C.A. § 921.

<sup>92</sup> 5 U.S.C.A. § 150.

<sup>93</sup> U.S. Code Cong. Service 1947, p. 583.

<sup>94</sup> 39 U.S.C.A. § 321d.

of which \$1,000 is for payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921).<sup>95</sup>

Printing and binding: For all printing and binding, \$23,500.

#### NATIONAL CAPITAL HOUSING AUTHORITY

Maintenance and operation of properties: For the maintenance and operation of properties under title I of the District of Columbia Alley Dwelling Authority Act, \$23,400: *Provided*, That all receipts derived from sales, leases, or other sources shall be covered into the Treasury of the United States monthly.

Penalty mail costs: For deposit in the Treasury for penalty mail of the National Capital Housing Authority (39 U. S. C. 321d), \$1,300.

#### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Land acquisition, National Capital and metropolitan area: For necessary expenses for the National Capital Park and Planning Commission in connection with the acquisition of land for the park, parkway, and playground system of the National Capital, as authorized by the Act of May 29, 1930 (46 Stat. 482), and amendment of August 8, 1946 (60 Stat. 960); services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a),<sup>96</sup> and real estate appraisers, by contract or otherwise without regard to the civil service and classification laws and section 3709, Revised Statutes,<sup>97</sup> at rates of pay or fees not to exceed those usual for similar services; purchase of options and other costs incident to the acquisition of land; not to exceed \$30 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>98</sup> \$400,000, to remain available until expended, \$159,000 of said sum to be used for carrying out the provisions of section 1(b) of said Act and \$241,000 for carrying out the provisions of section 4 of said Act.

#### OFFICE OF SELECTIVE SERVICE RECORDS

Salaries and expenses: For expenses necessary for the operation and maintenance of the Office of Selective Service Records as authorized by the Act of March 31, 1947 (Public Law 26),<sup>99</sup> including not to exceed \$50,000 for printing and binding; personal services in the District of Columbia; contract stenographic reporting services; payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921);<sup>1</sup> not to exceed \$21,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>2</sup> and health-service program as authorized by law (5 U. S. C. 150);<sup>3</sup> \$2,476,700.

#### PHILIPPINE WAR DAMAGE COMMISSION

Philippine War Damage Commission: For carrying out the provisions of title I of the Philippine Rehabilitation Act of 1946,<sup>4</sup> \$95,000,000, to remain available until April 30, 1951, of which not to exceed \$2,907,991 shall be for necessary expenses of the Philippine War Damage Commission for the fiscal year 1949, including personal services in the District of Columbia; purchase of seven passenger motor vehicles; housing of American employees by rental or lease and necessary repairs and alterations to and maintenance of quarters, without regard to section 322 of the Act of June 30, 1932, as amended (40 U. S. C. 278a);<sup>5</sup> printing

<sup>95</sup> 28 U.S.C.A. § 921.

<sup>96</sup> 5 U.S.C.A. § 55a.

<sup>97</sup> 41 U.S.C.A. § 5.

<sup>98</sup> 39 U.S.C.A. § 321d.

<sup>99</sup> U.S. Code Cong. Service 1947, p. 30.

<sup>1</sup> 28 U.S.C.A. § 921.

<sup>2</sup> 39 U.S.C.A. § 321d.

<sup>3</sup> 5 U.S.C.A. § 150.

<sup>4</sup> 50 U.S.C.A. Appendix, §§ 1751-1763.

<sup>5</sup> 40 U.S.C.A. § 278a.



and binding without regard to section 11 of the Act of March 1, 1919 (44 U. S. C. 111);<sup>6</sup> services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a);<sup>7</sup> and not to exceed \$200 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>8</sup> *Provided*, That no payment shall be made under the provisions of such title of such Act to any person who, by a civil or military court having jurisdiction, has been found guilty of collaborating with the enemy or of any act involving disloyalty to the United States or the Commonwealth of the Philippines: *Provided further*, That no part of this appropriation shall be available for engaging in any phase of activity or for undertaking any phase of activity authorized by the Philippine Rehabilitation Act of 1946 which would result in obligating the Government of the United States in any sense or respect to the future payment of amounts in excess of the amounts authorized to be appropriated in such Act.

#### SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: For necessary expenses, including personal services in the District of Columbia; health service program as authorized by law (5 U. S. C. 150);<sup>9</sup> payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921);<sup>10</sup> not to exceed \$1,150 for the purchase of newspapers; services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a);<sup>11</sup> and not to exceed \$22,000 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>12</sup> \$5,732,140.

Printing and binding: For all printing and binding for the Securities and Exchange Commission, \$94,000.

#### SMITHSONIAN INSTITUTION

Salaries and expenses, Smithsonian Institution: For all necessary expenses for the preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government and from other sources; for the system of international exchanges between the United States and foreign countries; for anthropological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeological remains; for maintenance of the Astrophysical Observatory and making necessary observations in high altitudes; for the administration of the National Collection of Fine Arts; for the administration, and for the construction and maintenance, of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the Act of July 2, 1940, as amended by the provisions of Reorganization Plan Numbered 3 of 1946; for the maintenance and administration of a national air museum as authorized by the Act of August 12, 1946 (20 U. S. C. 921);<sup>13</sup> including personal services in the District of Columbia and not to exceed \$35,000 for temporary services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a);<sup>14</sup> traveling expenses; not to exceed \$2,600 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>15</sup> payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921);<sup>16</sup> printing and binding, not exceeding \$150,000, of which not to exceed \$16,800 shall be available for printing the report of the American Historical Association; purchase, repair, and cleaning of uniforms for guards and elevator conductors; repairs and alterations of buildings and ap-

<sup>6</sup> 44 U.S.C.A. § 111.

<sup>7</sup> 5 U.S.C.A. § 55a.

<sup>8</sup> 39 U.S.C.A. § 321d.

<sup>9</sup> 5 U.S.C.A. § 150.

<sup>10</sup> 28 U.S.C.A. § 921.

<sup>11</sup> 5 U.S.C.A. § 55a.

<sup>12</sup> 39 U.S.C.A. § 321d.

<sup>13</sup> Probably should read "20 U.S.C. 77-77d".

<sup>14</sup> 5 U.S.C.A. § 55a.

<sup>15</sup> 39 U.S.C.A. § 321d.

<sup>16</sup> 28 U.S.C.A. § 921.

proaches; and not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications; \$2,090,000.

Salaries and expenses, National Gallery of Art: For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including personal services in the District of Columbia; health-service program as authorized by law (5 U. S. C. 150);<sup>17</sup> payment of claims pursuant to section 403 of the Federal Tort Claims Act (28 U. S. C. 921);<sup>18</sup> services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a);<sup>19</sup> traveling expenses; not to exceed \$1,600 for deposit in the Treasury for penalty mail (39 U. S. C. 321d);<sup>20</sup> not to exceed \$250 for payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators; not to exceed \$7,000 for printing and binding; purchase or rental of devices and services for protecting buildings and contents thereof; and maintenance and repair of buildings, approaches, and grounds; \$966,000: *Provided*, That section 3709 of the Revised Statutes,<sup>21</sup> or the Classification Act of 1923,<sup>22</sup> as amended, shall not apply to the restoration and repair of works of art for the National Gallery of Art, the cost of which shall not exceed \$15,000.

#### TARIFF COMMISSION

Salaries and expenses: For necessary expenses of the Tariff Commission, including personal services in the District of Columbia, subscriptions to newspapers not to exceed \$250, health service program as authorized by law (5 U. S. C. 150),<sup>23</sup> contract stenographic reporting services as authorized by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a),<sup>24</sup> and not to exceed \$1,500 for deposit in the Treasury for penalty mail (39 U. S. C. 321d),<sup>25</sup> \$1,180,000: *Provided*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930,<sup>26</sup> wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative: *Provided further*, That during the fiscal year ending June 30, 1949, the salaries of the Commissioners of the United States Tariff Commission shall be at the rate of \$10,000 per annum.

Printing and binding: For printing and binding, \$20,000.

#### THE TAX COURT OF THE UNITED STATES

Salaries and expenses: For necessary expenses, including contract stenographic reporting services, \$754,700, of which not to exceed \$675 shall be available for deposit in the Treasury for penalty mail (39 U. S. C. 321d): *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

Printing and binding: For printing and binding, \$17,500.

16 28 U.S.C.A. § 921.  
17 5 U.S.C.A. § 150.  
18 5 U.S.C.A. § 55a.  
19 39 U.S.C.A. § 321d.  
20 41 U.S.C.A. § 5.  
21 5 U.S.C.A. §§ 661-674.  
22 5 U.S.C.A. § 150.  
23 5 U.S.C.A. § 55a.  
24 39 U.S.C.A. § 321d.  
25 19 U.S.C.A. §§ 1336-1338.



## INDEPENDENT OFFICES—GENERAL PROVISIONS

Sec. 102. No part of any appropriation contained in this Act shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this Act shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Sec. 103. No part of any appropriation or authorization in this Act shall be used to pay any part of the salary or expenses of any person whose salary or expenses are prohibited from being paid from any appropriation or authorization in any other Act; but this prohibition shall be effective only during the period for which such prohibition in such other Act is effective.

Sec. 104. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations.

Sec. 105. Where appropriations in this Act are expendable for the purchase of newspapers and periodicals and no specific limitation has been placed thereon, the expenditures therefor under each such appropriation may not exceed the amount of \$50: *Provided*, That this limitation shall not apply to the purchase of scientific, technical, trade, or traffic periodicals necessary in connection with the performance of the authorized functions of the agencies for which funds are herein provided.

Sec. 106. No part of any appropriation contained in this Act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the armed forces of the United States and has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto.

Sec. 107. Appropriations contained in this Act, available for expenses of travel, shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made.

Sec. 108. No part of any appropriation or fund contained in this Act

shall be available for installing or maintaining systems for administrative appropriation, fund, or inventory accounting except such systems as are prescribed or approved by the Comptroller General: *Provided*, That all agencies for whose activities provision is made in this Act shall hereafter maintain fiscal accounting control of all inventories of supplies, materials, or equipment which may be owned by or be in the custody of such agencies.

## TITLE II—GENERAL PROVISIONS

Sec. 201. Unless otherwise specifically provided, the maximum amount allowable, in accordance with section 16 of the Act of August 2, 1946 (Public Law 600),<sup>26</sup> for the purchase of any passenger motor vehicle (exclusive of busses, ambulances, and station wagons), is hereby fixed at \$1,400.

Sec. 202. Unless otherwise specified and until July 1, 1949, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, had filed a declaration of intention to become a citizen of the United States prior to such date, or (3) is a person who owes allegiance to the United States: *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony and, upon conviction, shall be fined not more than \$4,000 or imprisoned for not more than one year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of the Republic of the Philippines or to nationals of those countries allied with the United States in the prosecution of the war.

Sec. 203. Appropriations for the executive departments and independent establishments for the fiscal year 1949 available for travel expenses shall be available for the payment of per diem allowances in lieu of subsistence expenses without regard to the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833),<sup>27</sup> to civilian officers and employees of such departments and establishments while traveling on official business outside the continental limits of the United States and away from their designated posts of duty: *Provided*, That the amount of such allowances shall be determined by the head of the department or independent establishment concerned or by such official as he may designate for the purpose, but shall, in no case, notwithstanding any other provision of law, exceed the maximum establishment by regulations prescribed by the President for the locality in which the travel is performed.

Sec. 204. Appropriations of the executive departments and independent establishments for the fiscal year 1949, available for expenses of travel or for the expenses of the activity concerned, are hereby made available for living quarters allowances in accordance with the Act of June 26, 1930 (5 U. S. C. 118a),<sup>28</sup> and regulations prescribed thereunder, and cost of living allowances similar to those allowed under section 901(2)

<sup>26</sup> 5 U.S.C.A. §§ 77, 78.  
<sup>27</sup> 5 U.S.C.A. §§ 821-833.  
<sup>28</sup> 5 U.S.C.A. § 118a.



of the Foreign Service Act of 1946,<sup>20</sup> in accordance with and to the extent prescribed by regulations of the President, for all civilian officers and employees of the Government permanently stationed in foreign countries: *Provided*, That the availability of appropriations of the Department of State under the caption "Foreign Service" shall not be affected hereby.

Sec. 205. No part of any appropriation for the fiscal year 1949 contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

Sec. 206. No part of any appropriation contained in this or any other Act shall be used to pay in excess of \$4 per volume for the current and future volumes of the United States Code Annotated and such volumes shall be purchased on condition and with the understanding that cumulative annual pocket parts shall be furnished free of charge, or in excess of \$4.25 per volume for the current or future volumes of the Lifetime Federal Digest.

Sec. 207. Except as otherwise provided by law, any appropriations or funds available to the executive departments, independent establishments, and corporations for the payment of salaries and compensation to persons employed outside the continental United States or in Alaska shall be available for the payment of such salaries and compensation only in accordance with regulations prescribed by the President at rates of pay equal to those paid for the same or similar services of persons employed by the Government in continental United States, plus not to exceed 25 per centum: *Provided*, That no such salary or compensation shall exceed the maximum provided by the Classification Act of 1923, as amended.<sup>20</sup>

### TITLE III—REDUCTIONS IN APPROPRIATIONS

Amounts available to the Federal Works Agency from appropriations and other funds are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this Act:

#### FEDERAL WORKS AGENCY

Office of the Administrator: Public works advance planning, under title V of the War Mobilization and Reconversion Act of 1944,<sup>21</sup> \$1,036,000.

Office of the Administrator: Public Works Administration liquidation: \$387,647 of the unexpended balances of the funds heretofore made available to said Administration required to liquidate obligations incurred prior to June 30, 1944.

Public Roads Administration: Access roads (national defense), \$1,569,111.

Bureau of Community Facilities: Emergency relief for the Territory of Hawaii, under section 1 of the Act entitled "An Act to provide emergency relief for the victims of the seismic waves which struck the Territory of Hawaii, and for other purposes", \$100,000.

This Act may be cited as the "Independent Offices Appropriation Act 1949".

Approved April 20, 1948.

<sup>20</sup> 22 U.S.C.A. § 1131.

<sup>20</sup> 5 U.S.C.A. §§ 661-674.

<sup>21</sup> 50 U.S.C.A. Appendix, § 1671.

EMPLOYMENT TAXES—NEWSPAPER VENDORS

*See Legislative History, p. 989*

CHAPTER 222—PUBLIC LAW 492

[H. R. 5052]

An Act to exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and Internal Revenue Code.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

(a) Section 209(b) (15) of the Social Security Act, as amended (U. S. C., 1940 edition, Supp. V, title 42, sec. 409(b) (15)),<sup>32</sup> and section 1426(b) (15) of the Internal Revenue Code,<sup>33</sup> as amended, are hereby amended to read as follows:

"(15) (A) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

"(B) Service performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price his compensation being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him, whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back; or".

(b) The amendment made by subsection (a) to section 209(b) (15) of the Social Security Act shall be applicable with respect to services performed after the date of the enactment of this Act, and the amendment made to section 1426(b) (15) of the Internal Revenue Code shall be applicable with respect to services performed after December 31, 1939.

Sec. 2. (a) Section 1607(c) (15) of the Internal Revenue Code,<sup>34</sup> as amended, is hereby amended to read as follows:

"(15) (A) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;

"(B) Service performed by an individual in, and at the time of, the sale of newspapers or magazines to ultimate consumers, under an arrangement under which the newspapers or magazines are to be sold by him at a fixed price, his compensation being based on the retention of the excess of such price over the amount at which the newspapers or magazines are charged to him, whether or not he is guaranteed a minimum amount of compensation for such service, or is entitled to be credited with the unsold newspapers or magazines turned back;".

(b) The amendment made by subsection (a) shall be applicable with respect to services performed after December 31, 1939, and, as to services performed before July 1, 1946, shall be applied as if such amendment had been a part of section 1607(c) (15) of the Internal Revenue Code as added to such code by section 614 of the Social Security Act Amendments of 1939.<sup>35</sup>

<sup>32</sup> 42 U.S.C.A. § 409(b) (15).

<sup>33</sup> 26 U.S.C.A. 1426(b) (15).

<sup>34</sup> 26 U.S.C.A. 1607(c) (15).

<sup>35</sup> 26 U.S.C.A. 1607.



Sec. 3. If any amount paid prior to the date of the enactment of this Act constitutes an overpayment of tax solely by reason of an amendment made by this Act, no refund or credit shall be made or allowed with respect to the amount of such overpayment.

JOSEPH W. MARTIN JR.

*Speaker of the House of Representatives.*

A. H. VANDENBERG

*President of the Senate pro tempore.*

IN THE HOUSE OF REPRESENTATIVES, U. S.,

*April 14, 1948.*

The House of Representatives having proceeded to reconsider the bill (H.R. 5052) entitled "An Act to exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and Internal Revenue Code", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

*Resolved*, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Attest:

JOHN ANDREWS

*Clerk.*

I certify that this Act originated in the House of Representatives.

JOHN ANDREWS

*Clerk.*

IN THE SENATE OF THE UNITED STATES,

*April 20 (legislative day, March 29), 1948.*

The Senate having proceeded to reconsider the bill (H.R. 5052) "An Act to exclude certain vendors of newspapers or magazines from certain provisions of the Social Security Act and Internal Revenue Code", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

*Resolved*, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

CARL A. LOEFFLER

*Secretary*

## U. S. COMMISSIONERS—ISLE ROYALE, HAWAII, ETC.

*See Legislative History, p. 991*

### CHAPTER 223—PUBLIC LAW 493

[H. R. 2645]

An Act to provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

That the first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes", approved March 6, 1942 (U. S. C., 1940 edition, Supp. V,

title 16, sec. 408m),<sup>1</sup> is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

Sec. 2. The first paragraph of section 6 of the Act entitled "An Act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Territory of Hawaii, and for other purposes", approved April 19, 1930, as amended (U. S. C., 1940 edition, title 16, sec. 395e),<sup>2</sup> is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate".

Sec. 3. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the Act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes", approved June 5, 1942 (U. S. C., 1940 edition, Supp. V, title 16, sec. 404c-5),<sup>3</sup> is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

Sec. 4. The first sentence of section 5 of the Act entitled "An Act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes", approved March 6, 1942 (U. S. C., 1940 edition, Supp. V, title 16, sec. 256d),<sup>4</sup> is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The".

Approved April 21, 1948.

## REMOUNT SERVICE—TRANSFER TO DEPARTMENT OF AGRICULTURE

*See Legislative History, p. 993*

### CHAPTER 224—PUBLIC LAW 494

[H. R. 3484]

An Act to transfer the Remount Service from the Department of the Army to the Department of Agriculture.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

In the interests of economy and efficiency, the records, property, real and personal, and civilian personnel of the Remount Service of the Quartermaster Corps, Department of the Army, are hereby transferred to the Department of Agriculture, effective July 1, 1948. Prior to that date, the Secretary of the Army and the Secretary of Agriculture shall enter into a written agreement on the property and the personnel covered by this transfer.

Sec. 2. The Secretary of Agriculture is authorized to receive the property transferred by this Act and is directed to administer it in such manner as he deems will best advance the livestock and agricultural interests of the United States, including improvement in the breeding of horses suited to the needs of the United States; the acquisition by purchase in the open market, exchange, hire, or donation of breeding stock, and necessary land, buildings, and facilities; the use of horses in the improve-

<sup>1</sup> 16 U.S.C.A. § 408m.

<sup>2</sup> 16 U.S.C.A. § 395e.

<sup>3</sup> 16 U.S.C.A. § 404c-5.

<sup>4</sup> 16 U.S.C.A. § 256d.



ment of the supply of horses available in agriculture; the demonstration of the quality and usefulness of horses through participation in and lending for use in fairs, shows, and other events, or otherwise; the loan, sale, or hire of animals or animal products through such arrangements and subject to such fees as are deemed necessary by the Secretary to accomplish the purposes of this Act, and, in carrying out such program, the Secretary is authorized to cooperate with public and private organizations and individuals under such rules and regulations as are deemed by him to be necessary.

Sec. 3. Until June 30, 1949, the Secretary of the Army may detail to the Department of Agriculture such military personnel, including officers in the Veterinary Corps of the Medical Department, as he may determine with the Secretary of Agriculture to be desirable to effectuate the purposes of this Act or to safeguard the interest of the United States. Notwithstanding the limitations contained in existing law, retired officer personnel of the Department of the Army, if employed by the Department of Agriculture for the purposes of this Act only, may receive in addition to their retired pay civilian salary to the extent that the total from both sources does not exceed the pay and allowances received by such persons in the permanent grade last held by them prior to retirement.

Sec. 4. There is hereby authorized to be appropriated to the Department of Agriculture such funds as may be necessary to carry out this Act. The authority of the Department of the Army to conduct a remount breeding program is hereby abolished. Funds appropriated pursuant to this Act shall be available for necessary administrative expenses, including personal services in the District of Columbia, printing and binding, and purchase or hire of passenger motor vehicles.

Approved April 21, 1948.

## BANKRUPTCY—AGRICULTURAL COMPOSITIONS AND EXTENSIONS

*See Legislative History, p. 997*

## CHAPTER 225—PUBLIC LAW 495

[H. R. 4326]

An Act to amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:

Section 75(c) (U. S. C., title 11, sec. 203)<sup>5</sup> of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, be and is amended to read as follows:

"(c) At any time prior to March 1, 1949, a petition may be filed by any farmer in the district court of the district in which he resides, stating that such farmer is insolvent or unable to meet his debts as they mature and that it is desirable to effect a composition or an extension of time to pay his debts. The petition or answer of the farmer shall be accompanied by his schedules. If any such petition is filed, an order of adjudication shall not be entered except as provided hereinafter in this section."

Approved April 21, 1948.

§ 11 U.S.C.A. § 203.

## FOOT-AND-MOUTH DISEASE—RESEARCH

*See Legislative History, p. 1000*

### CHAPTER 229—PUBLIC LAW 496

[S. 2038]

An Act to enable the Secretary of Agriculture to conduct research on foot-and-mouth disease and other diseases of animals and to amend the Act of May 29, 1884 (23 Stat. 31), as amended, by adding another section.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Act of May 29, 1884 (23 Stat. 31), as amended,<sup>6</sup> is hereby amended by adding a new section 12 reading as follows:

"Sec. 12. The Secretary of Agriculture is authorized to establish research laboratories, including the acquisition of necessary land, buildings, or facilities, and also the making of research contracts under the authority contained in section 10 (a) of the Bankhead-Jones Act of 1935, as amended by the Research and Marketing Act of 1946, for research and study, in the United States or elsewhere, of foot-and-mouth disease and other animal diseases which in the opinion of the Secretary constitute a threat to the livestock industry of the United States: *Provided*, That no live virus of foot-and-mouth disease may be introduced for any purpose into any part of the mainland of the United States except coastal islands separated therefrom by waters navigable for deep-water navigation and which shall not be connected with the mainland by any tunnel, and except further, that in the event of outbreak of foot-and-mouth disease in this country, the Secretary of Agriculture may, at his discretion, permit said virus to be brought into the United States under adequate safeguards. To carry out the provisions of this section, the Secretary is authorized to employ technical experts or scientists without regard to the Classification Act: *Provided*, That the number so employed shall not exceed five and that the maximum compensation for each shall not exceed \$15,000 per annum. There is hereby authorized to be appropriated such sums as Congress may deem necessary; in addition, the Secretary is authorized to utilize, in carrying out this section, funds otherwise available for the control or eradication of such diseases."

Approved April 24, 1948.

## SURPLUS REAL PROPERTY WITHIN NATIONAL PARKS— TRANSFER OF JURISDICTION

*See Legislative History, p. 1003*

### CHAPTER 230—PUBLIC LAW 497

[H. R. 3703]

An Act to authorize transfer of surplus real property to the jurisdiction of the Department of the Interior for consolidation of Federal holdings within areas administered by the National Park Service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Any Federal agency administering real property situated within the boundaries of a national park or national monument and surplus to its needs or any other Federal agency or instrumentality holding such property for disposal only, is authorized, with the approval of the Presi-

<sup>6</sup> 5 U.S.C.A. § 560; 21 U.S.C.A. §§ 112-115, 117-119, 120.



dent of the United States, to transfer surplus real property or interest therein to the Department of the Interior without reimbursement or transfer of funds, having an aggregate appraised value not to exceed \$500,000, upon determination by the Secretary of the Interior that it is in the Federal interest to consolidate such Federal holdings within areas administered by the National Park Service.

Sec. 2. Any real property or interest therein transferred pursuant to section 1 of this Act shall become a part of the area with which it is consolidated and shall be subject to all the laws and regulations applicable thereto. The authorization conferred by this Act, unless extended by Congress, shall expire July 1, 1952.

Approved April 24, 1948.

## NAVY DEPARTMENT—SESQUICENTENNIAL ANNIVERSARY

### CHAPTER 231—PUBLIC LAW 498

[S. J. Res. 207]

Joint Resolution to provide for the commemoration of the sesquicentennial anniversary of the establishment of the Department of the Navy.

WHEREAS the Department of the Navy was created by the Act entitled "An Act to establish an Executive Department, to be denominated the Department of the Navy", approved April 30, 1798 (1 Stat. 553); and

WHEREAS by such Act the Secretary of the Navy was charged with the duty "to execute such orders as he shall receive from the President of the United States, relative to the procurement of naval stores and materials and the construction, armament, equipment and employment of vessels of war, as well as all other matters connected with the naval establishment of the United States": Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of the Navy is hereby authorized and directed by appropriate order to designate April 30, 1948, as a day to be observed within the Naval Establishment by appropriate ceremonies in commemoration of the one hundred and fiftieth anniversary of the creation of the Department of the Navy and in honor of the gallant personnel who have rendered service in the Naval Establishment of the United States since the founding of such Department.

Approved April 26, 1948.

## UNIVERSITY OF MARYLAND—CONVEYANCE OF LAND

### CHAPTER 232—PUBLIC LAW 499

[S. 1583]

An Act to provide for the conveyance to the State of Maryland, for the use of the University of Maryland, of the northern portion of a parcel of land previously constituting a part of the campus of the university and previously conveyed by the State of Maryland to the United States for the use of the Bureau of Mines.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of the Interior is authorized and directed to convey by quitclaim deed to the State of Maryland, for the use of the University of Maryland, a tract of land in Prince Georges County, Maryland, described as follows: Beginning at the stone monument that marks the corner formed by the intersection of boundary lines of the lands now or formerly owned by John and Rachel Kelley (liber S. D. H. 332, folio 113); Sam and ——— Buckley (liber 47, folio 325); Charles E., Harry W., James

E. and Mary E. McNamee; and the University of Maryland (Maryland Agricultural College, liber C. S. M. 2, folio 294); near College Park, Prince Georges County, Maryland, and running thence with the line formerly owned by McNamee on the one side and the Bureau of Mines on the other side, south forty degrees forty-seven minutes, four seconds west nine hundred and thirty-nine and forty-six one-hundredths feet to an iron pipe marking what was formerly the Engle-McNamee corner (being part of the north forty-four degrees east two hundred and sixty-two and twenty twenty-fifths perches line of Maryland Agricultural College, liber C. S. M. 2, folio 294); thence north eighty-nine degrees thirty minutes no seconds east until it intersects the east line of the Bureau of Mines property seven hundred and one and eighty-eight one-hundredths feet; thence north no degrees thirty minutes west six hundred and sixty-six and thirty-nine one-hundredths feet to an iron pipe marking the northeast corner of the Bureau of Mines property; thence north sixty-four degrees forty-five minutes twenty-four seconds west ninety-one and seven one-hundredths feet along the University of Maryland (formerly Kelley) line to the point of beginning and containing six and three thousand one hundred and forty-eight ten-thousandths acres.

Approved April 27, 1948.

## GAMBLING SHIPS—OPERATION PROHIBITED

*See Legislative History, p. 1003*

### CHAPTER 235—PUBLIC LAW 500

[S. 560]

An Act to prohibit the operation of gambling ships, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

As used in this Act—

(a) The term "gambling ship" means a vessel used principally for the operation of one or more gambling establishments.

(b) The term "gambling establishment" means any common gaming or gambling establishment operated for the purpose of gaming or gambling, including accepting, recording, or registering bets, or carrying on a policy game or any other lottery, or playing any game of chance, for money or other thing of value.

(c) The term "vessel" includes every kind of water and air craft or other contrivance used or capable of being used as a means of transportation on water, or on water and in the air, as well as any ship, boat, barge, or other water craft or any structure capable of floating on the water.

(d) The term "American vessel" means any vessel documented or numbered under the laws of the United States; and includes any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if such vessel is owned by, chartered to, or otherwise controlled by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any State.

(e) The term "United States", when used in a geographical sense, includes the continental United States and the Territories and possessions of the United States, other than the Canal Zone.

Sec. 2. (a) It shall be unlawful for any citizen or resident of the United States, or any other person who is on an American vessel or is otherwise under or within the jurisdiction of the United States, directly or indirectly—

(1) to set up, operate, or own or hold any interest in any gambling ship or any gambling establishment on any gambling ship; or



(2) in pursuance of the operation of any gambling establishment on any gambling ship, to conduct or deal any gambling game, or to conduct or operate any gambling device, or to induce, entice, solicit, or permit any person to bet or play at any such establishment, if such gambling ship is on the high seas, or is an American vessel or otherwise under or within the jurisdiction of the United States, and is not within the jurisdiction of any State.

(b) Whoever violates the provisions of subsection (a) shall, upon conviction, be imprisoned for not more than two years or fined not more than \$10,000, or both.

(c) Whoever, being (1) the owner of an American vessel, or (2) the owner of any vessel under or within the jurisdiction of the United States, or (3) the owner of any vessel and being an American citizen, shall use, or knowingly permit the use of, such vessel in violation of any provision of this section shall, in addition to any other penalties provided by this Act, forfeit such vessel, together with her tackle, apparel, and furniture, to the United States.

Sec. 3. (a) It shall be unlawful to operate or use, or to permit the operation or use of, any vessel for the carriage or transportation, or for any part of the carriage or transportation, either directly or indirectly, of any passengers, for hire or otherwise, between any point or place within the United States and any gambling ship which is not within the jurisdiction of any State. The provisions of this section shall not apply to any carriage or transportation to or from any vessel in case of any emergency involving the safety or protection of life or property.

(b) The Secretary of the Treasury is hereby authorized to prescribe such reasonable rules and regulations as may be necessary to enforce the provisions of this section and to prevent violations of such provisions. For the operation or use of any vessel in violation of the provisions of this section or of any rule or regulation issued hereunder, the owner or charterer of such vessel shall be subject to a civil penalty of \$200 for each passenger carried or transported in violation of such provisions, and the master or other person in charge of such vessel shall be subject to a civil penalty of \$300. Such penalty shall constitute a lien on such vessel, and proceedings to enforce such lien may be brought summarily by way of libel in any court of the United States having jurisdiction thereof. The Secretary of the Treasury is hereby authorized to mitigate or remit any of the penalties provided by this section on such terms as he may deem proper.

Sec. 4. Nothing in this Act shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof, or to preclude action, otherwise valid, by any State or Territory with respect to the navigable waters within the boundaries of such State or Territory.

Approved April 27, 1948.

## COPYRIGHT ENTRIES—FEES—DISTRIBUTION OF CATALOGS

### CHAPTER 236—PUBLIC LAW 501

[H. R. 4931]

An Act to amend title 17 of the United States Code entitled "Copyrights."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

Section 211 of title 17 of the United States Code,<sup>7</sup> entitled "Copyrights", be amended to read as follows:

"Sec. 211. Same; Distribution and Sale; Disposal of Proceeds.—The said printed current catalogs as they are issued shall be promptly distributed by the Superintendent of Documents to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised list of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them at a price to be determined by the Register of Copyrights for each part of the catalog not exceeding \$25 for the complete yearly catalog of copyright entries. The consolidated catalogs and indexes shall also be supplied to all persons ordering them at such prices as may be fixed by the Register of Copyrights, and all subscriptions for the catalogs shall be received by the Superintendent of Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time."

Sec. 2. Section 215 of said title 17<sup>8</sup> is amended to read as follows:

"Sec. 215. Fees.—The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees:

"For the registration of a claim to copyright in any work, except a print or label used for articles of merchandise, \$4; for the registration of a claim to copyright in a print or label used for articles of merchandise, \$6; which fees shall include a certificate of registration under seal for each work registered: *Provided*, That only one registration fee shall be required in the case of several volumes of the same book published and deposited at the same time.

"For recording the renewal of copyright and issuance of certificate therefor, \$2.

"For every additional certificate of registration, \$1.

"For certifying a copy of an application for registration of copyright, and for all other certifications, \$2.

"For recording every assignment, agreement, power of attorney, or other paper not exceeding six pages, \$3; for each additional page or less, 50 cents; for each title over one in the paper recorded, 50 cents additional.

"For recording a notice of use, \$2, for each notice of not more than five titles; and 50 cents for each additional title.

"For any requested search of Copyright Office records, or works deposited, or services rendered in connection therewith, \$3 for each hour of time consumed."

Sec. 3. This Act shall take effect thirty days after its enactment.

Approved April 27, 1948.

<sup>7</sup> 17 U.S.C.A. § 211.  
<sup>8</sup> 17 U.S.C.A. § 215.



FORT PECK INDIAN TRIBES—CERTAIN SALARIES  
AND EXPENSES

*See Legislative History, p. 1005*

## CHAPTER 237—PUBLIC LAW 502

[S. 1021]

An Act authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and clerk of the Fort Peck General Council, members of the Fort Peck Tribal Executive Board, and other committees appointed by said Fort Peck General Council, and official delegates of the Fort Peck Tribes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of the Interior, or his duly authorized representative, is hereby authorized beginning as of July 1, 1947, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Fort Peck Indians in the Treasury of the United States the following salaries and expenses:

To the chairman, secretary, and clerk of the Fort Peck General Council and members of the Fort Peck Tribal Executive Board or other committees appointed by the general council, when engaged on business of the tribes, a salary of not to exceed \$8 per day and a per diem of not to exceed \$3 in lieu of subsistence and all other expenses; to such official delegates of the Fort Peck Tribes who may carry on the business of the tribes at the seat of government a salary of not to exceed \$8 per day and a per diem of \$10 in lieu of subsistence and all other expenses: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by the general council of said tribes or by the Tribal Executive Board of the said tribes if authorized by said general council: *Provided further*, That the official delegates of the tribes carrying on said business at the seat of government shall also receive the usual railroad and sleeping-car, or airplane transportation to and from the seat of government, or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the total amount of the aforesaid salaries and expenses shall not exceed \$10,000 per annum: *And provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs.

Approved April 28, 1948.

PUBLIC LANDS—TRANSFER TO SOUTHWEST INDIAN  
MISSION, INC.

## CHAPTER 238—PUBLIC LAW 503

[S. 2278]

An Act to authorize the sale of certain public lands in San Juan County, Utah, to the Southwest Indian Mission, Incorporated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Southwest Indian Mission, Incorporated, is hereby authorized for a period of one year from and after the effective date of this Act to file with the Secretary of the Interior an application to purchase, and the Secretary of the Interior is hereby authorized and directed to issue a patent to it,

for use by Saint Christopher's Mission to the Navajo, for the following-described lands in San Juan County, Utah: The east half of the southeast quarter of the southeast quarter of section 20, the west half of the southwest quarter of the southwest quarter of section 21, lot 4 and the northwest quarter of the northwest quarter of section 28 and lots 1, 2, and 5 of section 29, township 40 south, range 22 east, Salt Lake meridian, containing one hundred and sixty-five and five-tenths acres.

Sec. 2. The patent shall not be issued until after payment has been made by the Southwest Indian Mission, Incorporated, to the Secretary of the Interior for the land at its reasonable appraised price of not less than \$1.25 per acre, to be determined by the Secretary in accordance with the provisions of the Act of December 22, 1928 (45 Stat. 1069). The patent shall reserve to the United States all of the oil, gas, and all other mineral deposits in the land, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

Approved April 28, 1948.

## FORT SUMTER NATIONAL MONUMENT, SOUTH CAROLINA

*See Legislative History, p. 1007*

### CHAPTER 239—PUBLIC LAW 504

[S. J. Res. 94]

Joint Resolution to establish the Fort Sumter National Monument in the State of South Carolina.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of the Army is authorized and directed to transfer, without consideration, to the Secretary of the Interior title to the site of the historic structure known as Fort Sumter, situated in Charleston Harbor, Charleston, South Carolina, together with such buildings and other improvements as are appurtenant to such site.

Sec. 2. The property acquired by the Secretary of the Interior under this joint resolution shall constitute the Fort Sumter National Monument and shall be a public national memorial commemorating historical events at or near Fort Sumter. The Director of the National Park Service under the direction of the Secretary of the Interior shall have the supervision, management, and control of such national monument, and shall maintain and preserve it for the benefit and enjoyment of the people of the United States, subject to the provisions of the Act entitled "An Act to establish a National Park Service and for other purposes", approved August 25, 1916, as amended.<sup>9</sup>

Approved April 28, 1948.

<sup>9</sup> 16 U.S.C.A. §§ 1-4, 22, 43.



U. S. DISTRICT COURT—JURISDICTION OVER CANTON  
AND ENDERBURY ISLANDS

*See Legislative History, p. 1008*

CHAPTER 241—PUBLIC LAW 505

[S. 1696]

An Act to amend the Act of August 13, 1940 (54 Stat. 784), so as to extend the jurisdiction of the United States District Court, Territory of Hawaii, over Canton and Enderbury Islands.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The first sentence of the Act entitled "An Act to extend the jurisdiction of the United States District Court, Territory of Hawaii, over the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, and Jarvis Island, and for other purposes", approved August 13, 1940 (54 Stat. 784, 48 U. S. C., sec. 642a),<sup>10</sup> is hereby amended to read: "The jurisdiction of the United States District Court, Territory of Hawaii, is hereby extended to all civil and criminal cases arising on or within the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, Jarvis Island, and, having regard to the special status of Canton and Enderbury Islands pursuant to an agreement of April 6, 1939, between the Governments of the United States and of the United Kingdom to set up a regime for their use in common, the said jurisdiction is also extended to all civil and criminal cases arising on or within Canton Island and Enderbury Island: *Provided*, That such extension to Canton and Enderbury Islands shall in no way be construed to be prejudicial to the claims of the United Kingdom to said islands in accordance with the agreement.

Sec. 2. The title of the said Act approved August 13, 1940, is amended to read: "An Act to extend the jurisdiction of the United States District Court, Territory of Hawaii, over the Midway Islands, Wake Island, Johnston Island, Sand Island, Kingman Reef, Kure Island, Baker Island, Howland Island, Jarvis Island, Canton Island, and Enderbury Island, and for other purposes."

Approved April 29, 1948.

DISTRICT OF COLUMBIA—DAYLIGHT SAVING TIME

*See Legislative History, p. 1013*

CHAPTER 242—PUBLIC LAW 506

[S. 1481]

An Act to authorize the Board of Commissioners of the District of Columbia to establish daylight saving time in the District.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Board of Commissioners of the District of Columbia is authorized to advance the standard time applicable to the District one hour for the period commencing not earlier than the last Sunday of April 1948 and ending not later than the last Sunday of September 1948. Any such time established by the Commissioners under authority of this Act shall, during the period for which it is applicable, be the standard time for the District of Columbia.

Approved April 29, 1948.

<sup>10</sup> 48 U.S.C.A. § 642a.

DISTRICT OF COLUMBIA EMERGENCY RENT ACT—  
AMENDMENT

*See Legislative History, p. 1013*

CHAPTER 243—PUBLIC LAW 507

[S. 2195]

An Act to amend and extend the provisions of the District of Columbia  
Emergency Rent Act, approved December 2, 1941, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of  
America in Congress assembled, That:*

Section 1(b) of the Act entitled "An Act to regulate rents in the District of Columbia, and for other purposes", approved December 2, 1941, as amended (D. C. Code, 1940 edition, sec. 45-1601), is hereby amended by striking out "on April 30, 1948" and inserting in lieu thereof "at the close of March 31, 1949".

Sec. 2. Section 2 of such Act, as amended (D. C. Code, 1940 edition, sec. 45-1602), is amended by adding at the end thereof the following new subsection:

"(3) After April 30, 1948, the provisions of this Act shall not apply to the following housing accommodations, and no maximum rent ceilings or minimum service standards shall be prescribed with respect thereto:

"(a) Any housing accommodations in hotels, which accommodations are used exclusively for transient occupancy, that is, for living quarters for nonresidents upon a short-time basis;

"(b) Any housing accommodations the construction of which was completed after March 31, 1948, or which are additional housing accommodations created by conversion after March 31, 1948;

"(c) Nonhousekeeping, furnished housing accommodations, located within a single dwelling unit not used as a rooming or boarding house, but only if (A) no more than two paying tenants, not members of the landlord's immediate family, live in such dwelling unit, and (B) the remaining portion of such dwelling unit is occupied by the landlord or his immediate family."

Sec. 3. (a) The first sentence of section 9(a) of such Act, as amended (D. C. Code, 1940 edition, sec. 45-1609), is amended to read as follows: "Within ten days after issuance of an order of the Administrator under section 4, any party may file a petition to review such action in the municipal court of appeals for the District of Columbia, and shall forthwith serve a copy of such petition upon the Administrator."

(b) Section 9(c) of such Act, as amended (D. C. Code, 1940 edition, sec. 45-1609), is amended to read as follows:

"(c) The municipal court of appeals for the District of Columbia is hereby granted exclusive jurisdiction to review any order of the Administrator made pursuant to section 4 of this Act. The judgment and decree of the court shall be final, subject to review as provided by law relative to other judgments of the court."

Sec. 4. All cases now pending before the statutory three-judge court of the municipal court which have not been presented to that court for decision at the time this Act takes effect shall forthwith be certified by said court to the municipal court of appeals for the District of Columbia. Nothing herein contained shall affect the validity of any judgment or decree of the statutory court (consisting of three judges of the municipal court as heretofore provided by law) rendered subsequent to the effective date of this Act in cases heretofore presented to that court and now awaiting decision.

Approved April 29, 1948.



MESCALERO APACHE INDIAN TRIBE—PAYMENTS FROM  
TRUST FUNDS

*See Legislative History, p. 1014*

CHAPTER 244—PUBLIC LAW 508

[S. 1468]

An Act providing for payment of \$50 to each enrolled member of the Mescalero Apache Indian Tribe from funds standing to their credit in the Treasury of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That:*

The Secretary of the Interior is authorized and directed to withdraw from the Treasury so much as may be necessary of the trust funds on deposit to the credit of the Mescalero Apache Tribe, and to make therefrom payment of \$50 to each enrolled member of such tribe. The money paid to such members under this Act shall not be subject to any lien or claim of any nature against any of such members.

Approved April 30, 1948.

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# Legislative History

## SHASTA NATIONAL FOREST, CALIFORNIA

*For text of Act see p. 711*

Senate Report No. 928, Feb. 25, 1948 [To accompany H.R. 3175]

House Report No. 680, June 24, 1947 [To accompany H.R. 3175]

The Senate Report repeats in substance the House Report.

*Senate Report No. 928*

THE Committee on Interior and Insular Affairs, to whom was referred the bill, H. R. 3175, to add certain public and other lands to the Shasta National Forest, Calif., having considered the same, report favorably thereon without amendment and with the recommendation that the bill do pass.

The purpose of the bill is to give jurisdiction of the recreational features of the Shasta Lake to the Forest Service.

The Shasta Dam, built on the Sacramento River in northern California creates a large lake having wide recreational possibilities in boating, fishing, home sites, playgrounds, etc. At the present time the recreational features of the lake are administered by the Park Service under a contract with the Bureau of Reclamation, which built the dam and operates it for the purposes for which it was built.

The Forest Service at the present time controls the lands on three sides of the Shasta Lake and only a narrow strip of land between the border of the lake and the edge of the national forest is now outside of forest jurisdiction. The bill, by adding these lands to the Shasta National Forest, bringing the national forest down to the edge of the lake, will give the Forest Service jurisdiction of the recreational features, except that the bill specifically provides any parts of these lands used or occupied for the operation of the project shall continue to be administered by the Bureau of Reclamation of the Department of the Interior.

The people interested in the recreational features of Shasta Lake gave early consideration to what Government agency should have jurisdiction over those recreational features. A committee was appointed to study this problem and in May 1944 submitted a report entitled "The Central Valley Project, 23 Recreational Uses of the Project." The committee making this report was composed of seven Federal agencies, nine State agencies, and three local agencies, all entering into the study for the purpose of determining the recommendation to be made in regard to handling the recreational problems created by the lake. The Federal agencies represented on this committee consisted of five from the Department of the Interior and two from the Department of Agriculture.

This bill takes no property off the tax rolls, and will cost the Federal Treasury no money.

# SHASTA NATIONAL FOREST, CALIFORNIA

The House Committee on Public Lands amended this bill in accordance with the suggestions contained in the report of the Secretary of Agriculture.

Further detailed information with regard to this bill is carried in the reports of the Agriculture and Interior Departments, which reports are hereinbelow set forth in full and made a part of this report.

DEPARTMENT OF AGRICULTURE,  
Washington, May 9, 1917.

HON. RICHARD J. WELCH,  
*Chairman, Committee on the Public Lands,  
House of Representatives.*

DEAR MR. WELCH: This is in further reply to your request of April 24 for a report by this Department on H.R. 3175, a bill to add certain public and other lands to the Shasta National Forest, Calif.

As hereinafter noted, this bill is similar to H.R. 2854 of the Seventy-ninth Congress, except that certain lands described as sec. 31, T. 36 N., R. 3 W., and secs. 7 to 30 and 32 to 36, inclusive, of T. 36 N., R. 4 W., appear to have been inadvertently omitted from the description of lands which begins in line 11 of the printed copy. The following report assumes that H.R. 3175 is intended to include these lands. There is also an apparent error in this bill on page 2, line 12, in the figures "23 to 36." These should apparently be "23 to 26," inclusive, since section 36 is immediately thereafter described.

This bill would add to the Shasta National Forest all lands of the United States within a described area of 198,910 acres and would make subject to acquisition under the provisions of the Forest Exchange Act of March 20, 1922, such of the lands within the described area as are not now owned or in course of acquisition by the United States and which are chiefly valuable for the production of timber or the stabilization of stream-flow.

The status of the described area is as follows:

	Acres
Owned or in course of acquisition by the United States .....	108,180
Indian allotments .....	4,490
State land .....	7,410
Holdings of Southern Pacific Co .....	50,100
Other private lands .....	28,730
Total .....	198,910

Of the lands owned or in course of acquisition by the United States, 29,536 acres, more or less, are occupied by the Shasta Reservoir and some additional acreage is occupied by facilities requisite to the operation of the reservoir. Under the terms of the bill, such lands would continue to be administered by the Bureau of Reclamation of the Department of the Interior, but with that exception all lands owned or hereafter acquired by the United States within the described area would be administered by the Forest Service of this Department. The Indian allotments would continue to be administered by the Office of Indian Affairs of the Department of the Interior. The State lands would, of course, continue in the full control of the State, unless or until eventually acquired by the United States. The private lands likewise would continue under the full control of the owners thereof unless or until acquired by the United States.

Draining into the reservoir created by the construction of the Shasta Dam, a \$75,000,000 project of the Central Valley water plan, are four large rivers and streams, namely the Sacramento, McCloud, and Pit Rivers and the East Fork of Squaw Creek. Of the 4,252,700 acres in the watershed draining into the Shasta Reservoir, the major portion lies within the



## LEGISLATIVE HISTORY

boundaries of the national forests and is under a definite plan of land management. Immediately adjacent to the dam and surrounding the main body of the reservoir is the described area of 198,910 acres of rugged mountain land which has a common boundary with the Shasta National Forest on most of its north, west, and east sides. From a watershed protection standpoint this land is in a critical condition due to repeated fires, uncontrolled erosion, overgrazing, and destructive logging practices. In earlier years smelter fumes destroyed all vegetation near the town of Kennett. Corrective practices to restore this portion of the watershed to its maximum productive and protective capacity are urgently needed.

The land is mountainous in character with more than the average degree of slope, and lies at elevations from 600 to 4,600 feet above sea level. Practically the entire area is wild land. About 34 percent of it is timberland, 23 percent consists of wood land, and 40 percent is chaparral or brushland. Most of the remaining 3 percent was once timber and wood land, but is now barren on account of the fumes from the smelter which operated for many years near the town of Kennett.

With the construction of the Shasta Reservoir, there developed increasing recognition of the need for protecting the immediately adjacent watersheds as well as the more remote portions already in a national forest status. Local interest in and demand for such action took definite form a decade ago. One result was a detailed study of the area by the Forest Service in 1936. The resulting conclusion that the area should be administered as a part of the contiguous Shasta National Forest was endorsed by a wide variety of local organizations and groups. The first bills to accomplish the proposed addition, H.R. 10278 and S. 3870, were introduced in the Seventy-fifth Congress, third session. Similar bills, H.R. 2659 and S. 950, were introduced in the Seventy-sixth Congress, first session. A similar bill, H.R. 1600, was introduced in the Seventy-seventh Congress, first session. In the second session of the Seventy-ninth Congress a similar bill, H.R. 2854, was passed by the House of Representatives on April 15, 1946, after hearings before this committee (Rept. No. 1876). None of these bills, however, was enacted. Throughout this period advocacy of the proposed addition continued without diminution.

During 1943-45 a series of technical committees were engaged in studies of various phases of the Central Valley project. One of those committees, No. 23, devoted especial attention to the uses and management of the lands adjacent to the project reservoirs. Its membership, widely representative of Federal, State, and county interests, was as follows:

Everett A. Pesonen, recreational planner, National Park Service.  
D. L. Brechner, information specialist, Bureau of Reclamation.  
C. B. Morse, assistant regional forester, Forest Service.  
Spangler Ricker, regional director, United States Bureau of Mines.  
Dr. James W. Moffett, aquatic biologist, Fish and Wildlife Service.  
Col. R. C. Hunter, district engineer, United States Engineer Department.  
Dr. Marion Clawson, field representative, Bureau of Agricultural Economics.  
Michael Harrison, field aid, Office of Indian Affairs.  
Edward Hyatt, State engineer, division of water resources.  
A. E. Henning, chief, division of beaches and parks.  
George F. Miller, executive secretary, division of fish and game.  
Fred M. Dunow, district deputy forester, division of forestry.  
Fred Grumm, assistant State highway engineer, division of highways.  
Walter M. Bradley, State mineralogist division of mines.  
C. G. Gillespie, chief, bureau of sanitary engineering, department of public health.  
James S. Dean, director, State division of finance.  
Gen. W. T. Bannum, director, State division of natural resources.  
Harry Barnes, representative, Madera County Planning Commission.

## SHASTA NATIONAL FOREST, CALIFORNIA

Edgar C. Smith, secretary, Fresno County Planning Commission.  
Tom L. Stanley, general manager, Shasta-Cascade Wonderland Association.

Among the recommendations contained in the report of this committee is "Legislation extending the boundaries of Shasta National Forest to include the lands in and around the reservoir."

The establishment of basic facilities for the administration of the area could be accomplished in part by the expansion of the existing adjacent national forest ranger districts. The rangers in charge of those districts now must traverse most of the described land and participate in the control of fires thereon to avert damage to the contiguous national forest lands. Nevertheless, the costs of managing the described area as part of the adjoining national forest probably will be above average. Of the lands now in private ownership, approximately 72,000 acres eventually should be acquired through purchase or exchange of other national forest lands and/or stumpage. An adequate system of roads, trails, bridges, and stations for rangers, guards, and look-outs will be necessary. The capital investment in lands and physical improvements is estimated to cost about \$1,200,000.

The existence of the Shasta Reservoir with its consequent opportunities for boating, swimming, fishing, camping, and other recreation will attract large numbers of persons to the area each year. This will require supervision, sanitary facilities, and a wide array of services which will entail careful plans for the occupancy under permit of the Federal lands within the area. Protection and management of wildlife resources will require particular attention. Approximately 10,000 acres of lands so fume-damaged, cut-over and burned as to preclude regeneration of forest cover by natural means will require planting as a means of reforestation and rehabilitation during the next 10 years; the estimated cost being an average of \$15,000 per year or a total of \$150,000 for the 10-year period. Annual maintenance costs are estimated at \$13,775; annual protection and general administrative costs at \$17,800. The area is one of exceptional importance, subject to a high degree of public use. It possesses a large potential of public service and also a large potential of public detriment if not afforded adequate protection and management. In these circumstances the expenditures as above estimated seem justified by the benefits which would result therefrom.

Enactment of the bill, amended as noted in paragraph 2 hereof, is recommended.

In view of the time limitation, we have not had opportunity to obtain from the Bureau of the Budget advice as to the relationship of this proposed legislation, or report thereon, to the program of the President.

Sincerely,

CLINTON P. ANDERSON, *Secretary.*

DEPARTMENT OF THE INTERIOR,  
Washington, June 10, 1947.

HON. RICHARD J. WELCH,  
*Chairman, Committee on Public Lands,  
House of Representatives.*

MY DEAR MR WELCH: I am glad to comply with your request for a statement on my views on H.R. 3175, a bill to add certain public and other lands to the Shasta National Forest, Calif.

The Department of the Interior will interpose no objection to the enactment of this bill, provided that it is amended along the lines hereinafter suggested.

H.R. 3175 is similar to a bill reported out during the second session of the Seventy-ninth Congress (H.Rept. 1876, 79th Cong., 2d sess.), the primary purpose of which was to vest in the Forest Service of the Department of Agriculture jurisdiction over the recreational features of



## LEGISLATIVE HISTORY

Shasta Lake. In this connection, it should be borne in mind that there is in effect at this time an agreement between the Bureau of Reclamation and the National Park Service of the Department of the Interior providing for the administration and development of the Shasta and Millerton Lake recreational areas by the National Park Service. That agency is performing in those areas services of the character which it has so successfully rendered in connection with the area adjacent to Lake Mead, the reservoir created by Hoover Dam. At the same time, the arrangements are such as to assure control by the Bureau of Reclamation to protect the primary purposes for which Shasta and Millerton Reservoirs were created.

Enactment of H.R. 3175 in its present form would make the recreational areas adjacent to Shasta and Millerton Lake "subject to all laws and regulations applicable to the national forests." It would leave jurisdiction and administration over activities on the surface of the reservoirs in the Bureau of Reclamation but would vest jurisdiction of the land immediately adjoining such reservoirs (which would vary from day to day, due to rise and fall of the water level) in another department of the Government. Such an arrangement would lead to confusion and difficulties in administration.

For the reasons heretofore stated, I suggest the following amendments for consideration by your committee:

I. Delete the proviso in lines 19 to 24 on page 2 of the bill and substitute the following: "Provided, That this Act shall not apply to lands within the flow line of reservoirs operated or maintained in connection with the Central Valley project, California, to lands within one-quarter mile of such flow line, to any lands required for construction, operation, or maintenance purposes of said project, or to any lands which, within ninety days from the effective date of the Act, shall have been designated by the Secretary of the Interior as needed for development, operation, and access to recreational facilities in and around any such reservoirs."

II. On page 3, line 3, delete the "period" and insert, "except the areas excluded pursuant to the proviso in section 1 hereof."

In view of my understanding that you desire an immediate report on H.R. 3175, this letter has not been submitted to the Bureau of the Budget for consideration. Therefore, no commitment can be made concerning the relationship of the foregoing views to the program of the President.

Sincerely yours,

OSCAR L. CHAPMAN,  
*Acting Secretary of the Interior.*

## VETERANS' ALIEN FIANCEES AND FIANCES

*For text of Act see p. 712*

Senate Report No. 919, Feb. 25, 1948 [To accompany H.R. 4838]

House Report No. 1253 Jan. 22, 1948 [To accompany H.R. 4838]

The Senate Report repeats in substance the House Report.

*Senate Report No. 919*

THE Committee on the Judiciary, to whom was referred the bill (H. R. 4838) to extend the period of validity of the act to facilitate the admission into the United States of the alien fiancées or fiancés of members of the armed forces of the United States, do now report the bill to the Senate favorably with amendments and recommend that the bill, as amended, do pass.

## VETERANS' ALIEN FIANCEES AND FIANCES

### PURPOSE OF THE BILL

The purpose of the bill is to extend the period of validity until December 31, 1948, midnight, of the act to facilitate the admission into the United States of the alien fiancées and fiancés of members of the armed forces of the United States.

### STATEMENT

Briefly, the Fiancée or Fiancé Act provides for the admission to the United States for a temporary period of 3 months of alien fiancées or fiancés of United States citizens who are serving in, or have been honorably discharged from the United States armed forces. There are four provisos in section 1, namely:

(a) That the alien is not subject to exclusion from the United States under the immigration laws;

(b) That the nonpreference portion of the quota to which the alien would be chargeable is exhausted at the time the alien applies for a visa;

(c) That the administrative authorities find that the alien is coming to the United States with a bona fide intention of being married to a citizen of the United States who is serving in, or has been honorably discharged from, the armed forces of the United States during World War II.

(d) That the administrative authorities find that the parties to the proposed marriage are able and intend to contract a valid marriage within the period for which the alien is admitted.

Section 2 provides that if the marriage fails to take place during the time for which the alien is admitted, the alien shall be required to leave the United States and upon failure to do so shall be deported.

Section 3 gives to the Secretary of State authority to prescribe regulations for the administration of the act and requires that he include in such regulations a requirement that the parties to a proposed marriage provide appropriate evidence of a valid agreement to marry and that they are legally able and actually willing to marry within a period of 3 months after the alien's arrival or within such period as may be extended by the Attorney General.

Section 4 gives to the Attorney General authority to prescribe regulations in connection with the arrival of aliens at ports of entry in the United States and requires that he include in such regulations the requirement that the prospective American citizen spouse furnish a bond in sufficient amount to cover the cost of deportation of the alien concerned, which bond shall be forfeited if and when the alien becomes deportable, or shall be canceled if a valid marriage has been concluded or the alien has left the United States without expense to the United States.

It will be noted that the act requires that visas be issued for admission for a period of 90 days in the event that the quota of the country in which the alien was born is oversubscribed. In other words, if the quota for the country of the alien's birth is not oversubscribed (for instance, Germany and Great Britain), the consul issues a quota immigration visa which entitles the alien to admission to the United States for



## LEGISLATIVE HISTORY

permanent residence. Once the alien is admitted to the United States, if the marriage doesn't take place the alien cannot be deported, whereas in the case of fiancées or fiancés admitted for 90 days, if the marriage doesn't materialize the alien can be deported.

In order to place all prospective fiancées or fiancés on an equal footing, it is recommended that the act be amended by striking out section 1 (b). Such action would have the effect of allowing the admission to the United States of all fiancées or fiancés only for the specific purpose of marriage. They would all be admitted for 90 days, under bond, and if they fail to get married, would become subject to deportation.

It is the information of the committee that there are a number of cases of alien fiancées that could not be processed under the act which expired on December 31, 1947. The reasons in favor of an extension appear to be equally appealing now as they were at the time for the approval of the original act.

### SEMINOLE INDIANS—PAYMENT OF TRIBAL FUNDS

*For text of Act see p. 712*

Senate Report No. 815, Jan. 14, 1948 [To accompany S. 1733]

House Report No. 1491, Mar. 3, 1948 [To accompany S. 1733]

The House Report repeats in substance the Senate Report.

*House Report No. 1491*

THE Committee on Public Lands, to whom was referred the bill (S. 1733) to authorize payment to certain enrolled members of the Seminole Tribe of Indians under act of July 2, 1942 (Public Law 645, 77th Cong.), having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to eliminate the need of probating approximately 1,400 small Indian estates to establish the heirships of deceased members of the Seminole Indian Tribe of Oklahoma, and to simplify the procedure in making the per capita payment to the enrolled members of the Seminole Tribe authorized under the act of July 2, 1942.

The Secretary of the Interior recommends the enactment of this proposed legislation.

A full explanation of the purposes of this legislation is contained in the report of the Secretary of the Interior, dated January 7, 1947, addressed to the chairman of the Committee on Public Lands, United States Senate, which report is attached hereto and made a part of this report, as follows:

DEPARTMENT OF THE INTERIOR,  
Washington 25, D. C., January 7, 1947.

HON. HUGH BUTLER,  
Chairman, Committee on Public Lands,  
United States Senate.

MY DEAR SENATOR BUTLER: Reference is made to your request for a report on S. 1733, which would permit the per capita payment authorized by the act of July 2, 1942 (Public, No. 645, 77th Cong.), to enrolled

## SEMINOLE INDIANS—PAYMENT OF TRIBAL FUNDS

members of the Seminole Tribe of Indians to be made in accordance with regulations promulgated by the Secretary of the Interior in behalf of those persons who died prior to the act of December 24, 1942 (Public No. 833, 77th Cong.).

I recommend that this legislation be enacted to facilitate the payment of a thousand or more shares of deceased restricted members.

Proofs of heirship have been submitted in the majority of these cases in connection with the pending payment or were already of record in connection with previous per capita payments. These proofs of heirship cannot now be used as a basis of distribution in those cases of restricted Indians whose estates can only be distributed under the provisions of the act of December 24, 1942 (56 Stat. 1080). The formal proceedings required by this act have delayed the distribution to the extent that after 5 years there remain unpaid approximately 1,400 shares.

The regulations promulgated under the act of July 2, 1942 (56 Stat. 528), to govern the per capita payment therein authorized provide in part as follows:

"12. Before payment is made to the heirs of any deceased person, proof of death and heirship satisfactory to the superintendent must be made and the finding of said superintendent upon such proof shall be final and conclusive for all purposes of these payments, provided that where such proof is already of record in the Department payment may be made by reference thereto.

"13. The supplemental agreement of the United States with the Seminole Indian Nation, as set forth in the act of June 2, 1900 (31 Stat. L. 250), provides, among other things, that: 'If any member of the Seminole Tribe of Indians shall die after the thirty-first day of December eighteen hundred and ninety-nine, the lands, money, and other property to which he would be entitled if living, shall descend to his heirs who are Seminole citizens, according to the laws of descent and distribution of the State of Arkansas, and be allotted and distributed to them accordingly: *Provided*, That in all cases where such property would descend to the parents under said laws the same shall first go to the mother instead of the father, and then to the brothers and sisters and their heirs, instead of the father.' For the purpose of the per capita payment provided for in these regulations, the heirs of deceased enrolled persons, entitled to payments hereunder, shall be determined in all cases in accordance with the above-quoted provisions, of said act of June 2, 1900."

Subsequent to the issuance of these regulations, the act of December 24, 1942, *supra*, was approved. This act conferred jurisdiction on the Secretary of the Interior, after notice and hearing and under regulations to be prescribed by him, to determine the heirs of any deceased restricted Indian, enrolled or unenrolled, of the Five Civilized Tribes, whenever the restricted estate consists only of funds or securities under the control of the Department of the Interior of an aggregate value not exceeding \$2,500. Unfortunately, in the Department's report on the bill which subsequently became the act of December 24, 1942, *supra*, attention was not called to the fact that the provisions of the then pending bill would supersede the procedure contained in the regulations governing distribution of per capita payments to members of the Five Civilized Tribes.

The effect of S. 1733 would be to provide for a change in the procedure to be used in determining the fact of heirship. Since its application would be limited to the estates of Indians who died prior to December 24, 1942, it would not alter the succession in descent. The change would consist in the substitution of the informal proceedings allowed by paragraph 12 of the regulations of October 14, 1942, for the formal proceedings required by the act of December 24, 1942, and in the substitution of the Superintendent of the Five Civilized Tribes for the Secretary of the Interior as the officer empowered to make the determination of heirship.



## LEGISLATIVE HISTORY

The Bureau of the Budget has informed me that there is no objection to the submission of this report to your committee.

Sincerely yours,

OSCAR L. CHAPMAN,  
*Under Secretary of the Interior.*

The Committee on Public Lands is unanimous in its recommendation for enactment of this bill.

### DISABLED VETERANS—SUPERINTENDENTS OF NATIONAL CEMETERIES

*For text of Act see p. 712*

Senate Report No. 874, Feb. 3, 1948 [To accompany S. 1782]

House Report No. 1304, Feb. 3, 1948 [To accompany H.R. 4515]

The Senate Bill was passed in lieu of the House Companion Bill and the Senate Report sets out in detail the substance of both bills.

*Senate Report No. 874*

THE Senate Committee on Interior and Insular Affairs, to whom was referred the bill (S. 1782) to provide for selection of superintendents of national cemeteries from meritorious and trustworthy male members of the armed forces who have been disabled in line of duty for active field service, having considered the same, report favorably thereon with amendments and with the recommendation that the bill, as amended, do pass.

The purpose of the proposed legislation is to extend the provisions of the original law to include meritorious and trustworthy members of all the armed forces, the Navy, Marine Corps, and Coast Guard, as well as the Army and the Air Force who have been disabled in line of duty for active field service. This is not possible at present, however, as the original law restricts such appointments to meritorious and trustworthy soldiers, either commissioned officers or enlisted men of the Volunteer or Regular Army.

It was the opinion of the committee that the bill should not be confined to male members of the services, and, accordingly, so amended the bill.

This bill was submitted and recommended by the Secretary of the Army, and his letter of transmittal is hereinbelow set forth in full and made a part of this report.

DEPARTMENT OF THE ARMY,  
*Washington, D. C., October 30, 1947.*

HON. CHAS GURNEY,  
*Chairman, Committee on Armed Services,  
United States Senate.*

DEAR SENATOR GURNEY: There is enclosed herewith draft of a bill to provide for selection of superintendents of national cemeteries from meritorious and trustworthy male members of the armed forces who have been disabled in line of duty for active field service which the Department of the Army and the Department of the Air Force recommend be enacted into law.

## CANADIAN VESSELS—TRANSPORTATION OF IRON ORE

The purpose of the proposed legislation is to extend the provisions of the original law to include meritorious and trustworthy male members of all the armed forces, the Navy, Marine Corps, and Coast Guard, as well as the Army and the Air Force who have been disabled in line of duty for active field service. This is not possible at present, however, as the original law restricts such appointments to meritorious and trustworthy soldiers, either commissioned officers or enlisted men of the Volunteer or Regular Army.

In view of the expansion of the armed forces since the enactment of the original law, it is the opinion of these Departments that disabled members of the Navy, Marine Corps, and Coast Guard should be given an opportunity to compete for these positions.

It is desired to continue to restrict these positions to male members of the armed forces who have been disabled in line of duty for active field service, in order to give such veterans an advantage over those without such a disability. Experience has shown that disabled veterans are qualified for carrying on these duties, and in view of the many disabled veterans of World War II, it is believed that a sufficient number of such veterans can be obtained for filling these positions.

The proposed law, if enacted, will not increase the fiscal estimates pertaining to the appointment of superintendents of national cemeteries.

The Bureau of the Budget has been consulted and advises that there is no objection to the submission of this proposed legislation for the consideration of the Congress.

Sincerely yours,

KENNETH C. ROYALL,  
*Secretary of the Army.*  
W. STUART SYMINGTON,  
*Secretary of the Air Force.*

## CANADIAN VESSELS—TRANSPORTATION OF IRON ORE

*For text of Act see p. 713*

Senate Report No. 846, Jan. 28, 1948 [To accompany S. J. Res. 172]

House Report No. 1556, Mar. 11, 1948 [To accompany S. J. Res. 172]

The Senate Report repeats in substance the House Report.

*Senate Report No. 846*

THE Committee on Interstate and Foreign Commerce, to whom was referred the Joint Resolution (S. J. Res. 172), a resolution to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during the calendar year of 1948, having considered the same, report favorably thereon without amendment and recommend that the resolution do pass.

The purpose of the resolution is to provide additional essentially needed transportation on the Great Lakes for haulage of iron ore for the manufacture of steel. The resolution is made necessary by the fact that legislation enacted in 1941 which temporarily suspended the coastwise shipping laws to permit Canadian vessels to move iron ore during the 1941 season between United States ports on the Great Lakes (Public Law 90, 77th Cong.), and which was extended by other legislation for the period of the war emergency, was repealed by Senate Joint Resolution 123, Eightieth Congress, a general repealer terminating wartime emergency legislation. However, since this repealer resolution was enacted,



## LEGISLATIVE HISTORY

it has become increasingly evident that Canadian vessels will again be urgently needed in 1948, even more than they were in 1947, to transport heavy tonnages of iron ore required to meet the tremendous demand for steel.

Iron ore consumption by existing steel-furnace plants using Lake Superior ore is at the rate of about 85,000,000 gross tons per year. During 1948 additional furnace capacity to be put into operation will add about 3,000,000 tons to the total requirements up to the spring of 1949, all of which must be transported during the 1948 shipping season. Inasmuch as less than 2,000,000 tons of Lake Superior ore moves by rail from mines to furnaces, it appears that about 86,000,000 tons must move by lake carriers during the 1948 season. Moreover, this total makes no provision for recouping ore stocks which will be at very low levels when navigation opens this spring. Under these circumstances, a tremendous burden is imposed on lake shipping facilities.

The extent to which Canadian vessels can participate in the United States ore trade depends largely upon the amount of grain and coal they must move. Grain movement has been extremely heavy during the past 2 years, and is expected to continue to be for some years. While only two Canadian shipping companies devote themselves principally to the movement of ore, there are about 40 Canadian vessels which may be used in the ore trade to some extent during the 1948 shipping season. Some of these may be able to haul only a few cargoes of ore, dependent on when they can be spared from grain and coal haulage.

The American ore fleet last year consisted of 274 vessels having a combined average total trip capacity (at 20-foot draft) of 2,684,950 gross tons. Four of the vessels from this fleet will be transferred to other service for the 1948 season—two are being converted to self-unloaders for coal and limestone service and two smaller vessels are being transferred to Canadian registry for grain service. Therefore the American ore fleet for the coming season will consist of 270 vessels which, under the most favorable conditions, might be expected to move 79,500,000 gross tons of ore. It must be emphasized that this figure is based on a maximum number of trips, good weather, long season, and high water levels.

During the usual shipping season vessels made from 25 to 30 trips with ore. But the uncertainties of weather make it impossible to anticipate the exact number of trips which can be made. If lake water levels are high enough, considerably heavier tonnages may be carried. Early opening and late closing of traffic also affect the number of trips. Thus, if favored with a long shipping season of good weather and high lake levels, full coordination of the ore movement with that of other bulk commodities handled by United States vessels on the lakes, and the maximum number of 30 trips, United States vessels may be expected to transport about 79,500,000 gross tons. This would leave about 6,500,000 tons of ore which must be hauled by vessels of Canadian registry if the extraordinary tonnage reported to be required by furnaces dependent on Lake Superior iron ore is to be supplied.

In 1947, the total Great Lakes movement of iron ore from United States and Canadian upper lake ports was 77,898,000. Of this tonnage, 1,631,000 tons was from Canadian mines, some of it hauled in Canadian

## CANADIAN VESSELS—TRANSPORTATION OF IRON ORE

vessels and some in American vessels. Canadian vessels moved 473,000 tons of iron ore between United States ports in 1947 and the maximum haulage in any one year by Canadian vessels was in 1942 when they transported 2,663,000 tons. It is obvious, therefore, that not only must Canadian vessels be used in ore haulage during the 1948 season, but they will be required to transport a far greater tonnage than ever before.

The committee desires to emphasize that legislative permission for vessels of Canadian registry to transport iron ore between United States ports has been in effect continuously since May 31, 1941 (Public Law 90, 77th Cong.) which granted authority for such transport for the calendar 1941 season. Permission for use of Canadian vessels was again granted for the 1942 season by the act of January 27, 1942 (Public Law 416, 77th Cong.) and this authority was continued for the duration of the war by the act of August 1, 1942 (Public Law 695, 77th Cong.).

The committee is aware of the importance of protecting American shipping, particularly in coastal and inland trade. It does not desire to jeopardize such protection. But American industry again faces the same problem it faced during the war years, a problem that is recognized not only by the ore producers but by the shipping interests, maritime labor, and interested Government agencies. The resolution here recommended is temporary in nature and grants permission for Canadian vessels to transport between United States ports only for the calendar year 1948. Letters from the Maritime Commission, the Office of Defense Transportation, the Treasury Department, the International Ship Masters' Association of the Great Lakes, the Lake Carriers' Association, and the Lake Superior Iron Ore Association to the committee commenting on the situation are made a part of this report.

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UNITED STATES MARITIME COMMISSION,  
Washington, January 19, 1948.

The Honorable WALLACE H. WHITE, Jr.,  
*Chairman, Committee on Interstate and Foreign Commerce,*  
*United States Senate.*

MY DEAR SENATOR WHITE: On January 15, 1948, you requested the views of the Maritime Commission on S. J. Res. 172, a joint resolution to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1948.

During the war several statutes were enacted permitting vessels of Canadian registry to transport iron ore on the Great Lakes because of the lack of sufficient domestic shipping facilities (Public Laws 90, 416, and 695, 77th Cong.).

The last-mentioned statute extended the permission to Canadian vessels to furnish such transportation during the present war and for 6 months thereafter, or until Congress or the President designates an earlier period.

Public Law 239, Eightieth Congress, approved July 25, 1947, designated January 25, 1948, as such earlier period.

Estimates of the steel industry indicate that the Lake Superior iron ore requirements in 1948 will be larger than those of 1947 which amounted to approximately 78,000,000 gross tons. In 1948 there will be several less vessels available for the carriage of iron ore than there were in 1947. The maximum capacity of United States vessels available for 1948 will be insufficient to carry the 1948 movement of iron ore.



## LEGISLATIVE HISTORY

It is, therefore, important that every vessel that can be made available, including Canadian registry vessels, be made available for the movement of iron ore in 1948.

For the foregoing reasons the Maritime Commission recommends favorable consideration of this resolution.

It is understood, of course, that such action is not to be considered in any way as indicating any intent to relax or modify the coastwise laws or to permit foreign shipping in United States Great Lakes trade, except on a strict temporary emergency basis.

This report is being transmitted to you without the advice of the Director of the Budget. Under the circumstances, nothing contained in this report is to be construed as an indication of the relation of the proposed legislation to the program of the President.

When the comments of the Bureau of the Budget are received, they will be transmitted to you.

Sincerely yours,

W. W. SMITH, *Chairman.*

OFFICE OF DEFENSE TRANSPORTATION,  
Washington, D. C., January 16, 1948.

HON. WALLACE H. WHITE, JR.,

*Chairman, Committee on Interstate and Foreign Commerce,  
United States Senate, Washington, D. C.*

DEAR SENATOR WHITE: I am in receipt of Mr. Jarrett's letter of January 15, 1948, enclosing a copy of Senate Joint Resolution 172, introduced by Senator Tobey, to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1948. You invite my comments concerning the proposed legislation.

Quite recently I have made inquiry into the situation on the Great Lakes with respect to the transportation of iron ore during the 1948 season, and as a result of the facts disclosed I have recommended to the Bureau of the Budget the introduction of a bill substantially in the same form as Senate Joint Resolution 172.

It is my information that during the 1947 season the movement of iron ore on the Great Lakes amounted to slightly less than 78,000,000 gross tons. In this carry-down of ore we had the assistance of 39 Canadian ore carriers operating under the permission of the act of January 27, 1942 (56 Stat. 19, ch. 21, as amended) which will expire on January 25, 1948, by virtue of the repeal contained in section 2 (b) of Public Law 239, Eightieth Congress. Preliminary figures for the 1948 season indicate requirements of about 85,000,000 gross tons. The capacity of the present United States-flag fleet on the Great Lakes is not sufficient to move the prospective iron ore requirements for the 1948 season. To bring down this tonnage it will require, in my opinion, every available ship of United States and Canadian registry. The importance of the ore fleet as a factor in the iron and steel production in this country needs no elaboration by me. It is my recommendation that Senate Joint Resolution 172 be adopted by the Congress.

Because of my understanding from your committee clerk that Senate Joint Resolution 172 will be considered at the next executive session of your committee to be held on Tuesday, January 20, and that my views were desired before that time, if possible, I have not had the opportunity to submit my views and recommendation to the Bureau of the Budget for advice as to the relationship of the proposed legislation to the program of the President.

Cordially,

J. M. JOHNSON, *Director.*

## CANADIAN VESSELS—TRANSPORTATION OF IRON ORE

TREASURY DEPARTMENT,  
Washington, January 20, 1948.

HON. WALLACE H. WHITE, JR.,  
*Chairman, Committee on Interstate and Foreign Commerce,  
Senate Office Building, Washington 25, D. C.*

MY DEAR MR. CHAIRMAN: Reference is made to a letter of January 15, 1948, from your committee requesting the views of this Department on Senate Joint Resolution 172, a joint resolution to authorize vessels of Canadian registry to transport iron ore between United States ports on the Great Lakes during 1948.

The effect of this legislation would be to suspend the laws reserving the coastwise trade to properly qualified vessels of the United States for the purpose of permitting vessels of Canadian registry to transport iron ore between ports of the United States on the Great Lakes during the year 1948 or until such earlier date as the Congress by concurrent resolution or the President by proclamation may designate. This was permitted during the 1941 to 1947 navigation seasons on the Great Lakes by the acts of May 31, 1941, January 27, 1942, and August 1, 1942 (Public Laws 90, 416, and 695, 77th Cong.) The suspension of the coastwise laws in this regard was terminated as of January 25, 1948, by the Joint Resolution of July 25, 1947 (Public Law 239, 80th Cong.).

While this Department will have no objection to the enactment of Senate Joint Resolution 172, it is suggested that, if it has not done so already, your committee may wish to secure the views of the United States Maritime Commission and the Office of Defense Transportation with regard to the availability of suitable American bottoms for use in the iron-ore trade on the Great Lakes.

If enacted, Senate Joint Resolution 172 will not increase the expenditures of this Department. Due to your request to expedite this report, the Department has not been able to obtain the usual clearance by the Bureau of the Budget prior to its submission.

Very truly yours,

\_\_\_\_\_, *Acting Secretary of the Treasury.*

INTERNATIONAL SHIP MASTERS'  
ASSOCIATION OF THE GREAT LAKES,  
Rocky River 16, Ohio, January 15, 1948.

Subject: Senate Joint Resolution 172

HON. WALLACE H. WHITE, JR.,  
*Chairman, Committee on Interstate and Foreign Commerce,  
United States Senate, Washington, D. C.*

DEAR SIR: This organization, which is composed of Great Lakes masters and pilots, believes this bill should become law.

From all indications, there will be more iron-ore cargoes to be moved between United States ports on the Great Lakes than American-flag vessels can handle. American officers and seamen will have full employment. Every cargo that Canadian vessels carry will help our national economy by providing more steel, and in that way retarding greater price inflation.

Very truly yours,

INTERNATIONAL SHIP MASTERS' ASSOCIATION,  
By HENRY F. WIERSCH, *Grand President.*



## LEGISLATIVE HISTORY

LAKE CARRIERS' ASSOCIATION,  
Cleveland 13, Ohio, January 15, 1948.

Senate Joint Resolution 172

HON. WALLACE H. WHITE,

*Chairman, Committee on Interstate and Foreign Commerce,  
United States Senate, Washington, D. C.*

MY DEAR SENATOR WHITE: It has been brought to the attention of this association that your committee will shortly give consideration to the above resolution. If enacted, it would make Great Lakes Canadian ships available to American shippers of iron ore in the transportation of that commodity between United States ports on the Great Lakes and would continue for the 1948 season a partial waiver of our coastwise laws which has been in effect since 1941.

On the basis of information supplied to your committee by shippers of iron ore from the Lake Superior region, it would appear that the capacity of United States vessels engaging in the transportation of iron ore on the Great Lakes would be inadequate to meet the requirements of shippers during the 1948 season, which will probably commence in early April and end about December 1. Since Canadian vessels could assist in meeting the needs of shippers and the ore is essential to the making of steel, this association has no objection to the enactment of this resolution into law. It would be effective for one season only and contains provision for termination which would protect United States vessel operators in the event a sharp recession should occur during the season.

We are informed that a representative of shippers of ore has advised your committee that shippers contemplate the transportation of approximately 86,000,000 tons during the 1948 season. Of that total, we further understand, about 83,000,000 tons would move to United States ports and about 3,000,000 tons to Canadian ports.

Upon the opening of navigation, the Great Lakes fleet capable of carrying iron ore will consist of about 272 United States vessels and 46 Canadian vessels. It is obvious at a glance that the capacity of Canadian ships is more than sufficient to meet the needs of Canadian receivers of ore. On the other hand, the capacity of United States vessels will probably be insufficient to meet the needs of American receivers of ore.

The operators of United States vessels will continue, as they always have done, to exert a maximum effort to serve shippers and the national economy. The Great Lakes fleet has never failed to meet a national need. During the season of 1947 commitments were met but Canadian ships assisted to the extent of 472,740 tons in supplying American receivers of ore.

Respectfully yours,

LYNDON SPENCER, *Vice President.*

UNITED STATES SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
January 2, 1948.

HON. WALLACE H. WHITE,

*United States Senate, Washington, D. C.*

MY DEAR SENATOR: I enclose herewith a self-explanatory letter from Mr. M. D. Harbaugh, vice president and secretary of the Lake Superior Iron Ore Association. It deals with the need for emergency legislation again extending the right of Canadian vessels to transport iron ore between United States ports on the Great Lakes during the coming season. The letter speaks for itself and seems to be completely persuasive in respect to this necessity.

I have advised Mr. Harbaugh that this is a matter in the jurisdiction of your committee and that I am handing his letter to you. I shall ap-

## CANADIAN VESSELS—TRANSPORTATION OF IRON ORE

precipitate it very much if you can communicate directly with Mr. Hargrave and fix an early time to canvass the situation with him pursuant to his request to me. I shall be glad to help in this matter in any way I can.

With warm personal regards and best wishes,  
Cordially and faithfully,

A. H. VANDENBERG.

THE LAKE SUPERIOR IRON ORE ASSOCIATION,  
Cleveland 15, Ohio, December 30, 1947.

HON. ARTHUR H. VANDENBERG,  
United States Senate, Washington 25, D. C.

DEAR SENATOR VANDENBERG: I am writing to ask if you could arrange to see Mr. Gillies (president of this association) and me in the very near future on a matter of much importance to the iron and steel industry and to the Nation.

It concerns the supply of Lake Superior iron ore to lower Lakes furnaces in 1948. All present indications point to an unprecedented peacetime demand for ore for another 12 months after the lake shipping season opens in the coming spring. The anticipated carry-over of ore at furnaces and Lake Erie docks on April 1, 1948, will be only a little more than two months' supply. Additional blast furnaces being put into operation during the next several months will increase the monthly rate of ore consumption considerably above the 7,000,000 gross tons which the industry has been using in recent months.

In order to transport the required tonnage of ore during the 1948 shipping season, it will be necessary to utilize all available lake vessel capacity, including that of the Canadian carriers.

As you doubtless recall, early in 1941, upon the recommendation of the Advisory Committee for National Defense, Congress temporarily suspended the coastwise shipping laws to permit Canadian vessels to move iron ore between United States ports on the Great Lakes during 1941. This was provided under Public Law No. 90, of the 77th Congress, approved by the President May 31, 1941. After the war started, this provision was extended by other legislation for the period of the war emergency.

In March 1946 you introduced a bill, S. 1950, providing for the repeal of this war measure, but as the ore-shipping season advanced, it became apparent that the Canadian vessels would continue to be needed for moving ore between United States ports, so no action was taken on the bill. Thus, Canadian vessels continued to be utilized in this trade in 1947, just as they had been since 1941. However, by Senate Joint Resolution No. 123, introduced on June 10, 1947, passed, and approved by the President on July 25, the law permitting such use of Canadian vessels was repealed, effective 6 months thereafter—in January 1948.

This action was taken, along with other actions of Congress and of the President, terminating wartime emergency legislation. Since the passage of this resolution, however, it has become increasingly evident that it was mistaken in its timing, as Canadian vessels will be again needed in 1948, even more than they were in 1947.

The importance of the general coastal shipping laws for protection of American shipping is fully recognized by the producers and consumers of iron ore. They have no intention of jeopardizing this protection. Nevertheless, the continuing extraordinary requirements of the American iron and steel industry for iron ore—at least through 1948—make it imperative that "no stones be left unturned" to enable the needed tonnage of ore to be transported. The uncertainties as to weather conditions on the lakes which can so adversely affect the ore movement must be anticipated, as must also the possible exceptional needs for shipping capacity for other commodities using lake transportation.



## LEGISLATIVE HISTORY

In the light of all these factors, it now appears imperative to ask Congress again to enact legislation enabling Canadian vessels to move iron ore between United States ports. You can be assured that the producers and consumers of Lake Superior iron ore are in full agreement as to this, and that the American lake shipping companies recognize the situation and offer no objection to this proposal to grant such permission to Canadian vessels during as much of 1948 as they are needed.

Prompt enactment of the necessary legislation is of next importance, so that industry plans can be completed for handling the tremendous 1948 ore movement.

Enclosed is a suggested draft of a resolution, which follows very closely the language of the original bill enacted in 1941.

We would be pleased to have an opportunity to discuss this matter with you some time next week, if possible. Mr. Gillies cannot do so before January 8 or 9, although any day is satisfactory for me.

Thanking you for consideration of this matter, I am,

Sincerely yours,

M. D. HARBAUGH.

### LIGNITE COAL—RESEARCH LABORATORY

*For text of Act see p. 713*

Senate Report No. 905, Feb. 24, 1948 [To accompany H.R. 2453]

House Report No. 862, July 10, 1947 [To accompany H.R. 2453]

The Senate Report repeats in substance the House Report.

*Senate Report No. 905*

THE Committee on Interior and Insular Affairs, to whom was referred the bill, H. R. 2453, to provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite, for the development of new uses and markets, for improvement of health and safety in mining, and for a comprehensive study of the region to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace, having considered the same, report favorably thereon with an amendment and with the recommendation that the bill, as amended, do pass.

The purpose of the bill is to provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite, for the development of new uses and markets, for improvement of health and safety in mining; and for a comprehensive study of the possibilities for increased utilization of lignite resources of the region, to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace. It also authorizes the appropriation of \$750,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the building if sufficient land is not donated; and \$250,000 annually for the maintenance and operation of the experimental

## LIGNITE COAL—RESEARCH LABORATORY

station, including personal services, supplies, equipment, and other necessary expenses.

H. R. 2453 also authorizes and directs the Secretary of the Interior to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

The hearing developed information that the work contemplated by this laboratory would in no way replace or duplicate any research or work now carried on or authorized in connection with synthetic liquid fuels, but rather would it supplement the same. Further, the proposed research laboratory would not duplicate any research now being conducted by the Federal Government in any of the Bureau of Mines' experimental stations, or field laboratories. It would consolidate past and present research on lignite and take over all future research by the Federal Government on lignites in the United States, thus consolidating all of this work in a single research center.

Lignite represents 32 percent of the Nation's coal reserves measured in tons, and about 19 percent measured in heat units. These vast lignite deposits are located in 15 States, and approximately 64 percent, or 600 billion tons, are in North Dakota. Of the total annual lignite production in the United States approximately 95 percent is mined in North Dakota. The laboratory is important in North Dakota because of the tremendous tonnage of raw material in that State. It is of importance to the other States having lignite in that it can be used as a center of research for determining how those lignites can best be utilized.

Although lignite is a chemical raw material containing lignins, resins, waxes, drying oils, chlorophyll, and decomposition products of protein, and has a thousand potential uses, less than 3 percent of the production is processed. Lignite is used almost entirely as a fuel in its native raw state. Because it contains up to 40 percent of moisture by weight, is of a relatively low heating value, and slacks when exposed to air, it is uneconomical to transport any great distance and it is therefore consumed locally. The laboratory research and development would make it possible to use lignite more extensively as a fuel and as a raw material in chemical industries as well as for the processing of ores, particularly iron ore, in the adjoining State of Minnesota.

No opposition was offered to the bill before the committee. This legislation has the support of State universities, research foundations, State joint development commissions, voluntary State-wide development agencies, a State geological survey, the operators, processors, and users of lignite, and the Department of the Interior with its mineral research agency, the Bureau of Mines.

Witnesses at the hearing were in general agreement on the following points:

1. The lignite deposits of the United States constitute a vast reservoir of potential wealth whenever viewed as a source of heat and power or as a storehouse of chemical raw materials.
2. These lignite deposits are not at present being developed in such



## LEGISLATIVE HISTORY

a manner, or to such an extent, as to most effectively serve the interest of the United States either from our peace economy or national defense.

3. True conservation demands the reservation of our higher-rank fuels, such as anthracite and bituminous coals (together with natural gas and petroleum) to those significant uses which cannot be met adequately by low-rank fuels; and that our low-rank fuels, such as lignite, be up-graded through thermal and chemical processing, including conversion into synthetic liquid fuels and industrial chemicals, so that their usefulness to the Nation may be greatly amplified and known petroleum resources may be conserved.

4. There is imperative need for a rational long-time research program which will include the study of the following phases:

- (a) The geology and extent of the lignite deposits.
- (b) Composition and constitution of lignite coal.
- (c) Improvement of mining methods.
- (d) Mechanical preparation of lignite for market and for processing.
- (e) Thermal treatment.
- (f) Chemical processing.
- (g) Development of improved equipment for utilization of lignite.
- (h) Economic studies.

5. Over a period of some 50 years by the United States Bureau of Mines sufficient data have been gathered through research by cooperation with and through the Universities of North Dakota, Minnesota, and Texas to finally plan a rational, integrated, and continuing program of research, national in scope.

6. The lignite industry is being forced to change its point of view and develop a new technology because of Government-financed developments in the fields of hydroelectric power, atomic fission, and solar-energy utilization. Inasmuch as this change is being brought about through the expenditure of Federal funds it is equally necessary that the Federal Government assist the industry in its transition of technology.

7. The national lignite industry both economically and as a contribution to national security is entitled to and can justify the same sort of assistance which Congress has in the past provided the anthracite-coal industry, the bituminous-coal industry, the petroleum industry, and the oil-shale industry.

The favorable report of the Interior Department to the chairman of the House Committee on Public Lands is hereinbelow set forth in full and made a part of this report.

THE SECRETARY OF THE INTERIOR,  
Washington 25, D. C., June 27, 1947.

HON. RICHARD J. WELCH,  
*Chairman, Committee on Public Lands,  
House of Representatives.*

MY DEAR MR WELCH: This is in response to your letter of March 11, in which you requested a report on H.R. 2453, which is a bill to authorize the Secretary of the Interior to construct and operate a laboratory in the lignite-consuming region of North Dakota.

I recommend that H.R. 2453 be enacted, but that the following revisions of language be made:

## ORGANIZED RESERVE CORPS

*In the preamble, add the italicized words:*

"To provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite, for the development of new uses and markets, for improvement of health and safety in mining; and for a comprehensive study of the *possibilities for increased utilization of the lignite resources of the region* to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace."

In section 5, page 3, lines 21 and 22, change the words: "\* \* \* and land for the site of the building if no land is donated" to read, "\* \* \* and land for the site of the building if sufficient land is not donated."

Of the 3.2 trillion tons of coal in the United States, approximately 1 trillion tons are lignite and more than 95 percent of this lignite is located in one area which is comprised of parts of the States of North Dakota, Montana, and South Dakota. North Dakota alone possesses about 600 billion tons of lignite, Montana almost 300 billion, and South Dakota a lesser quantity. The lignite resources of the United States have not been developed fully because of the lack of local markets. Lignite has a lower heating value than other forms of coal and slacks upon exposure to air; therefore, it is not shipped for long distances or stored. Although the United States is fortunate in possessing more than half of the coal in the world, yet some of the higher-rank coals have special uses and we cannot afford to be careless in the utilization of the better coals in this country.

The Bureau of Mines has conducted some research on the properties of lignite and is investigating a method for converting lignite into gas. The development of the lignite resources of North Dakota must be preceded by research. There are possibilities of making a wide variety of solid fuels and gases which could be converted into a number of essential chemicals. H.R. 2453 would provide for necessary research on lignite envisaged in the near future.

In view of my understanding that you desire an immediate report on H.R. 2453, this letter has not been submitted to the Bureau of the Budget for consideration. Therefore, no commitment can be made concerning the relationship of the foregoing views to the program of the President.

Sincerely yours,

J. A. KRUG,  
*Secretary of the Interior.*

## ORGANIZED RESERVE CORPS—INACTIVE DUTY TRAINING PAY

*For text of Act see p. 716*

Senate Report No. 625, July 19, 1947 [To accompany S. 1174]

House Report No. 971, July 17, 1947 [To accompany H. R. 3227]

The Senate Bill was passed in lieu of the House Companion Bill  
and the Senate Report sets out in detail the substance of  
both bills.

*Senate Report No. 625*

THE Committee on Armed Services, to whom was referred the bill (S. 1174) to provide for inactive-duty training pay for the Organized Reserve Corps, to provide uniform standards for inactive-duty training pay for all Reserve components of the armed forces, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.



## LEGISLATIVE HISTORY

### PURPOSE OF THE BILL

The purposes of this bill are (1) to provide uniform standards for inactive-duty training for all Reserve components of the armed forces; (2) to authorize inactive-duty training pay for members of the Reserve Corps of the Army in order to facilitate the procurement, training, and readiness for mobilization of members thereof; and (3) to make several incidental changes in the provisions of the National Defense Act pertaining to the Reserve components of the Army.

### EXPLANATION OF THE BILL

This bill relates to all Reserve components of the Army, including the National Guard, and all Reserve components of the Navy, including the Marine Corps Reserve. The National Guard and the Naval and Marine Corps Reserve under present law are authorized inactive-duty training pay. This bill authorizes inactive-duty training pay for the Army Organized Reserve Corps and provides uniform standards for inactive-duty training for all Reserve components of the armed services. The War Department considers that adequate voluntary reserves cannot be procured, organized, and trained without inducements in the form of inactive-duty training pay.

### SECTIONAL ANALYSIS OF THE BILL

Section 1: This section refers only to the Army and further amends section 1 of the National Defense Act by grouping "the Officers' Reserve Corps, the Organized Reserves, and the Enlisted Reserve Corps" into a Reserve component called the Organized Reserve Corps.

Section 2: This section of the bill refers only to the Army and further amends section 37-a of the National Defense Act by deleting the restriction therein that "a Reserve officer shall not be entitled to pay and allowances except when on active duty."

Section 3: This section of this bill refers to all the Reserve components of the armed services and rewrites section 14 of the Pay Readjustment Act of 1942 to accomplish the following:

(a) Personnel of all Reserve components of the armed services when on active duty in the service of the United States shall be entitled to the same pay and allowances as are authorized for persons of corresponding grade and length of service in the corresponding Regular component of the armed services. This is identical with present law.

(b) This subsection of the bill authorizes personnel of all Reserve components of the armed services to be paid on the same basis as persons of corresponding rank and length of service in the Regular service when participating in full-time training or other full-time duty. However, Reserve personnel may, with their consent, take part in training without pay, or they may be only furnished transportation, subsistence, or commutation.

(c) This subsection prescribes that personnel of all Reserve components shall to the extent provided by law and by appropriations, and under such regulations as the department head may prescribe, receive 1 day's pay for each regular period of training on duty. Each

## ORGANIZED RESERVE CORPS

period of training must not be less than 2 hours and may be performed on Sundays or holidays. Increases in pay authorized by law for flying, parachute jumping, submarine duty, etc., will be paid. Each department head is directed to prescribe the minimum standards to be met before a training period can be counted for pay purposes.

(d) This subsection is applicable to officers of the National Guard, or to Reserve officers of all components commanding organizations having administrative functions connected therewith, and authorizes pay to each such officer up to \$240 a year for satisfactorily performing this administrative work. The amount to be allowed will be determined by the department head. This administrative pay is now authorized for National Guard and Naval and Marine Corps Reserve officers.

Section 4: This section pertains to the Organized Reserve Corps of the Army and rewrites section 55a of the National Defense Act dealing with the organization and training. It authorizes the organization of the Organized Reserve Corps into three classes as follows:

1. Those combat and service types organized with a full complement of officers and men. Only those units considered necessary for prompt mobilization will be included in this category.
2. Those combat and service types generally organized with a full complement of officers and a cadre of enlisted men.
3. Those combat and service types generally organized with a full complement of officers only.

This section further provides that units organized in accord with No. 1 above will assemble for training on the same basis as now prescribed for the National Guard. Training requirements for the National Guard provide a minimum of 48 drills per year plus 15 days of active training. Other units of the Organized Reserve Corps may be assembled for drill not to exceed 50 percent of that authorized for the National Guard. Members of the Organized Reserve receiving pay for inactive training may be ordered to active-duty training for not to exceed 15 days annually.

Section 5 (a): This subsection amends section 92 of the National Defense Act by adding to the provisions of existing law authorization for the National Guard to take part in additional training as provided for the Organized Reserve Corps in section 4 of this bill.

Section 5 (b) amends section 109 of the National Defense Act, regarding the pay of National Guard officers, which has been largely superseded by the Pay Readjustment Act of 1942, and is, at present, obsolete. The new language provides the same scale or basis for pay of National Guard officers as section 4 prescribes for Reserve officers.

Section 5 (c) similarly replaces obsolete provisions of section 110 of the National Defense Act, which deals with the pay of National Guard enlisted men, and provides the same pay scale for such men as section 4 of the bill prescribes for enlisted members of the Organized Reserves.

The cost of this bill, S. 1174, cannot be estimated accurately at this time. There will obviously be some increased cost, due to the payments to officers and enlisted men of the Army's Organized Reserve Corps, for



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participation in drills and training. However, the amount of such cost will depend, first, upon the extent to which the Army Reserve program is implemented, and, second, upon the size of the annual appropriations for reserve training activities. Such expenditures will accordingly be subject to yearly examination and control by the Congress.

### WAR DEPARTMENT RECOMMENDATIONS

The War Department recommends the enactment of this bill, as indicated in a letter from the Secretary of War dated April 25, 1947, to the chairman, Senate Armed Services Committee, as follows:

APRIL 25, 1947.

HON. CHAN GURNEY,

*Chairman, Committee on Armed Services,  
United States Senate.*

DEAR SENATOR GURNEY: There is enclosed draft of a bill to provide for inactive-duty training pay for the Organized Reserve Corps, to provide uniform standards for inactive-duty training pay for all Reserve components of the armed forces, and, for other purposes, which the War Department recommends be enacted into law.

The purpose of the proposed legislation is (1) to provide uniform standards for inactive-duty training pay for all Reserve components of the armed forces; (2) to authorize inactive-duty training pay for members of the Reserve Corps of the Army in order to facilitate the procurement, training, and readiness for mobilization of members of such Reserve Corps; and (3) to make several incidental changes in the provisions of the National Defense Act pertaining to the Reserve components of the Army.

The proposed bill is the result of a study which originated with War Department plans for the organization and training of the members of the Reserve Corps in preparation for future emergency. It was early decided that adequate voluntary Reserve procurement, organization, and training would require inducements in the form of inactive-duty training pay.

A section-by-section explanation of the provisions of the proposed legislation follows:

Section 1: The amendment to section 1 of the National Defense Act, as amended, is to group "the Officers Reserve Corps, the Organized Reserves, and the Enlisted Reserve Corps" into a Reserve component called the Organized Reserve Corps.

Section 2: Deletes the restriction presently contained in section 37a of the National Defense Act against Reserve officers receiving pay and allowances except when on active duty.

Section 3: This section of the proposed bill makes extensive amendments to section 14 of the Pay Readjustment Act of 1942, as amended, and is the vehicle used for providing uniform standards for all Reserve components of the armed forces with respect to inactive-duty training pay. The letters in parentheses below refer to similarly lettered paragraphs in the proposed revision of section 14 of the Pay Readjustment Act.

(a) This is the same as now provided in section 14 of the Pay Readjustment Act.

(b) This paragraph under existing law applies only to the National Guard. The proposed revision enlarges it to include all Reserve components engaged on full-time training duty. It prescribes training or other duty without pay and authorizes transportation to and from such training or duty, with subsistence en route, at Government expense.

(c) This paragraph under existing law applies only to the National Guard. The proposed revision enlarges it to cover inactive-duty

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training pay for all Reserve components. While this paragraph does not specify details regarding the minimum standards necessary before a period of instruction or appropriate duty may be counted for pay purposes, it specifically directs the head of the department concerned to do so. It provides maximum flexibility in that the head of the department concerned may prescribe the maximum and minimum number of paid periods of instruction for, and with permitted differences between, each of the several classes of Reserves prescribed within each of the Reserve components of the armed forces.

(d) This paragraph under existing law applies only to the National Guard. The proposed revision enlarges it to cover administrative pay for all Reserve components.

Section 4 amends section 55a of the National Defense Act of 1916, as amended, pertaining to organization and training of the Organized Reserve Corps. It authorizes the organization of the Organized Reserve Corps into three classes and, in the interest of flexibility, delegates to the Secretary of War all matters of organization, training, and administration. It authorizes inactive-duty training pay "as provided in section 14 of the Pay Readjustment Act of 1942, as amended"; provides for annual training duty not to exceed 15 days; and authorizes additional training or other duty, with or without pay, when consented to.

Section 5a amends section 92 of the National Defense Act of 1916, as amended, by adding to the provisions of existing law authorizing National Guard training language with respect to authorized additional training or other duty as is provided for the Organized Reserve Corp<sup>s</sup> in section 4 of the bill.

Section 5b amends the portion of section 109 of the National Defense Act which has been superseded by existing provisions of the Pay Readjustment Act of 1942 and is, at present, obsolete. The new language relating to pay for National Guard officers is the same as provided for the Organized Reserve Corps in section 4 of the bill and refers the matter of inactive-duty training pay to the Pay Readjustment Act, the vehicle used in section 3 of the bill for providing a uniform standard for such pay for all Reserve components of the armed forces.

Section 5c: The comments made above on section 5b of the bill apply equally with respect to the amendments provided by section 5c of the bill to section 110 of the National Defense Act, pertaining to pay for National Guard enlisted men.

Enactment of the proposed legislation would cost the Government approximately \$130,540,000 annually.

The Bureau of the Budget has been consulted and advises that there would be no objection to the submission of this proposed legislation to Congress for its consideration if revised so as to provide that pay each drill or equivalent duty is based on one-thirtieth of a month's base pay rather than one-thirtieth of base and longevity pay.

Sincerely yours,

ROBERT P. PATTERSON,  
*Secretary of War.*



## LEGISLATIVE HISTORY

### KLAMATH WELFARE ACT

*For text of Act see p. 721*

Senate Report No. 933, Feb. 25, 1948 [To accompany H.R. 2502]

House Report No. 911, July 14, 1947 [To accompany H.R. 2502]

The Senate Report includes the House Report and carries additional information.

*Senate Report No. 933*

THE Committee on Interior and Insular Affairs, to whom was referred the bill (H. R. 2502) providing a per capita payment of \$500 to each of the members of the Klamath Tribe, the general welfare of said tribe and for other purposes, having considered the same, report thereon with the recommendation that it do pass with the following amendment: \* \* \*

This bill has been considered by the Committee on Public Lands of the House; on July 14, 1947, that committee submitted its report (H. Rept. No. 911) recommending its passage, and on January 19, 1948, it passed the House.

The provisions of the bill which your committee recommends be stricken would authorize and delegate the power and authority to the Secretary of the Interior and the General Council of the Klamath Tribes to eliminate from the Klamath tribal roll certain members or class of members. The representatives of the Bureau of Indian Affairs and the attorney for the Klamath Tribes appeared before your committee and urged the retention of this provision, stating that it was desired to eliminate certain members of the Modoc Tribes who have land allotment and reside in the State of Oklahoma.

Your committee is informed that the said Modoc Tribes were enrolled on the present Klamath roll approximately 20 years ago, and have participated in all the per capita disbursements made to the enrollees of the Klamath Tribes, including the \$2,000 made to each Indian on the said Klamath roll, which \$2,000 disbursement was made available principally out of the proceeds of a judgment against the United States in the sum of \$5,298,326.32 received by the Klamath Tribes in 1939. The judgment of your committee is that if the Secretary of the Interior and the General Council of the Klamath Tribes are desirous of eliminating the said Modoc Tribes, who reside in Oklahoma, legislation should be introduced for that specific purpose in order that such proposed legislation be fully considered by your committee and the Modoc Tribes be afforded an opportunity to be heard on such proposed legislation.

The disbursement of \$500 to each member of the Klamath Tribes will leave between \$1,000,000 and \$1,500,000 in the capital reserve of the Klamath Tribes, drawing 4 percent interest, in addition as of April 30, 1947, par value of group investments of individual funds was \$525,000 and \$282,895 invested in bonds for specific individuals. There are no tribal funds invested in bonds. All tribal funds are deposited in the Treasury of the United States drawing 4 percent interest.

## KLAMATH WELFARE ACT

The facts concerning this proposed legislation are fully set forth in said House Report No. 911, a copy of which is attached hereto and made a part of this report, as follows:

[H. Rept. No. 911, 80th Cong., 1st sess.]

The Committee on Public Lands, to whom was referred the bill (H.R. 2502) to provide for the general welfare and advancement of the Klamath Indians in Oregon, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 2, line 2, strike out the figure "\$1,000" and insert "\$500."

Page 4, line 4, strike out the figure "\$1,000" and insert "\$500."

### EXPLANATION OF THE BILL

The purpose of this bill is to make a per capita distribution of money now held in trust for members of the Klamath Indian Tribes.

The Klamath Indians, in Oregon, are among the most highly developed in the United States. Their living standards are comparable to those of white communities in contiguous territory. From the evidence given to this committee, it appears that they have moral and economic standards of the highest order. They are a people who, generally speaking, recognize their responsibilities and accept the same.

Almost \$2,500,000 have been accumulated in the capital reserve fund to the credit of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians usually referred to as the "Klamath Tribes." There are between 1,500 and 1,600 Indians in these tribes.

H.R. 2502, as introduced, provided for the distribution of \$1,000 to each of these Klamath Indians. This would have left remaining in the capital reserve of the tribe approximately \$750,000.

After hearing evidence submitted by the Bureau of Indian Affairs, Department of the Interior, as well as tribal delegates, and with due consideration to an unfavorable report from the Department of the Interior on the question of distributing \$1,000 to each member, the committee has amended the bill to provide for the distribution of \$500 to each member. This will then leave between \$1,000,000 and \$1,500,000 in the capital reserve of the Klamath Indians. This sum is more than sufficient to meet any needs which a representative of the Bureau of Indian Affairs was able to assign.

The payment of this money will actually effect a saving to the Federal Government because these tribal funds are now on deposit in the United States Treasury drawing 4 percent interest.

The bill amply provides for the repayment either to the United States or to the tribal funds of any debt or debts contracted for by any individual member before making this payment.

In addition, the bill authorizes the payment of \$200 in cash to honorably discharged Indian veterans of the armed forces of the United States as was recommended by their tribal council.

The committee unanimously recommends early enactment of H.R. 2502.

There is appended hereto and made a part of this report the communication from the Department of the Interior dealing with this bill, as follows:

DEPARTMENT OF THE INTERIOR,  
Washington 25, D. C., April 24, 1947.

Hon. RICHARD J. WELCH,

*Chairman, Committee on Public Lands,*

*House of Representatives.*

MY DEAR MR. WELCH: This letter is in reply to your request for a report on H.R. 2502, a bill to provide for the general welfare and advancement of the Klamath Indians in Oregon.



## LEGISLATIVE HISTORY

Although I have no objections to minor provisions of the bill, I am opposed to the major one. I recommend, therefore, that it be not enacted.

Contrary to its title, it is not, in my opinion, for the general welfare and advancement of the Klamath Indians. Its major purpose is to require the distribution, to every living enrolled man, woman, and child of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, of the sum of \$1,000. This payment would be made out of the tribal capital reserve fund held in the United States Treasury and would total approximately \$1,500,000. A second provision of the bill would direct the payment of an additional sum of \$200 to each member of the Klamath Tribe honorably discharged from service to the United States in its armed forces.

In 1939, the Klamath Tribe received the net proceeds of a judgment against the United States in the sum of \$5,298,326.32. This award represented, in brief, the value of certain land improperly taken from the tribe, less expenditures by the United States for the benefit of the Indians. The money, in other words, was in effect the replacement of a tribal asset. The Indians at first insisted that the entire sum be forthwith prorated to all the enrolled members, but this Department, as indicated by the Acting Secretary's report of June 7, 1939, to the chairman of the House Committee on Indian Affairs, believed that a substantial portion of the fund should be held as a tribal capital reserve. After many lengthy discussions with the delegates and the attorneys representing the tribe, a compromise plan was worked out and was accepted by the Klamath Indians in general council. The act of August 7, 1939, embodied the approved plan.

The act authorized the disbursement of \$2,000 to each Indian. The share of each adult was immediately available for expenditure under rules and regulations promulgated by the Secretary of the Interior. The shares of the minor children were divided, \$1,500 being made immediately available, and \$500 being held in reserve until the child should reach his majority. As an example a family of four, composed of husband, wife, and two children, had available at once a total of \$7,000.

The years following the distribution of these sums were generally prosperous for the Klamaths. They were years of full employment and high wages. Many of the Klamaths made use of these opportunities. Even those who were unwilling or unable to work shared in the prosperity, for each Klamath Indian, during that period, received \$400 per annum from the sale of tribal timber. It is evident, therefore, that the Klamath Indians have just come through a period of high incomes.

The future is not sure. It is true that the capital fund, in accordance with the act of August 7, 1939, previously mentioned, is being increased each year by \$50,000 reserved from tribal income, but at this rate 30 years would be required to replace the \$1,500,000 proposed to be expended under the pending bill. It is also true that the Klamath tribal forests are being managed on a basis of sustained yield, and that income from stumpage sales should continue indefinitely. It is certain, however, that the income will diminish sharply in a few years, when the first cutting cycle will have been completed. Indeed, the forecast of stumpage income for 1947 indicates that the payments per capita in 1947 will probably be lower than the \$400 paid in recent years.

I am pleased to report that the tribal officials, perhaps with few exceptions, realize this situation and are planning accordingly. It is important that the tribal assets and funds be conserved and that they not be distributed per capita regardless of need. I can understand the clamor for the distribution of this estate, for it seems to the individual like unearned income. Nevertheless, I believe that the Indians should be encouraged to engage in a program for betterment of their conditions and that additional tribal funds should be made available to expand and increase the loans to families so that they may become economically self-supporting.

Representatives of the tribe have argued that this per capita distribution is needed to enable individuals to purchase equipment and supplies, not

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available during the war, or to replace those which have worn out; also to enable families to enlarge their livestock holdings. These purposes can be accomplished through loans from the tribal funds, without paying \$1,000 to each individual. Capital assets of the tribe should not be dissipated for household articles, for current operating expenses, for medical services, or for subsistence.

This bill would also authorize the Secretary of the Interior, with the consent and recommendation of the tribal governing body, to eliminate from the roll any member or class of members for such cause as shall be found just and reasonable upon investigation. I have no objection to legislation of this kind. Knowing something of the problems peculiar to the Klamath Tribe, I see justification for legislation to permit the tribe to remove from its rolls the names of some Indians, provided, of course, that the individuals affected may have full opportunity to be heard before any such action is taken. This should be separate legislation not tied up with the proposal to prorate the tribal funds.

I would not oppose the desire of the tribe to reward its members who served in the armed forces of the United States during the Second World War, although I question its value. These members are eligible to, and will receive, all the benefits available to other veterans. They have received all payments made to members of the tribe, and they will be eligible to GI or tribal loans or both, all benefits extended to veterans, and any State bonuses which may be paid.

Because of the need for haste, I cannot state the relation of this bill to the program of the President.

Sincerely yours,

OSCAR L. CHAPMAN,  
*Under Secretary of the Interior.*

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*For text of Act see p. 722*

Senate Report No. 896, Feb. 18, 1948 [To accompany S. 2182]

House Report No. 1560, Mar. 13, 1948 [To accompany S. 2182]

The House Report repeats in substance the Senate Report

*House Report No. 1560*

THE Committee on Banking and Currency, to whom was referred the bill (S. 2182) to extend certain provisions of the Housing and Rent Act of 1947, to provide for the termination of controls on maximum rents in areas and on housing accommodations where conditions justifying such controls no longer exist, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment strikes out all after the enacting clause of the Senate bill, and inserts an amendment in the nature of a substitute. The text of the matter inserted appears in italic type in the bill herewith reported to the House.

## GENERAL STATEMENT

### TITLE I

Last year the Congress in the Housing and Rent Act of 1947 removed practically all controls on building materials in the firm belief



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that such controls, however well intended, actually were impeding the production and flow of materials necessary for expansion of the home-building industry. Results indicate the wisdom of the action taken. In 1947 an estimated 835,100 new permanent family dwelling units were completed or almost double the 437,800 such units completed in 1946. The year 1947 in the home-building field was the largest in number of permanent units completed in over 20 years and approached the rate of activity reached in the building boom of the middle twenties.

One of the permissive restrictive provisions on construction which was continued by the Housing and Rent Act of 1947 was the authority for the Housing Expediter to require a permit for construction for amusement or recreational facilities and then deny or permit such construction. The Housing Expediter testified before the committee that in the period from July 1, 1947, until January 23, 1948, there were approved 634 applications in the amount of \$23,898,841 for such construction and there were denied 1,778 such applications in the amount of \$76,366,839. The Housing Expediter further stated that recreational and amusement construction represented only about 6 percent of the total construction industry.

Actually the percentage is much lower even than stated by the Housing Expediter. According to the construction records of the Bureau of Labor Statistics (February 1948 issue of the Monthly Labor Review) total new construction of all kinds in the period July 1947-January 1948 amounted to \$8,570,000,000 and of this total residential construction amounted to \$3,590,000,000. It will be seen that by taking the Housing Expediter's figures of applications for recreational and amusement construction, both issued and denied, that the total amounts to only \$100,265,680 or only slightly over 1 percent of total of all new construction during the period. The Housing Expediter further pointed out that even on recreational and amusement permits denied there was no assurance that materials saved would be used in housing, and further that his office did not have sufficient personnel to police, denial or violations of such applications. There is the further fact that many materials which would be used in recreational and amusement construction would have no application in housing use. All things considered, the committee was of the opinion that authority for limiting recreational and amusement construction should be stricken from the bill.

The Housing and Rent Act of 1947 protected any allocation made or committed or priorities granted for building materials to veterans of World War II and their families under Public Law 388, of the Seventy-ninth Congress. This protection was continued in effect in this bill to honor any such commitments which might still exist.

The committee also continued until March 31, 1949, the 30-day preference accorded veterans of World War II and their families in the rental or purchase of newly constructed housing accommodations.

The committee purposely did not take action with respect to section 2 of title I of the act which relates to expiration on March 31, 1948, of mortgage insurance under title VI of the National Housing Act for the reason that separate legislation on this question will be considered and acted upon by the committee within the next few days.

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### TITLE II—MAXIMUM RENTS

The committee made several changes in title II of S. 2182. The following résumé will point out the principal difference between the Senate bill and the committee amendment thereto.

The committee has not changed the declaration of policy that exists in present law. It was felt advisable not to do so, inasmuch as the constitutionality of title II of the Housing and Rent Act of 1947 has been upheld by the Supreme Court (in the case of *Woods v. Miller Co.*, No. 486, October term, 1947) decided February 16, 1948. The Senate bill while reaffirming the declaration of policy contained in existing law added language which purported to strengthen the declaration of policy against constitutional attack. This committee, by its action in recommending an extension of the Housing and Rent Act of 1947, in effect reaffirms, as of this date, the declaration of policy in such act. In view of the recent Supreme Court decision in the Miller case, the committee is of the opinion that it would be unwise to disturb this section of the act since, as a result of its recent full and complete hearings on the necessity for continuing rent controls, it has found that an emergency still exists with respect to rental housing accommodations and that it is necessary for a further limited time to continue certain restrictions upon rents.

Section 202(c) of existing law excludes by definition certain housing accommodations from rent control. "Included in this category are housing accommodations in an establishment commonly known as a hotel, which are occupied by persons provided customary hotel services. By substituting the words "to whom are made available" for the words "who are provided" in referring to such services, the Senate bill would broaden the housing accommodations exempted from control by such definition. The reason that these housing accommodations were originally exempted was that they involved the rent of both space and services. In view of the fact that hotel service costs had shown such a substantial increase, the Congress last year took recognition of this fact. The committee is of the opinion that actual provision of such services should be the test rather than the fact that they were merely offered. The act originally set forth examples of such services which were listed for illustrative purposes. The present language of the act does not require that all of the services set forth in the definition have to be provided in order to qualify the unit for decontrol and the committee believes that the Senate language "(but not necessarily including all of such services)" may be too broad in that it might permit the decontrol of housing accommodations where only one of the services might be provided.

The Senate bill would exempt from rent control nonhousekeeping, furnished housing accommodations located within a single-dwelling unit not used as a rooming or boarding house and the remaining portion of which is occupied by the landlord, or his immediate family. Under the existing law such accommodations are not exempted from rent control, but under the eviction section the landlord may recover possession of any accommodation so rented. The committee believes that the provisions of existing law properly meet the problems presented by this



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class of housing accommodations. The landlord has the right to recover possession of such accommodations and it is proper that he should have such right. With this right of recovery of possession existing it seems proper that such accommodations, where subject to rent control, should be continued as controlled housing accommodations. For instance, this class of housing accommodations, undoubtedly affords an important part of the housing accommodations available to GI's and their families in communities where GI's are pursuing their educational opportunities under the GI bill of rights.

Subsection (b) of section 204 of the present law continued in general maximum rents in effect on June 30, 1947, with a proviso requiring the Housing Expediter to make such adjustments as necessary to correct inequities, and make provision for voluntary leases for rent increases not exceeding 15 percent. The Senate bill would rewrite the language of the proviso concerning adjustments of inequities by providing that adjustments shall be made to prevent any person from suffering a loss in the operation of any controlled housing accommodations and that such adjustments should not be construed to deprive the Housing Expediter of authority, where required to remove hardships or correct inequities, to make adjustments in such a manner as to allow any such person to make a profit from such operation. Under such language it would be necessary for the Housing Expediter to make an untold number of audits of individual properties to establish the fact as to whether or not all such properties were being operated at a profit or loss. It could become a most cumbersome, if not impossible, provision to administer. The committee has rewritten this proviso in a manner to require the Housing Expediter to make such adjustments in maximum rents, individual and general, with respect to any housing accommodations or any class of housing accommodations within any defense rental area, or portion thereof, as may be necessary to remove hardships, or correct other inequities, or further to carry out the purposes and provisions of this title. The committee desires to reemphasize the necessity for the Housing Expediter to make such adjustments in maximum rents as are necessary to remove hardships and correct other inequities.

The committee fully recognized that in the extension of rent control that consideration would have to be given to cases where tenants and landlords had signed voluntary leases under the existing law. The problems raised by such leases fall into two categories. In the first category, there are those cases where such leases had, or might terminate during the period January 1, 1948, to the date of enactment of this act. It will be remembered that the housing accommodations with respect to which such leases were entered into, although subject to the rental in the lease, actually became decontrolled as of December 31, 1947. The attention of the committee has been called to many cases where such leases have been terminated, by death or otherwise, and the owners of the properties have made substantial investments in capital improvements to the property. Such improvement of the property was a consideration in any agreement the landlord might have made with a new tenant. In view of this the committee thought it inadvisable to re-control these properties and roll back the rents as does the Senate bill.

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In the second category there are those cases where such a 1947 lease might be terminated after the effective date of this act and prior to March 31, 1949. In these cases the committee amendment provides that such housing accommodations remain subject to a maximum rent not to exceed 15 percent over the maximum rent which in the absence of a lease would be in effect with respect thereto on the effective date of this act.

The committee amendment also makes provision for landlords and tenants (including landlords and tenants who entered into so-called 1947 leases, and any new tenants) to enter into voluntary leases in good faith provided that the lease takes effect on or after the effective date of this act and expires on or after December 31, 1949, and provided that a true and duly executed copy of such lease is filed within 15 days of its execution with the Housing Expediter, and provided that the rent agreed upon in the lease is not in excess of 15 percent over the maximum rent which in the absence of a lease would be in effect with respect to such housing accommodations on the date of enactment of this act. Thereafter such housing accommodations shall not be subject to any maximum rent established or maintained under the provision of this act unless such lease is terminated before March 31, 1949. If any such lease is so terminated the maximum rent shall be not in excess of 15 percent over the maximum rent which in the absence of a lease would be in effect with respect thereto on the date of enactment of this act. There are three differences between the Senate bill and the committee amendment with respect to such leases: (1) The committee amendment would permit such leases to be entered into until March 31, 1949, while the Senate bill would require the lease to be entered into on or before December 31, 1948; (2) the Senate bill provides that at the time of filing a copy of the lease there should also be filed with the Housing Expediter a statement signed by the tenant in which the tenant states that he entered into the lease voluntarily and fully understood that if he did not enter into such lease he could not be compelled to vacate—the committee amendment does not include the requirement of filing such a statement; (3) the Senate bill would require a landlord to file a report with the Housing Expediter of any termination of a lease entered into, pursuant to the provisions of section 204 (b), before or after the enactment of this act. This provision was not included in the committee amendment.

The principal difference between the Senate bill and the committee amendment is the inclusion in the latter of authority which would permit local advisory boards, under standards applicable to the Housing Expediter and under certain other conditions, (1) to effectuate decontrol of any or all maximum rents in the area, or any portion thereof, over which the local board has jurisdiction, or with respect to any class of housing accommodations within such area, or any portion thereof, if in the judgment of the local board the need for continuing maximum rents in such area or portion thereof or with respect to such class of housing accommodations no longer exists, due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met; and (2) to make adjustments, other than individual adjustments, in maximum rents in such area



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or any portion thereof or with respect to any class of housing accommodations within such area or any portion thereof, deemed by the local board to be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of this act.

Any such recommendation of a local board referred to in (1) above shall be deemed to be appropriately substantiated and in accordance with applicable law and regulations, and shall be carried into effect by the Housing Expediter, if the local board held a public hearing on such matter at which interested persons, including representatives of the State and local political subdivisions thereof, were given a reasonable opportunity to be heard, with right to be represented by counsel, and if notice of the date, time, place, and purpose of such hearing was given in writing to the governor of the State not less than 15 days prior to such date, and by publication in a newspaper of general circulation in the area over which the local board has jurisdiction at least 15 days prior to such date and a second notice also was given by publication in such a newspaper at least 5 days prior to such date, and if a copy of the local board's recommendations was filed with the governor of the State within 5 days after such recommendation was mailed to the Housing Expediter. If any such recommendation of a local board is made in conformity with the standards and procedures hereinabove outlined, such recommendation shall be carried out by the Housing Expediter so that the decontrol is effected on the date recommended by the local board, but not before 60 days after receipt of the recommendation by the Housing Expediter. However, during the period of 90 days, beginning with the date on which such decontrol is effected, the eviction provisions of section 209 of the act shall be in effect as though such decontrol had not been effected.

In the case of a recommendation of a local board, set forth in (2) above, relating to maximum rent adjustments, which conforms to the provisions requiring the holding of a public hearing, reasonable opportunity of interested persons to be heard, notice and purpose of such hearing given in writing to the governor of the State, and publication of same in a newspaper of general circulation in the area over which the board has jurisdiction, then such recommendation shall be carried out by the Housing Expediter so that the adjustment in maximum rents is effected on the date recommended by the local board but not before 30 days after the receipt of the recommendation by the Housing Expediter.

The committee believes that the increased tempo of residential construction of last year, under which approximately 850,000 new permanent residential housing accommodations were constructed, has in some measure relieved the serious housing shortage in certain areas of the country. It is hoped that the momentum of last year's building program will carry through the remainder of this year to further relieve the present shortage of rental housing accommodations throughout the country. In view of last year's building program and the expectation that its momentum will carry through the present year, it readily becomes apparent that such a volume of new housing construction will have a definite effect in meeting the shortages in various areas throughout the country. In addition to this increased volume of residential construction, it is acknowl-

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edged that shifts in population resulting from readjustment from war conditions have a direct bearing upon the demand for housing accommodations in such areas. In appraising these conditions, which have a direct bearing on the local housing demand-supply situation, a local board composed of citizens of the area who, insofar as practicable as a group, are representative of the affected interests in the area are in the best position to evaluate the housing requirements of the community.

The local board enjoys an intimate familiarity with the needs of its own community and during the transition period can more adequately determine the communities' needs and requirements with respect to rent control or the adequacy of the general rent level than could the Office of Housing Expediter which, through necessity, must operate on a national scale and whose area offices even exercise jurisdiction over extended areas.

The local board does not consist of elected officials, and the members thereof have assumed their positions in the same patriotic spirit as those loyal citizens who so effectively served on local draft boards during the war. The issue might be raised that because the members of a local board are not elected that they are not responsive to the needs of the people. The people serving on local boards will have to live with the decisions they make, and there should be no fear that their decisions will not be entirely responsive to the needs of the people, particularly under the provisions of the committee amendment which require hearings, due notice thereof to affected parties, opportunity to be heard, and adequate standards for the board's guidance.

Provision was made in the Housing and Rent Act of 1947, which became law on July 1, 1947, for the appointment of such local boards. There are 665 local rent boards now operating in 553 defense rental areas.

The committee amendment would add a new subsection to section 204 of the Housing and Rent Act of 1947 denying the Housing Expediter any authority to prohibit the demand, collection, or retention of a security deposit in any rental agreement hereafter entered into, if such deposit is not in excess of 1 month's rent over the rent otherwise permitted to be collected in advance. This provision is in accord with normal business practices in certain areas.

The committee amendment does not include the broadening of the use of the injunction to make it applicable in the case of any violation of any provision of title II as provided in the Senate bill. Section 205 (a) of the Senate bill added certain new grounds for eviction, one of which would authorize the maintenance of an eviction action or proceeding where the landlord seeks in good faith to recover possession of housing accommodations for the immediate and personal use and occupancy as housing accommodations by his father, mother, grandfather, grandmother, son, or daughter. In lieu of listing the specific relatives of the landlord, as is done in the Senate bill, the committee amendment substitutes therefor the words "by a member or members of his immediate family." Several cases were brought to the attention of the committee which would merit eviction for the purpose set forth in the Senate bill but which would not qualify for eviction because the person for whose use recovery was desired was not specifically enumerated therein. One example of such a case



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was that of the father of a deceased veteran of World War II who desired to recover possession of an apartment owned by him for the immediate and personal use of the widow and children of his deceased son. As stated, several other cases were mentioned, and the committee feels that the broader language included in its amendment will more adequately cover the situation desired to be remedied.

Section 304 of the committee amendment would extend until April 1, 1949, the provisions of section 2 of Public Law 301, Eightieth Congress, approved July 31, 1947, relating to eviction of tenants from publicly operated housing accommodations.

In the main the provisions discussed up to this point in the report have concerned the differences between the Senate bill and the committee amendment. All of the provisions of the committee amendment are explained in the following section by section analysis.

### SECTION BY SECTION EXPLANATION OF THE COMMITTEE AMENDMENT

#### SECTION 1

This section provides that the act may be cited as the "Housing and Rent Act of 1948."

#### TITLE I.—AMENDMENTS TO TITLE I OF HOUSING AND RENT ACT OF 1947

##### SECTION 2

This section repeals subsection (b) of section 1 of the Housing and Rent Act of 1947. That subsection authorized the Housing Expediter, whenever he determined that there was a shortage, or that there was likely to be a shortage, of building materials, to establish by regulations or orders a system under which a person desiring to construct buildings or facilities to be used for amusement or recreational purposes would be required to obtain permits.

##### SECTION 3

This section amends section 4 of the Housing and Rent Act of 1947 by striking out "April 1, 1948" wherever such date appears and inserting in lieu thereof "April 1, 1949". The effect of this amendment is to extend for an additional year the provisions of such section 4 assuring to veterans of World War II and their families a preference or priority with respect to the purchase or rental of newly constructed housing accommodations.

#### TITLE II—MAXIMUM RENTS

##### SECTION 201

This section rewrites paragraphs (2) and (3) of section 202 (c) of the Housing and Rent Act of 1947, and also adds a new paragraph (4).

Paragraph (2), which decontrolled motor courts and tourist homes, is changed so as to include trailers and trailer space. This ratifies what has already been done by regulation of the Housing Expediter.

Paragraph (3), which excepted from control, among other accommodations, housing not rented to others than the occupant's immediate fami-

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ly between February 1, 1945, and January 31, 1947, is changed so as to exclude from control any housing accommodation not so rented for any successive 24-month period during the period from February 1, 1945, to the date of enactment of the new law; except that the word "occupant" has been changed to "landlord," the latter term being deemed more accurate. Also excluded from control are housing accommodations the construction of what was completed on or after February 1, 1945, and prior to February 1, 1947, and which between the date of completion and June 30, 1947, both dates inclusive, at no time were rented other than to members of the immediate family of the landlord.

The new paragraph (4) would decontrol any housing accommodations leased temporarily by a State or a political subdivision of a State during the period between acquisition of the same for purpose of public improvement and the construction of the improvement.

### SECTION 202

This section makes a number of amendments to section 204 of the Housing and Rent Act of 1947.

Subsection (a).—This subsection makes an amendment to continue the Housing Expediter and the Office of Housing Expediter until the close of March 31, 1949.

Subsection (b).—This subsection modifies the proviso contained in section 204 (b) of present law relating to the making of adjustments, by the Housing Expediter, in maximum rents. Under the present proviso, he is directed to make "such adjustments" as may be necessary to correct inequities or further to carry out the purposes and provisions of the title. The bill modifies the proviso so as to require the Housing Expediter to make such individual and general adjustments in maximum rents in any defense-rental area or any portion thereof, or with respect to any housing accommodations within any such area of any portion thereof, as may be necessary to remove hardships or to correct other inequities, or further to carry out the purposes and provisions of the title.

Subsection (b) also inserts in section 204 (b) two paragraphs, designated (2) and (3), which take the place of the present proviso under which authority was granted to tenants and landlords to enter into voluntary leases providing for rent increases of not more than 15 percent. Paragraph (2) deals with the case of landlords and tenants who have heretofore entered into such a lease. In such a case the housing accommodations are not to be subject to any maximum rent established under the title unless the lease is hereafter terminated or expires before March 31, 1949, in which case the maximum rent is to be not in excess of 15 percent over the maximum rent which (in the absence of a lease) would be in effect on the date of the enactment of this legislation. A proviso is included providing that the landlord and tenant (including a new tenant) may enter into a new voluntary lease subject to the conditions, specified in paragraph (3), applicable with respect to landlords and tenants who have not heretofore entered into a voluntary lease. Paragraph (3) authorizes landlords and tenants to enter into voluntary leases hereafter, at a rental agreed upon, but not in excess of 15 percent over the maximum rent which (in the absence of a lease) would be in effect on the date of enactment of this legislation.



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Such a lease, in order to be valid, must expire on or after December 31, 1949; and a true and duly executed copy thereof must be filed with the Housing Expediter within 15 days after the date of the execution thereof. It is provided that the housing accommodations shall not thereafter be subject to any maximum rent established or maintained under the title unless the lease is terminated before March 31, 1949. If such a lease is so terminated, the maximum rent (unless a subsequent lease is entered into shall be not in excess of 15 percent over the maximum rent which (in the absence of a lease) would be in effect on the date of the enactment of this legislation.

Subsection (c).—This subsection amends section 204 (c) of the Housing and Rent Act of 1947, relating to the duty of the Housing Expediter to remove any or all maximum rents in any defense-rental area if in his judgment the need for continuing maximum rents no longer exists due to sufficient construction of new housing accommodations or when the demand for rental housing accommodations has been otherwise reasonably met. By the amendment it is made clear that the Housing Expediter shall decontrol the whole or any portion of a defense-rental area, or any class of housing accommodations in any such area or portion thereof, when, in his judgment, the need no longer exists for continuing maximum rents in such area or portion thereof, or on such class of housing accommodations. Further, it is made the duty of the Housing Expediter to make surveys, from time to time, with a view to carrying out the purpose of the subsection to decontrol housing accommodations at the earliest practicable time.

Subsection (d).—This subsection rewrites section 204 (e) of the Housing and Rent Act of 1947, relating to local boards and their powers.

Paragraph (1) is amended so as to provide that local boards shall consist of members who are citizens of the area affected and who, insofar as practicable, as a group are representative of the affected interests in the area. It is further amended to provide a method of appointment in those cases where a Governor fails to recommend to the Housing Expediter persons for appointment to local boards. It is also amended to provide that before a local board makes a recommendation in any individual adjustment case it must give notice to the parties and hold a hearing at the request of either party.

Subparagraphs (A) and (B) of paragraph (1) have been modified so that the standards to guide local boards, in making recommendations as to decontrol or general adjustments in maximum rents, will be the same as those provided in the title for the guidance of the Housing Expediter.

By amendments to paragraph (3), and by the addition of a new paragraph (4), powers greater than those under the existing law are given to local boards in the case of recommendations for decontrol or for general adjustments in maximum rents. Under present law a local board may make a recommendation to the Housing Expediter, but the Housing Expediter does not have to carry out the recommendation unless in his opinion it is "appropriately substantiated and in accordance with applicable law and regulations." By the new paragraph 4 it is provided that a recommendation on decontrol or as to a general rent adjustment shall be deemed to be appropriately substantiated and in accordance with

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applicable law and regulations (a) if a public hearing was held at which interested persons (including representatives of the State and of political subdivisions thereof) were given a reasonable opportunity to be heard, with right to be represented by counsel; (b) if appropriate notice of the hearing was given to the Governor and in a newspaper of general circulation in the area, and (c) if a copy of the board's recommendation was filed with the Governor within 5 days after transmittal of the recommendation to the Housing Expediter. If the recommendation is with respect to decontrol, the Housing Expediter must carry it out on the date recommended by the local board, but not before 60 days after receipt of the recommendation by the Housing Expediter; and it is provided that, during the 90-day period after decontrol is effected, tenants will have the protection of section 209 as though decontrol had not been effected. If the recommendation is with respect to general rent adjustment, the Housing Expediter must carry it out on the date recommended by the local board, but not before 30 days after the receipt of the recommendation by the Housing Expediter.

The present paragraph (4) of section 204 (e) is renumbered as paragraph (5), and modified so as to require the Housing Expediter to inform the Governors of the several States of the provisions of the subsection as amended.

Subsection (e).—This subsection amends section 204 (f) of the Housing and Rent Act of 1947, so as to continue title II (relating to control of maximum rents) until the close of March 31, 1949.

Subsection (f).—This subsection amends section 204 of the Housing and Rent Act of 1947 by adding a new subsection denying to the Housing Expediter the power to prohibit, in case of rental agreements hereafter entered into, the demand, collection, or retention of a security deposit, if the deposit does not exceed the rent for 1 month in addition to the otherwise authorized collection of rent in advance, and if the tenant is allowed to occupy the premises for a period covered by the security deposit without further payment of rent.

### SECTION 203

This section makes several amendments to section 209 of the Housing and Rent Act of 1947, relating to evictions.

Subsection (a).—Paragraph (2) of section 209 (a) now permits an eviction action by a landlord seeking in good faith to recover possession of the housing accommodations for his immediate and personal use and occupancy. The bill amends this paragraph so as to permit such action where recovery of possession is for the immediate and personal use and occupancy by a member or members of the landlord's immediate family, or, in case of a landlord which is an organization exempt from taxation under section 101 (6) of the Internal Revenue Code, for immediate and personal use and occupancy as housing accommodations of members of its staff. The following proviso is also added:

*Provided*, That in the case of housing accommodations in a structure or premises owned or leased by a cooperative corporation or association no action or proceeding under this paragraph to recover possession of any such housing accommodations shall be maintained unless stock in the



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cooperative corporation or association has been purchased by persons who are then tenants of at least 65 per centum of the dwelling units in the structure or premises and are entitled by reason of stock ownership to proprietary leases of dwelling units in the structure or premises;

Subsection (b).—This subsection rewrites paragraph (4) of section 209 (a), relating to the right of a landlord to recover possession of housing accommodations for the purpose of altering, remodeling, or demolishing the same and replacing them with new construction. As modified, the paragraph will read:

(4) the landlord seeks in good faith to recover possession of such housing accommodations (A) for the immediate purpose of substantially altering or remodeling the same for continued use as housing accommodations, or for the immediate purpose of conversion into additional housing accommodations, and the altering, remodeling, or conversion cannot practically be done with the tenant in occupancy, and the landlord has obtained such approval as may be required by Federal, State, or local law for the alterations, remodeling, or any conversion planned, or (B) for the immediate purpose of demolishing such housing accommodations;

Subsection (c).—This subsection adds at the end of section 209 (a) a new paragraph permitting recovery of housing accommodations by a landlord who seeks in good faith to recover such housing accommodations for the immediate purpose of withdrawing them from the rental market, and it is provided that the housing accommodations shall not thereafter be offered for rent as such.

Subsection (d).—This subsection adds a new subsection at the end of section 209, as follows:

(e) No tenant shall be obliged to surrender possession of any housing accommodations pursuant to the provisions of paragraph (2), (3), (4), (5), or (6) of subsection (a) until the expiration of at least sixty days after written notice from the landlord that he desires to recover possession of such housing accommodations for one of the purposes specified in such paragraphs.

### SECTION 301

This section merely adds ", as amended" after "Housing and Rent Act of 1947" in the text of the Administrative Procedure Act.

### SECTION 302

This section provides that nothing in this act or the Housing and Rent Act of 1947, as amended, shall be construed to require any person to offer any housing accommodations for rent.

### SECTION 303

This section relates to the power to impose maximum rents in the case of housing accommodations which have been decontrolled; and to the effect of the passage of this act on adjustments made under authority of existing law.

### SECTION 304

This section extends the effectiveness of section 2 of Public Law 301, Eightieth Congress, unless April 1, 1949. That section relates to the eviction of tenants from publicly operated housing accommodations.

## NATIONAL FOREST LANDS—USE AND OCCUPANCY

### SECTION 305

This section embodies the language of the usual separability provision, applicable in case of unconstitutionality of any provision of the act.

### SECTION 306

This section relates to the effective date of the act.

## NATIONAL FOREST LANDS—USE AND OCCUPANCY

*For text of Act see p. 729*

Senate Report No. 899, Feb. 20, 1948 [To accompany H. R. 1809]

House Report No. 805, June 8, 1947 [To accompany H. R. 1809]

The Senate Report includes the House Report

*Senate Report No. 899*

THE Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 1809) to facilitate the use and occupancy of national forest lands, and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

The report of the House Committee on Agriculture, Report No. 805, on the bill is attached hereto and made a part of this report.

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[H. Rept. No. 805, 70th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 1809) to facilitate the use and occupancy of national forest lands, and for other purposes, having considered the same, report thereon with a recommendation that it do pass with the following amendment:

Page 1, line 5, following the word "lands" and preceding the word "for", insert the words "in Alaska".

Section 2, lines 10, 11, 12, and 13, page 2, delete in its entirety.

### STATEMENT

This bill is intended to authorize the Secretary of Agriculture, through the Forest Service, to permit use and occupancy of areas up to 80 acres in Alaska national forest lands for various purposes, including residence, recreation, education, industry, agriculture, commerce, public convenience, etc., because of needs in certain cases for more than the 5 acres now authorized. Among the activities requiring more than the land limitation now authorized, need for which was stressed at hearings, was the construction and maintenance of air strips.

The bill was written specifically to allow for the development of Alaska, both as a tourist and vacation area and commercially and industrially, but as first written covered national forest land generally.

Because of the possibility that provisions of the bill might be applied, with effects not as desirable as would be the case in their application to Alaska, the committee's amendments provided for that specific use only.

The bill is approved by the Department of Agriculture, which explains its approval in the following letter:



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DEPARTMENT OF AGRICULTURE,  
Washington, June 10, 1947.

HON. CLIFFORD R. HOPE,  
*Chairman, Committee on Agriculture,  
House of Representatives.*

DEAR MR. HOPE: Reference is made to your letter of February 14 in which you request a report of this Department on H. R. 1809, a bill to facilitate the use and occupancy of national-forest lands, and for other purposes.

The proposed legislation would broaden and make more practicable the authority now included in the act of March 4, 1915 (38 Stat. 1101; 16 U. S. C. 497), which states:

"That hereafter the Secretary of Agriculture may upon such terms he may deem proper, for periods not exceeding thirty years permit responsible persons or associations to use and occupy suitable spaces or portions of ground in the national forests for the construction of summer homes, hotels, stores, or other structures needed for recreation or public convenience, not exceeding five acres to any one person or association, but this shall not be construed to interfere with the right to enter homesteads upon agricultural lands in national forests as now provided by law."

The act of March 4, 1915 (38 Stat. 1101; 16 U. S. C. 497), the only present authority for long term occupancy permits, is applicable only to summer homes, hotels, stores, or other structures needed for recreation or public convenience, and to areas not exceeding five acres. Actually, the forty-odd thousand permits which now authorize the occupancy of national-forest lands represent an entire catalog of uses which range all the way from apiaries to wharves. All circumstances indicate that as this goes on, the number of purposes for which national-forest lands appropriately may be occupied under sound economic jurisdiction will be even greater than at present.

Of course, the large majority of such permitted uses are of relatively short duration or entail only small capital investments. In such circumstances the type of terminable permit, renewable from year to year, which this Department is authorized to issue without limitation as to character of use or area, is adequate. But the justifiable industrial or commercial occupancy of national-forest land progressively suggests more permanent structures and large capital investments, in relation to which the terminable form of permit is commonly regarded as too uncertain of tenure to establish the soundest bases of investment, credit, or financing. The Department believes that where these conditions exist, its administration of the national forests could be made more advantageous to the economy of the local communities if it had the power to issue permits for fixed periods not exceeding 30 years.

The second disadvantage of the present law is its fixation of 5 acres as the maximum area for which a term permit can be issued to any one person or association. For a summer home or a small resort or an ordinary public convenience, 5 acres is adequate, but for the increasingly common type of outdoor camp or lodge with associated dwelling units and service facilities, or for many forms of industrial or commercial use, 5 acres frequently is quite inadequate. For example, there are pulp and paper developments pending in the Tongass National Forest in Alaska which will require large investments and sizable areas for mills and appurtenant facilities. In a good many national forests the tendency is toward logging camps covering good-sized areas to be used over a long period. Winter-sports facilities are often strung out, especially ski lifts, etc., and need elbowroom.

This Department recognizes that a permit for a fixed term of years endows the permittee with certain interests in the area covered by a permit that may be obstructive to other higher types of use which later may become practicable. However, term permits are not now issued until there has been the fullest practicable determination that such ac-

## RURAL MAIL CARRIERS

tion will be compatible or consistent with the best future management of the national forests; nor is a permit made applicable to any greater acreage than is reasonably required to serve the recognized purpose. In the event that the proposed legislation were enacted, the Department would continue to adhere to these principles.

This Department is fully in accord with the purpose of H. R. 1809, and recommended its enactment by the Congress.

The Bureau of the Budget advises that it has no objection to the submission of this report.

Sincerely,

CHARLES F. BRANNAN,  
*Acting Secretary.*

## RURAL MAIL CARRIERS—EQUIPMENT MAINTENANCE

*For text of Act see p. 730*

Senate Report No. 337, June 21, 1947 [To accompany S. 203]

House Report No. 992, July 18, 1947 [To accompany S. 203]

The House Report repeats in substance the Senate Report

*House Report No. 992*

THE Committee on Post Office and Civil Service, to whom was referred the bill (H. R. 1186) to increase the equipment maintenance of rural carriers 2 cents per mile per day traveled by each rural carrier for a period of 3 years, and for other purposes, having considered the same report favorably thereon with amendments and recommend that the bill as amended do pass.

### STATEMENT

The purpose of this bill is to increase by 1 cent the present allowance of 6 cents per mile made to the rural carriers for the use and maintenance of their equipment. The committee held open hearings at which the representatives of rural carriers and the Department both testified. It was the consensus of opinion that rural carriers could not maintain their vehicles under the exacting and difficult conditions under which they operate at the present allowance of 6 cents per mile. This was admitted as well in the Department's official report on the bill. However, the Postmaster General in reporting on the bill stated:

I know that many rural carriers cannot adequately maintain their equipment on the basis of 6 cents per mile because of their inability to obtain new cars or to have the old ones repaired at a reasonable cost. Nevertheless, in view of the fact that the Department is now operating at a deficiency I cannot recommend that favorable consideration be given this legislation.

The bill as originally introduced provided an increase of 2 cents a mile to the equipment and maintenance allowances of rural carriers. This increase was to terminate in 36 months from the effective date of the act or unless terminated sooner by a concurrent resolution. The committee amended this bill by reducing the increase per mile to 1 cent, and limited the time for which the increase would be in effect to 12 months.

The committee feels that conclusive evidence was submitted to the



## LEGISLATIVE HISTORY

effect that rural carriers cannot operate their vehicles on the present basis of 6 cents per mile because of their inability to obtain new cars and the high cost of automobile repairs.

It is pointed out that this increase is only of a temporary nature and will terminate at the end of 12 months.

The total cost of this measure is estimated to be \$4,388,000.

The following is the report of the Postmaster General on this bill:

OFFICE OF THE POSTMASTER GENERAL,  
Washington 25, D. C., February 21, 1947.

HON. EDWARD H. REES,  
*Chairman, Committee on Post Office and Civil Service,  
House of Representatives, Washington 25, D. C.*

DEAR CONGRESSMAN: Your letter of January 25, 1947, requested a report upon H. R. 1186, a bill to increase the equipment maintenance of rural carriers 2 cents per mile per day traveled by each rural carrier for a period of 3 years, and for other purposes.

On the basis of actual estimates for the current fiscal year the cost of equipment maintenance approximates \$4,388,000 per year for each penny authorized, a total of \$26,328,000 for the fiscal year on the basis of 6 cents per mile. If this were increased to 8 cents, the annual cost would be increased by approximately \$8,776,000.

I know that many rural carriers cannot adequately maintain their equipment on the basis of 6 cents per mile because of their inability to obtain new cars or to have the old ones repaired at a reasonable cost. Nevertheless, in view of the fact that the Department is now operating at a deficiency I cannot recommend that favorable consideration be given this legislation.

This Department has been advised by the Bureau of the Budget that there would be no objection to the submission of this report to the committee.

Sincerely yours,

J. M. DONALDSON,  
*Acting Postmaster General.*

## NATIONAL HOUSING ACT—TEMPORARY EXTENSION

*For text of Act see p. 730*

Senate Report No. 1024, Mar. 24, 1948 [To accompany S. 2361]

No House Report was submitted on this legislation

*Senate Report No. 1024*

THE Committee on Banking and Currency to whom was referred the bill (S. 2361) to provide for a temporary extension of title VI of the National Housing Act report favorably thereon and recommend that the bill do pass.

The purpose of the bill is to provide for a temporary extension of title VI of the National Housing Act, pending consideration by the Senate of a longer-term extension and the basic amendments to the act which should be made in connection with such an extension.

Title VI of the National Housing Act contains the authority for the special emergency home mortgage insurance programs under which the Federal Housing Administration insures home mortgage loans on the

## RUBBER ACT OF 1948

basis of "necessary current costs," rather than on the "appraised value" basis used in the regular FHA title II program.

The present expiration date for mortgage insurance operations on the emergency basis under title VI is (with certain limited exceptions) March 31, 1948. It is clear, on the basis of present housing conditions, that an extension of operations under this emergency-period title is necessary. It is equally clear that we cannot rely on emergency aids indefinitely and that it is full time to take affirmative steps to assure the transition from such aids to a more normal long-term type of operation.

In order that there may be time to consider the revisions which should be made in title VI in connection with any relatively long-term extension thereof, and the changes in the title II program which will be required to effectuate an orderly transition, including the revisions recommended by the Joint Committee on Housing, the bill being reported, therefore, extends title VI for a 60-day period and provides an additional \$600,000,000 insurance authorization for this interim period. At the same time, because of the strong inflationary pressures currently prevailing, the bill provides, in connection with section 603 sales housing, for a change from the emergency necessary current-cost formula to the appraised-value formula. This change should be made now because we are at the threshold of the building season, so that it is particularly important to assure that the temporary extension of title VI will not contribute added inflationary pressures. At the same time, the value of title VI as a source of production credit to the home-building industry would be continued through the retention of the 90-percent firm commitment to builders (which is not now available under title II), although it would be on the sounder basis of value as contrasted with the present system based on estimates of necessary current cost.

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*For text of Act see p. 731*

Senate Report No. 1015, Mar. 19, 1948 [To accompany H.R. 5314]

House Report No. 1409, Feb. 19, 1948 [To accompany H.R. 5314]

The Senate Report repeats in substance the House Report.

*Senate Report No. 1015*

THE Committee on Banking and Currency, to whom was referred the bill (H.R. 5314) and the bill (S. 2187) to strengthen national security and the common defense by providing for the maintenance of an adequate domestic rubber-producing industry, and for other purposes, having held hearings and considered the same, report favorably the bill H.R. 5314 with an amendment and recommend that the bill H.R. 5314, as amended, do pass.

The amendment recommended by the committee strikes out all after the enacting clause of H.R. 5314 and inserts in lieu thereof the language of S. 2187, as amended.



## LEGISLATIVE HISTORY

### HISTORY AND PURPOSE OF THE PROPOSED LEGISLATION

Prior to 1940 this country was almost exclusively dependent upon foreign sources for its supply of rubber. Except for a relatively small percentage of our needs which were produced by an American rubber company in Liberia, our imports originated in the countries of the Far East. In 1937 representatives of the rubber-manufacturing industry met with representatives of Government to explore the possibility of creating a buffer stock of rubber to be available for military and essential civilian needs in the event war developed from the then unsettled international situation. In 1939 certain rubber stocks were acquired. In 1940 the Rubber Reserve Company was organized by the Government to accelerate our accumulation of natural rubber. On December 8, 1941, our total natural rubber supply consisted of 533,000 long tons and 100,000 long tons afloat bound for the United States.

That stock pile was the largest inventory ever accumulated by any country in the history of the world, but it was still less than the 700,000 long tons required for just 1 year's military and essential civilian needs. With the fall of Singapore, 90 percent of the world's natural-rubber supply fell into enemy hands. From January 1, 1942, to VJ-day, we imported into the United States only about 315,000 long tons of natural rubber.

A substitute for natural rubber had to be found. There were two such substitutes, reclaimed rubber and synthetic rubber. The rubber reclaimers, with no financial help or subsidy from the Government, immediately expanded their facilities and, drawing from the stock pile of used rubber lying in the garages and farms of America, produced annually more than 250,000 long tons of usable reclaimed rubber. It was to synthetic rubber, however, that the country had to turn to stave off the threatened military and civilian collapse.

Early in the 1930's American private industry had started extensive research into the field of synthetic rubbers. Neoprene became an established product in 1935. By 1940 industry was working on butyl, N-type, and butadiene synthetic rubbers. In that year synthetic-rubber automobile tires were sold to the American public. Private production, however, was small and, although invaluable during the "get ready" period, was not sufficient to support the tremendous wartime needs for rubber.

To meet this imperative need, the United States expended \$697,000,000 to build a great synthetic-rubber industry. In one of the most exemplary examples of Government-industry cooperation there was created by 1944 an industry, owned by the Government and operated for the Government by private parties, capable of producing annually more than 1,000,000 long tons of synthetic rubber. Not one military item—not a jeep, truck, gun, airplane—was delayed in production because of lack of rubber; and essential civilian needs, as well, were satisfied. Had it not been overshadowed by the production of the atomic bomb, this tremendous achievement would undoubtedly have been the outstanding accomplishment of the war effort.

All persons inside of Government and out are unanimous in the opinion that the United States must protect itself against our total dependency on daily imports of natural rubber from foreign sources. To that end Congress has enacted the Strategic and Critical Materials Stock Piling

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Act, in which act natural rubber is included as one of the major items to be purchased and rotated in our stock pile. There is the same unanimous opinion that the United States must maintain the ability to produce in its own plants a substantial quantity of synthetic rubber. Statistical studies by Government and the rubber industry of requirements in a future emergency showed that we would require in existence a production capacity of about 600,000 long tons. The proposed legislation carries provisions for such production capacities.

The Government-owned synthetic-rubber-producing plants are operated by the Office of Rubber Reserve of the Reconstruction Finance Corporation under authority granted in the Second War Powers Act. In March of last year Congress extended those authorities in Public Law 24 insofar as they allow allocation, inventory, and specification controls over rubber and allow the Government to produce and sell synthetic rubber. The authority so extended expires March 31, 1948.

Since the passage of Public Law 24, your committee has had under constant study the problems presented by the necessity of maintaining a strategically important synthetic-rubber industry, a desire to free the productive resourcefulness of a great American industry from further governmental control, and the need to make available to the American consuming public the best products available. Your committee conducted hearings and visited many of the plants involved. It is generally agreed that general-purpose synthetic rubber, the rubber used in tires, is not yet economically established so that its use by manufacturers would be assured against a sharp break in natural-rubber prices. For that reason your committee has concluded that continued mandatory use of synthetic rubber is necessary. The proposed legislation provides such mandatory use. During the period of mandatory use, the Government is authorized and directed to manufacture rubber to satisfy such use and to continue research to improve its properties.

Your committee is firmly convinced that there may shortly be developed a synthetic rubber which will be able, without Government support, to maintain itself on a competitive market. In order to stimulate research, the proposed legislation directs the termination of the wartime patent pooling. To encourage private production of synthetic rubber the legislation authorizes the sale of Government plants not necessary to maintain the basic capacity considered necessary to national security and provides for the leasing for the term of the act of plants which would otherwise be put in stand-by.

Your committee is firmly convinced that the security interests of the United States can and will best be served by the development within the United States of a free, competitive synthetic-rubber industry and to that end all Government ownership and controls should terminate at the earliest practical date consistent with national security. That statement of policy set out in section 2 of the proposed legislation was unanimously endorsed by all Government and industry witnesses who testified before your committee. As a means of supplementing that policy, the proposed legislation provides the governmental agency designated to operate the synthetic plants must prepare a disposal plan and the President is directed to report such plan to Congress not later than January 15,



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1950. Congress thereafter will have 6 months to adopt such disposal plan or prepare one of its own before the authorities in the proposed legislation expire on June 30, 1950.

### SECTION-BY-SECTION ANALYSIS

Section 2 of the bill establishes a policy of maintaining in the United States a rapidly expandible rubber-producing industry of sufficient productive capacity to assure the availability in times of national emergency of adequate supplies of synthetic rubber to meet the essential civilian, military, and naval needs of the country. It further states to be the policy of Congress that the security interests of the United States can and will best be served by the development within the United States of a free, competitive synthetic-rubber industry and to that end all Government ownership and control should be terminated at the earliest practical date consistent with the national security.

Section 3 of the bill gives the President the power to exercise allocation, specification, and inventory controls over synthetic rubber and permits the President by regulation to require the use of synthetic rubber in transportation items such as tires, camelback, flaps, and pneumatic inner tubes. Under the existing authority of Public Law 24, the President can compel the use of synthetic rubber in all rubber products. In actual practice, however, under rubber order R-1 the mandatory use of synthetic rubber is limited to transportation items set out in the proposed legislation. This section, therefore, provides by law the present practice of the Government.

Section 4(a) of the bill permits the President to impose import restrictions on rubber products, so that manufacturers required to consume synthetic rubber will not have to compete with all-natural-rubber products.

Section 4(b) permits the President to exempt from required synthetic-rubber usage products manufactured for export exclusively.

Section 5(a) establishes tonnages of 600,000 long tons of general-purpose synthetic rubber and 65,000 long tons of special-purpose synthetic rubber as the production capacity to be maintained continuously in the United States either in active operation or in stand-by condition.

Section 5(b) provides that at least 45,000 long tons of the special-purpose synthetic rubber referred to in section 5(a) shall be of a type suitable for use in pneumatic inner tubes. This will assure the availability, in an emergency, of a domestic source of rubber for inner tubes.

Section 5(c) of the bill provides that the synthetic rubber used to satisfy mandatory consumption shall be produced by the Government or for the Government account.

Section 5(d) gives the President the power to determine what plants are to be operated, and what plants are to be placed in stand-by. It permits the President to consider geographical dispersal of plants as well as diversity of products essential to the national security.

Section 5(e) is inserted to assure that there will always be available at least one alcohol butadiene plant. This is essential from a raw-material-diversification position and for other reasons, such as possible priority demands on aviation fuel and possible new processes producing cheap alcohol.

## RUBBER ACT OF 1948

Section 6(a) and (b) stresses the importance of research and development for the improvement of quality and production processes in synthetic rubber. Since the Government is at present producing synthetic rubber, it is necessary in the interests of national security that the Government continue programs of research and development. The results of Government-financed research will benefit the consumer of rubber goods as well as the private manufacturer. Costs of the research and development may be paid from direct congressional appropriations and thus need not be included in the Government's selling price of synthetic rubber. This will permit an orderly, efficient research and development program, not dependent upon the volume of Government sales.

Section 7(a) gives the President authority to produce and sell synthetic rubber through such Government agency as he may designate.

Section 7(b) permits the agency designated by the President pursuant to section 7(a) to produce and sell the amounts of synthetic rubber determined to be necessary to satisfy the mandatory tonnages established under section 3. It also directs the President to authorize production for voluntary use. This latter provision makes possible the production of additional quantities of synthetic rubber over and above the required usage to satisfy the demands for small amounts of synthetic rubber in segments of the manufacturing industry which prefer to use these types of rubber in certain products. This will satisfy a preference for synthetic rubber which is to be encouraged.

Section 7(c) gives authority to the operating agency to make necessary capital expenditures from time to time in order to keep rubber-producing facilities up to date and in condition to operate at maximum efficiency.

Section 7(d), subsection (1), permits the continued operation of Government-owned rubber-producing facilities by lease, by contract, or through operating agents. Thus, there need not be any change in the present methods of operating plants with private persons acting as agents for the Government.

Subsection (2) authorizes the leasing of Government-owned rubber-producing facilities for private purposes for a period not extending beyond the termination date of this act, providing the lease contains necessary recapture clauses, and a condition that any synthetic rubber produced in the facilities shall not be used to satisfy mandatory requirements. At the present time a large power plant in Pennsylvania and another in Texas are under lease to local utility companies in order to increase the amount of power in those areas. Under this subsection those arrangements could be continued. The authority granted, however, is sufficiently broad to allow the leasing of these facilities which would otherwise be put in stand-by to be used in the production of synthetic rubber. For competitive reasons your committee is of the opinion that the rubber so produced should not be used to satisfy mandatory requirements. This lease provision is important to encourage the employment of facilities which would otherwise stand idle and to encourage private industry to produce synthetic rubber on their own account.

Subsection (3) allows the operating agency to grant to private persons certain property rights if such grants in no way interfere with the production of synthetic rubber. For example, it would permit a private company



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to run a water line through Government property or it would permit the erection of a power line over Government land.

Subsection (4) permits disposal of obsolete equipment. This does not allow sale of complete rubber-producing units, but does provide for sale of such items as worn-out motors, valves, boilers, pipes, and so forth. No disposal under this subsection shall reduce the designated rated capacity of any facility.

Section 7(e) provides that the selling price of Government-produced synthetic rubber shall be determined by accepted commercial accounting practices and shall be such as to return the entire cost of manufacture and distribution without loss to the United States. This section provides further that the cost of placing facilities in stand-by condition and maintaining such facilities in that condition shall not be included as an item of cost and requires further that the operating agency shall make an annual report to the President and Congress relative to its accounting methods and selling price.

Section 8(a) authorizes the President to place in stand-by condition the facilities not required to be in operation but necessary to support the tonnages stated in section 5(a).

Section 8(b) authorizes the maintenance of stand-by facilities either by direct Government maintenance or by contract with private persons. This section also provides that cost of facilities in stand-by, including placing in stand-by, maintenance, and reactivation, may be by congressional appropriation. This will permit stand-by costs to be paid by direct appropriation.

Section 9(a) provides that the agency designated by the President to operate the Government-owned rubber-producing facilities shall undertake immediate study to formulate a program for disposal to private industry of the Government-owned rubber-producing facilities. A report with respect to the development of such a disposal plan shall be made to Congress not later than April 1, 1949; and on or before January 15, 1950, the President is directed to recommend to Congress legislation with respect to the disposal of Government-owned rubber-producing facilities.

Section 9(b) of the bill authorizes the sale of the so-called fringe plants; i. e., those plants which are not necessary to maintain the production capacity of 665,000 tons considered necessary for national security and which are required to be maintained under section 5(a) of the bill. This section further provides that rubber produced by the purchaser or lessor of such facilities may not be used to satisfy mandatory requirements established pursuant to the bill. The committee feels this section is important in that it will encourage private manufacturers to produce synthetic rubber for their voluntary use, a program which is to be much encouraged.

Section 10(a) authorizes the President to issue such rules and regulations as may be necessary to administer the act.

Section 10(b) provides for Presidential delegation of authority to such Government agencies as he may designate to carry out the provisions of the act. This section also provides that the powers and authority conferred in section 12 may be delegated, along with other powers.

Section 10(c) directs the President to consolidate, insofar as practical, all of the Government rubber operations, and authorizes the President to

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organize a corporation to produce and sell synthetic rubber. The RFC is now performing that function. Since it is possible that the RFC may not have such authority after June 30, 1948, it is necessary as an administrative matter to grant the authority to organize a corporation in this line.

Section 10(d): Should the President decide to consolidate any of the Government rubber operations, this section provides the authority to transfer to any existing or new agency property, personnel, and records. It also provides for the transfer of any available funds.

Section 10(e) requires that all Government agencies in the rubber program make an annual report to the President and to the Congress.

Section 10(f) provides that the agency designated to exercise authorities granted in the act shall appoint an Industry Advisory Committee for consultation on matters arising in connection with the regulations issued under the act and with the administrative provisions of the act.

Section 11(a) authorizes and directs the President to take such action that may be appropriate to effect immediate cessation of further accumulation of information and patent rights under the wartime patent-pooling agreement entered into by the Government and several private concerns.

Section 11(b) assures the operating agency the benefits of the act of 1910, as amended. This act, in brief, permits the United States to use an invention without license from the owner, and the remedy of such owner is by suit against the United States in the Court of Claims for the recovery of his reasonable and entire compensation for such use and manufacture. Thereby Government's freedom from injunction is extended unquestionably to the operating agency.

Sections 12, 13, and 14, general: In connection with the granting of the powers of allocation, specification, and inventory control, it is necessary to cover additional matters incident to the effective administration of the bill. Sections 12, 13, and 14 deal with such matters. Since the proposed act stands on its own and is not dependent on title III of the Second War Powers Act, as in the case of Public Law 24, they are repeated here substantially in the language of title III (secs. 2(a), 3, 4, 5, and 6). Generally similar provisions are embodied in other acts such as the Federal Trade Commission Act, the Federal Communications Act, and the Securities Exchange Act.

Section 12 gives the President the right to obtain information, require reports, and make investigations necessary to the enforcement or administration of the provisions of this bill. Without such power, intelligent and effective administration could not be accomplished. In addition, this section provides the power to administer oaths and issue subpoenas, provides for witness fees, attendance of witnesses, and penalties for perjury.

Section 13 provides penalties for violation of the proposed act.

Section 14 confers jurisdiction on the district courts of the United States.

Section 15 exempts persons from liability for damages for default under any contract directly or indirectly resulting from compliance with any rule, regulation, or order issued under the proposed act. This provision is required in fairness to persons who, in rare instances, find them-



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selves obliged to break contractual relations by reason of the regulations issued under the proposed act.

Section 16 exempts the functions exercised under the act from the Administrative Procedure Act, except, section 3 of that act, which requires the publication of rules, opinions, and orders, and section 10, which provides judicial review to any person adversely affected or aggrieved by action taken under the proposed act. Exemption from the other provisions of the Administrative Procedure Act is desirable by reason of the time-consuming requirements imposed by that statute which militate against efficient day-to-day operations. This provision is inserted since it is not clear that this result was accomplished by section 5 of Public Law 188, Eightieth Congress (Second Decontrol Act).

Section 17 is the customary separability clause and preserves the validity of the remaining provisions of the bill in the event one provision is held unconstitutional.

Section 18 defines special terms used in the bill that may not be widely known or have universal acceptance.

Section 19 provides for the authorization of necessary appropriations for the purpose of the bill, and, pending such appropriations, authorizes expenditures in order to carry out the provisions of the act.

Section 20 provides that the measure shall become effective on April 1, 1948, and shall remain in effect until June 30, 1950.

## SUMMARY

The proposed legislation stands on its own; it does not extend any complex emergency or wartime statutes. Your committee believes that the proposed legislation is a practical bill that will provide for our national security in rubber. It establishes a national policy with regard to synthetic rubber; it protects the consumer of rubber products; it assures fair distribution of synthetic rubber to all compulsory users; it assures technological progress; it assures that Government will not experience any loss in the production of synthetic rubber; and it provides for the ultimate transfer of the entire industry to private persons. In the over-all consideration of the legislation the committee had to be guided by the paramount issue—our national security. The proposed legislation is broad enough for liberal interpretation, and capable of amendment as the international situation clears itself. Until such time as we have acquired an adequate stock pile of natural rubber and until synthetic rubber can compete with natural rubber, your committee believes that the Government cannot require the consumption of synthetic rubber without protecting the compulsory consumers.

It should also be noted that the proposed legislation carries out, substantially, the request of the President in his message of February 7, 1947, that the Congress draft legislation for the purpose of maintaining a synthetic-rubber industry in the United States. The policy and administration provisions of the proposed bill have been approved by all interested Government departments and agencies and have the similar unanimous approval of the rubber-manufacturing industry.

Passage of the proposed legislation is necessary in view of the fact

## FOREIGN ASSISTANCE ACT OF 1948

that existing authority to produce and sell synthetic rubber ceases on March 31, 1948.

The proposed legislation was unanimously approved by the Banking and Currency Committee, and its prompt passage is urged.

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*For text of Act see p. 739*

Senate Report No. 935, Feb. 26, 1948 [To accompany S. 2202]

House Report No. 1585, Mar. 20, 1948 [To accompany S. 2202]

The House Report details the many changes made in the House on the Senate bill.

*House Report No. 1585*

THE Committee on Foreign Affairs, to whom was referred the bill (S. 2202) to promote the general welfare, national interest, and foreign policy of the United States through necessary economic and financial assistance to foreign countries which undertake to cooperate with each other in the establishment and maintenance of economic conditions essential to a peaceful and prosperous world, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

### I. GENERAL PURPOSES OF THE BILL

This bill provides for the conditioned participation of the United States in a program of foreign assistance that covers (1) European recovery, (2) a continuation of assistance to the International Children's Emergency Fund, (3) military-type aid to Greece, Turkey, and China, and (4) economic aid to China. The European recovery program is intended, if its provisions are met, to continue until June 30, 1952, with annual review, both for authorizations and appropriations, by the Congress.

The bill recognizes that military security and domestic tranquillity are necessary prerequisites to economic recovery and the maintenance of peace and free institutions, to the degree that it makes provision for military-type aid to those areas which are most beset by the dangers of externally sponsored communism. The bill authorizes a total of \$6,205,000,000 for all the purposes included in the proposed act.

### A. PROPOSED AUTHORIZATIONS LISTED

Title I authorizes \$5,300,000,000 for European recovery, including the 16 nations which accepted the conditions of the Paris report of the Committee on European Economic Cooperation in September 1947, the occupied zones of Germany (by Russian choice only the western), and Trieste. Of this amount, \$1,000,000,000 may be advanced by the Reconstruction Finance Corporation prior to the action of the Congress on 4.3 billion dollars which is authorized for appropriations either for grants or loans. One billion dollars of the total of \$5,300,000,000 au-



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thorized is to be for guaranties up to \$500,000,000 and for loans made through the Export-Import Bank financed by public-debt transactions.

Title II has a conditioned authorization for the International Emergency Children's Fund for \$60,000,000.

Title III authorizes \$275,000,000 for primarily military-type aid to Greece and Turkey, under amendments to the Foreign Aid Act of 1947, and \$150,000,000 for primarily military-type aid to China, by adding China to this title.

Title IV authorizes \$420,000,000 for primarily economic aid to China.

### B. OBJECTIVES AND SAFEGUARDS

The economic aspects of the program are intended to encourage the recovery of Europe and to assist China on the road to stabilization of its exhausted and still war-torn economy. To this end, a new agency, the Economic Cooperation Administration, is created, with the responsibility and control vested in a single Administrator, who is to be given a rank equivalent to that of the heads of executive departments. The Administrator is provided with the powers to establish a corporation as an instrument for accomplishing his policy objectives.

Both the military and economic aid are to be coordinated into the broad foreign policy objectives of the United States by establishing proper channels of consultation for the Economic Cooperation Administration with the Secretary of State, both at home and abroad, and by vesting control of funds for all foreign aid in the hands of the President.

A number of safeguards have been introduced to assure that the money appropriated to both ends will be administered properly and will be adequately accounted for. Other conditions have been attached to secure protection of the domestic economy of the United States from impairment. Still other conditions for fulfillment by the recipient countries have been attached to both the initiation of aid and its continuation.

Primary emphasis is placed throughout the bill on encouraging the participating nations to help themselves and each other. The Administrator is charged with securing through the agreements negotiated by the Department of State the protection of the primary purposes of the bill, including also recognition of the drain of this program on the natural resources of the United States, the equitable access of private enterprise to the development and purchase of raw materials abroad, and repayment, insofar as practicable, through the development of new or increased production of strategic materials for stock-piling by the United States, or by other means. It is recognized, however, that the larger portion of foreign aid must be in terms of what amount to grants, for which payment is not made, since the local currencies received are to be used only for the benefit of the countries receiving the aid, and on terms to which both they and the United States agree.

## II. BACKGROUND

Almost 3 years after VE-day, the peace and freedom for which the largest-scale war in history was fought are seriously endangered. Many

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of the nations which were freed from the yoke of Hitler in the west or of Japan in the east either have already fallen or are in danger of falling under the domination of communism controlled by Russia.

The exhaustion into which Europe and China particularly have fallen has had added to it the additional burden of resisting aggression in new and subtle forms, through the use of fifth columns, aided by intimidation and in some cases by armed incursions from outside. These incursions have been most obvious in the case of Greece, but the same pattern is rapidly developing in China and Korea and may be expected wherever weakness and internal divisions give a prospect of its success.

The United States, which has sacrificed more than \$300,000,000,000 in achieving victory in the war and has already devoted sums approximating \$20,000,000,000 in the postwar efforts to establish peace and prosperity, is now called upon to make an effort less extensive in scope and magnitude but of equally critical importance to the survival of a free world.

### A. THE NEED OF AID

The pressing character of the time factor for action is illustrated in each succeeding day's headlines. The danger of the pervasion of all Europe by a sense of fear and hopelessness in the face of the by now completely obvious tactics of communism can only be met by a firm decision and a willingness to adopt at once the necessary measures to reverse this trend. Approaching elections in European countries will be of the most critical character yet confronted in the postwar period. The assurance of immediate and further aid by the United States, coupled with the unmistakable intention to assist those areas most in danger of military incorporation or civil war, inspired and sustained from outside, will be perhaps a determining factor in the outcome of these critical elections.

It is unnecessary to paint the picture of the alternative with which this country would be faced, should the few great critical barriers to the march of communism disappear. Past and present sacrifices of an economic character would be small indeed compared to the burden which this Nation would have to assume in such a world. The very survival of the United States would be more seriously at stake than at any other time in its history. Faced with this prospect, there can be but one choice: to extend the aid necessary in both economic and military spheres. A calculated risk, it has been called. But such a risk is no risk, compared to the grim certainty of the alternative.

The committee is convinced that aid of a military character to Greece, Turkey, and China is absolutely essential at this time to protect the conditions without which economic aid may be completely futile. It is for that reason that it has incorporated the military aid in the same bill with the economic. It has also felt the necessity for putting into the bill the major programs for economic aid which demand integration under a single administrator and the swiftest possible initiation. It calls attention, however, to the fact that other programs of aid are still in prospect for consideration in this session of the Congress. The sum total of aid for the mere prevention of disease and unrest in Germany and the other occupied areas will exceed 1.4 billion dollars.



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There are additional programs of which the administration has given notice which may involve an increase of the capital of the Export-Import Bank by an amount of \$500,000,000 for loans to Latin America, and the request for additional funds for recovery in Japan and Korea over and above the administration's GARIOA program, which is included in the disease and unrest figures above, amounts to \$220,000,000. The sum total of aid proposed for authorization for the 12-month period including the cost of maintaining our present military establishment abroad is about \$9,000,000,000, as detailed in the authorization section of this report.

The committee recommends the present bill and authorization as the immediately necessary combination of military and economic aid. At the same time the committee is convinced of the utility as well as the high moral obligation to continue the only current effort in international relief under the aegis of the United Nations—its proportionate contribution to the International Emergency Children's Fund. This fund is keeping alive 4,000,000 children for the future. It is the irrefutable proof, to those it reaches despite the iron curtain, of the peaceful and humane aims of the United States.

### B. DEVELOPMENT OF AMERICAN POLICY SINCE THE WAR

The effort to achieve stability in the world has included making available on order paid to foreign countries four main categories of aid to date: (1) The completing of pipe line lend-lease in the postwar period; (2) the disposal of tremendous quantities of surplus war assets and property abroad at very low figures; (3) the relief assistance given through UNRRA, through private channels of relief (running into sums approximately one-fifth as large as the United States contribution to UNRRA itself); (4) assistance to prevent disease and unrest assistance in occupied areas; and (5) loans made either through the Export-Import Bank, the Bank of International Reconstruction and Development operating primarily with American capital, through private investment, and through the contributions of the United States to the International Monetary Fund, which has so far come into only limited use.

These efforts have not succeeded in arresting deterioration in some countries, though they have brought others to a production level equal to or greater than that of prewar. Against the background of destruction and loss of capital assets by these nations, however, this production has not been adequate both to make good the starved level of years of wartime privation and deterioration and at the same time to reestablish the necessary exports to achieve a healthy balance of trade. The relief efforts of the United States have prevented what would otherwise have been mass starvation and complete collapse of the economies both in the countries now under Russian domination and in those liberated during the war and still free.

Almost 3 years have now been spent in trying to secure a basis of peace and free cooperation from Russia in the rebuilding of these economies with a record of continuing frustration and of the draining of resources by Russia from the countries which the United States was at the same time aiding. The contributing factor of the continuing stagna-

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tion of the German economy, more serious even than that of Japan and the Far East in its effect on the general level of world prosperity, deserves serious attention and immediate remedy.

This state of affairs now seems belatedly to have been recognized, though the necessary steps to implement the major decisions of policy remain to be taken. Without the restoration of German productivity, there will be not only a continuing drain on the taxpayer of the United States, but also an irremediable gap in the chain of the necessary factors leading to European and world recovery.

### C. CONGRESSIONAL ACTION

The recognition by Congress of the true nature of developments in Europe and an analysis of the critical defects in the attacks being made on European recovery problems can be verified by a long succession of congressional reports, proceeding from both standing and select committees of both Houses. Authorized by a House resolution adopted July 17, 1945, a Committee on Foreign Affairs subcommittee made a study trip in the fall of that year and reported to the Congress its findings on political and economic conditions in eastern Europe and the Mediterranean area.

The Committee on Foreign Affairs, prior to the Harvard speech of Secretary of State Marshall in June 1947, had initiated an inquiry among the executive departments. This inquiry resulted in the publication of the report of its subcommittee No. 2 on foreign economic policy, Needs, Limits, and Sources of American Aid to Foreign Countries; Supplementary Sources From Self-Help and Other Countries, shortly after Secretary Marshall's proposal. The House established also, in July 1947, the Select Committee on Foreign Aid, proposed by House Resolution 296, introduced on April 12, 1947, by Representative Christian Herter. This committee, under the chairmanship of the chairman of the Foreign Affairs Committee, was established to study the actual and prospective needs for foreign aid; the resources and facilities available to meet such needs, both within and without the United States; existing or contemplated agencies of all types qualified to deal with such needs; and measures to assist in assessing relative needs and correlating United States assistance without weakening the domestic economy.

Studies by the House Committee on Foreign Affairs, particularly those on the political conditions in Europe, the Middle East, on the tactics and strategy of world communism, and on Japan, Korea, and China, as well as the numerous reports of the Select Committee on Foreign Aid, have provided information on which Congress has been able to assess the proposals of the administration and the several studies proceeding from the executive departments (the Krug report, the Harriman report, and the report of the Council of Economic Advisers).

President Truman, by his special messages to Congress in December 1947, requested the authorization of a program amounting to \$17,000,000,000 for the period April 1, 1948, to June 30, 1952, and with recommendation of an appropriation of 6.8 billion dollars for the 15-month period April 1, 1948, to June 30, 1949.

The Congress, in response to his request of November 17, 1947, for \$597,000,000 for interim aid to France, Italy, Austria, appropriated



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\$522,000,000 of \$597,000,000 authorized, with the additional inclusion of China in the program.

The Senate, in response to the President's request for the appropriation of 6.8 billion dollars for the 15-month period, passed, on March 13, this bill authorizing the appropriation of 5.3 billion dollars for a 12-month period, of which \$3,000,000,000 was to be taken from this year's Treasury surplus and put in a special trust fund. It added to the recommendations of the President, as to administration, the types of agreements to be made and financial arrangements to be embodied in the new program. Numerous additional safeguards were included; and the Administrator, as head of an independent agency, was put on a parallel with the heads of the existing executive departments. Certain provisions were inserted to assure that, while the Department of State should be adequately protected in its control of foreign policy, the resolution of possible differences between that Department, in its concern for over-all foreign policy, and the Administrator, in his preoccupation with economic matters, should be referred to the President for settlement. It added a public advisory body to consult with the Administrator on the performance of his functions and policies in connection therewith. The Senate bill formed the basis for the revisions and amendments which are contained in the bill now reported to the House.

The Committee on Foreign Affairs at the beginning of the regular session in January adopted the following motion:

That the committee proceed with hearings on United States foreign policy for a postwar recovery program, and that the first step be consideration of proposals for a European recovery program, including H. R. 4840 and H. R. 4579 and similar measures.

The committee had before it at that time both the administration bill (H. R. 4840) which accompanied the President's message and was introduced by the committee's chairman, Mr. Eaton, and the Herter bill (H. R. 4579). The decision to treat the whole problem of the restoration of war-torn economies, to include China as well as Europe, came not only from logical considerations but also from the painful experience of the committee in receiving from the administration a long succession of "piecemeal" programs, each with a separate timetable of emergency, without any adequate total program, either as to scope or commitments.

The committee held hearings from December 17 to March 10, inclusive.

Appendix I contains a description of the hearings and lists the witnesses.

### D. DOCUMENTATION

In addition to the reports of the executive department, of the President's committee, which included distinguished public figures, and of the studies made by the House committees mentioned above; congressional experience in the previous foreign-aid legislation, such as postwar lend-lease, UNRRA, interim aid, and so forth, had afforded a broad background of experience in assessing the foreign claims. Of particular value, however, were the extensive studies of the availabilities of items in short supply both in the United States and in the world and the elaborate documentation by the Department of State

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in the presentation of the administration program followed the report of the 16 countries of the Committee on European Economic Cooperation meeting in Paris. This included a break-down both in terms of commodities and countries. (See tables in appendix II.)

The sheer bulk of this material reached proportions probably never before achieved in a congressional study of pending legislation and its brief analysis into simple components has presented great difficulties. The subsequent analysis that is offered in this report of the dollar requirements of European countries and of a few selected commodities, as well as the dollar availabilities and the capacity of other countries to assist in the programs for European and world recovery, will serve to show the inevitable range of legitimate difference between the upper and lower limits which might be either requested or authorized. Price factors alone could account for a sizable variation in the major items that may run, in the case of foodstuffs, to as much as 20 percent.

The amount of assistance that may be forthcoming, without dollar payments from other countries of the Western Hemisphere for a 12-month period is reckoned at \$700,000,000 in the estimates of the Department of State, but a larger figure might conceivably be achieved. Similarly limited availabilities of steel and petroleum and perhaps the impossibility of scheduling capital equipment at the rate anticipated might considerably reduce requirements for the first 12-month period.

On the other hand, the variations in price may go up because of a bad crop year, as well as down, and any delays in the inauguration of the program or an interruption to the pipe line of supplies, or serious political disturbances in the countries concerned might render more aid necessary. It also seems likely that estimates for exports from certain of these countries have been exaggerated, and the same conclusion may be reached as to the figures for imports to CEEC countries from eastern Europe.

On the whole the committee took the view that, from its study of the documents concerned, the safe plan was to rely upon sound administration not to spend the sums appropriated wastefully or inefficiently, and therefore to cover the reasonable requirements in full so as to allow for the margin of error possible in any such large-scale program in so unsettled a world. Sums not expended during the first year would reduce the need of appropriations in subsequent years.

On the other hand, the speed and efficiency with which capital development could be achieved and maximum restoration of economies encouraged by the earliest possible application of aid, would serve to decrease the need in later years. The best safeguard for the success of the program would therefore be adequate aid as rapidly as possible.

The studies on the administrative aspect of the program which have been made by the Select Committee on Foreign Aid as well as by the Harriman committee and the executive departments were supplemented by the report submitted by the Brookings Institution at the request of the chairman of the Committee on Foreign Relations of the Senate.

The hearings of the Committee on Foreign Affairs served very usefully to develop and criticize the proposals made in these various studies, both with respect to the adequacy of the machinery proposed



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and the powers that would have to be vested in the Administrator. It was as a result of these hearings that the committee reached their decision to empower the Administrator, in his discretion, to set up under his policy control, a corporation, in order to perform in as business-like a manner as possible functions and responsibilities imposed upon him by this bill.

A selection of the major tables which will be of use to the House in its study of the proposed legislation is attached as appendix II to this report, together with maps showing the extension of Communist control in Europe and in Asia, appendix III.

### E. DIFFICULTIES AND PROGRESS IN EUROPE

In addition to the exhaustion and destruction of the war which has affected directly and indirectly all the countries involved in the legislation, the factors noted below have contributed to the continuing distress of the European economy:

(a) The first factor is the systematic efforts of Russia to disrupt the economies and unsettle or destroy the governments which were not under its direction—the open intention to frustrate in every possible way the recovery program cooperatively undertaken by the countries of western Europe at Paris was revealed by the countermanding of efforts of several of the countries of eastern Europe to participate in the program. This intention was underlined by the characteristic attack made by one of the leading members of the Politburo, Mr. Zhdanov, in inaugurating the Cominform in Warsaw in October 1947. The immobilization of Germany has resulted in major part from the impossibility of securing the cooperation of Russia. Action in the western zones and the settlement of the reparations problem have been delayed, and the usual tactics of Communist-inspired strikes and political sabotage have been pursued in all the key countries of Europe. Eastern Europe has been effectively diverted from its normal channels of trade to the great loss of the west.

(b) The second factor involves displacement of population, including the pushing of millions of nonproductive Germans from the Eastern zone into the western zones; the 8-percent increase in the population of Europe in spite of the destruction of war; the dislocation of numerous refugees from totalitarianism, both Fascist and Communist; the detention of millions of war prisoners in Russia and a very large number in France and England, even up to the present time; and the lack of free movement for needed manpower from countries with a surplus like Italy to nations in serious need, have all contributed to economic distress. The particular distress of Greece can be illustrated by the fact that nearly 500,000 refugees from the territories subject to Communist incursion constitute a problem that renders any purely economic solution impossible.

(c) The third factor rises from the fact that agricultural production has been subject not only to the inevitable deterioration of soil due to lack of fertilizer and overuse during the war, but, during the last 2 years, to severe drought and in the last year to a devastating winter with subsequent floods. The agricultural production of eastern Europe as well as the food production of some colonial areas of previous importance

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were also lost in considerable measure. The former was due to the cutting-off of any surplus from export by the trade policies imposed, and the surpluses themselves tended to disappear because of the quartering on these areas of large numbers of Russian soldiers or the building up of so-called local security forces and armies under Soviet control. In addition, the land policy with its division of holdings into very small units tended to reduce the exportable agricultural surpluses.

(d) The fourth factor involves the physical deterioration of a war-strained machinery and the overuse in many cases approximated the destruction of actual war damage. The loss of productive skills was a peculiarly serious factor in mining, as the recruitment of young and strong miners had been seriously affected by the war mobilization and by the subsequent movement of populations.

(e) The fifth factor, the inevitable concomitant of all the above factors, is inflation, the product of political instability and lack of production, as well as the inability to move goods from normal trade channels. The standards of production of western Europe were, next to our own and those of Canada, probably the highest in the world in the prewar period. Under the impact of the factors mentioned above, the 250,000,000 people, in round figures, who are contained in western Europe, produce less than one-half of our own national income. Since Europe was on balance necessarily heavily dependent on imports, the worldwide inflation which had increased the costs of primary products particularly, has borne heavily upon the whole European economy. The result has been an overwhelming demand for the few sound currencies remaining in existence and in particular the dollar, since it represented the productive capacity which all nations needed.

The countries of Europe today are existing on a dietary level below the standard which permits an adequate day's labor. In Germany the level is below that of a bare subsistence diet and in all the countries of Europe inflation has prevented the farmer from being willing to supply the city dweller with the food which was available. Unless and until more goods can be produced, no remedy is possible for black-market conditions and for general inflation with its attendant political dangers.

It would be a very one-sided picture, however, to suggest that Europe has not made substantial and steady progress toward putting its own house in order. Italy, under the most difficult conditions and with an industrial production level still only about 75 percent of prewar, has brought inflation under some control and has actually begun to move toward a stable currency. The French position has been improved in spite of the serious strikes and political disorders which parallel the Communist attempts in Italy and were timed mainly at the very outset of the interim-aid program in December. The Scandinavian countries have made substantial and steady progress toward recovery and the three countries which comprise the Benelux union (Belgium, Netherlands, Luxemburg) have made remarkable progress toward economic recovery and political stability.

England, in spite of the severe difficulties due to the lack of adequate exports, the loss of India and Burma, and the sacrifice of its foreign holdings through the war, together with the creation of a tremendous



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debt in blocked sterling, has with the help of large-scale American aid, increased its industrial production 20 percent above the prewar level and maintains complete political stability.

The production of western Germany, which has reached only about 35 percent of its prewar level, served to bring down the whole production index of the countries of western Europe which had, in the main, achieved roughly parity with prewar production, although with the increase in population the per capita national income of the participating countries fell considerably below the 1938 level.

Throughout western Europe steady progress was made in the restoration of transportation, including ocean shipping, and in the output of coal and the production of hydroelectric power. Actually hydroelectric power in 1948 was increased on the continent of Europe by nearly 40 percent over 1938. With the development of the colonies of Europe and the restoration of trade with countries with exportable surpluses of food and primary products, particularly with Latin America and the British Dominions, the need for extraordinary outside aid should tend progressively to disappear. If political and economic stability can be achieved in Europe, the Middle and Far East, we can look forward to the resumption of a normal and healthy trade which will permit the maintenance of high levels of production in this country as well as the rest of the world. Serious difficulties will, of course, remain until coal production is increased according to the programs set forth in the CEEC report. Petroleum, too, will furnish peculiar difficulties which are not rendered easier by the existing threats of political chaos in the Middle East, centering on Palestine. The whole European recovery program depends in considerable measure on the development of the exportable oil of the Middle East in the next 3 or 4 years, since, without oil, not only its industrial users but transportation will be seriously crippled.

The important point is that all the problems which Europe faces are capable of solution at least if the western half of Europe acts in cooperation and with an increasing measure of political and economic unity. In order to be able to defend itself against the encroachments of communism it must have the basic conditions of political security and economic health. The recovery of Europe, painfully initiated since the war, is now at a critical turning point. It may go forward with increasing tempo or it may lose ground with appalling rapidity.

### P. JOINT MEASURES

The report of the Select Committee on Foreign Aid, *What Western Europe Can Do For Itself* (preliminary Rept. No. 14), showed a number of examples of steps already taken by European countries to facilitate joint efforts toward recovery. The functioning of the Inland Transport Organization, although beset with difficulties in the return of cars from eastern Europe and by the blocking of much inland water transport, has nevertheless made substantial progress toward the goal of restoring the operating rail system of Europe as an integrated whole, at least in the CEEC countries. Efforts are also being made with some success to integrate developmental schemes for the transmission of electric power through a grid system organized by western Europe, though with insufficient emphasis on the German participation in such a development.

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In addition to these practical efforts at integrating the economy in some of its most basic factors, the following steps have been taken:

(a) A study committee on customs union, established first at the CEEC conference, has been set up to examine the possibility of a common customs union among all the countries represented. This effort is in its initial stages and is encountering the natural difficulties, but it has been supplemented by the actual entering into effect of the Benelux customs union on January 1, 1948. Denmark, Iceland, Norway, and Sweden are also projecting a similar customs union, and France and Italy, as well as Greece and Turkey, are undertaking bilateral negotiations to the same effect. In times when the government regulation of imports through the application of quota systems and foreign-exchange controls is so rigid as is almost necessarily the case with strained economies and general dangers of inflation, the mere initiation of a customs union does not accomplish sweeping economic effects. It is, however, a necessary step in the direction of progress toward real economic unity which will provide free movement of manpower, labor, capital, and goods across national frontiers.

It is noteworthy that a recognition of the political corollary has already been recognized in the recent meeting of the five countries—Britain, France, Belgium, Netherlands, Luxembourg—which on March 17, 1948, entered into a 50-year mutual-assistance pact, which included both provisions for mutual defense against aggression in Europe and for increased measures of economic and political cooperation.

(b) The Economic Commission for Europe of the United Nations has taken over the European Coal Organization and the Inland Transport Organization, and has engaged in some measure of studying the possibilities of systematic cooperation between European countries, particularly those of western Europe. Five of the sixteen countries of CEEC are not members of the United Nations, but they have nevertheless been invited to the committee meetings of the Economic Commission for Europe.

It seems unlikely, however, that an organization under the aegis of the United Nations can provide the close cooperation and stronger central organization that is an obvious requisite for western European economic recovery as well as adequate defense against the threat from the east.

Recognition of this fact and of the possible desirability of readmitting Spain to the family of western European nations seems to be growing among the countries of western Europe and is certainly manifesting itself in opinion in the United States.

Any such European union or western union, as it has been called by Mr. Bevin, the British Secretary of State for Foreign Affairs, in a highly significant recent speech, would require for its success the effective mobilization and joint development of colonial resources, including free and equal access to United States private enterprise. Unless the European colonial countries are able and willing to open up their colonies for such joint development, any western European union will lack the necessary resources. Similarly, the failure to mobilize the full productive capacity of the Ruhr would be a fatal block to recovery.

(c) The clearinghouse which was set up on the recommendation of



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the Financial Committee of the CEEC conference for intra-European balances has been initiated since January 19, 1948. Although it is so far operating in only a limited way through the Bank for International Settlements, it shows the possibility of a development which will be tremendously facilitated by the European recovery program.

### G. SUMMARY

As a result of the study of the foregoing factors, the committee has set forth as the object of the recovery program the purposes stated in the preamble of the bill. It has included the conditions undertaken by the CEEC countries voluntarily in their Paris Conference. It recognizes that the success of the program rests upon the willingness and good faith of these countries in carrying out their pledges both to help themselves and to help each other. It specifically provides that the continuance of the program depends upon the fulfillment of these pledges.

The committee has concluded that the program is necessary to prevent the United States from being confronted with a world so unbalanced and hostile as to present almost insuperable burdens to the people of the United States in the future, if Europe is not once more rendered free and adequately strong, both in its political and economic life. The same consideration has led the committee to include China as a barrier in the Far East against the further encroachments of communism and the domination of the world by Moscow.

The committee is convinced that in cases where civil war and Communist aggression are present, as in China and Greece, and external threats are dangerous, as in Greece and Turkey, military-type aid is required to insure the effectiveness of economic aid. It has therefore concluded that the prompt enactment of the comprehensive program embodied in the Foreign Assistance Act of 1948, as amended by your committee, is essential to the security and prosperity of the United States and to the establishment and preservation of world peace.

## III. ESTIMATES OF PROPOSED AUTHORIZATIONS

### A. AUTHORIZATIONS SUMMARIZED

The House bill would provide for authorizations of appropriations amounting to \$5,205,000,000 to cover the following:

	Amount	Period
European recovery program..	\$4,300,000,000	12 months following enactment.
Economic assistance to China	420,000,000	15 months ending June 30, 1949.
Greek-Turkish aid .....	275,000,000	Added to existing authorization; no terminal date specified.
Military aid to China .....	150,000,000	15 months ending June 30, 1949.
International Children's Fund	60,000,000	12 months ending June 30, 1949 (contingent upon contributions by other countries).

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In addition, the bill provides for an increase of \$1,000,000,000 in the borrowing power of the Export-Import Bank, bringing the total number of new dollars to be made available for foreign aid under this legislation to \$6,205,000,000.

The bill does not cover the cost of the "disease and unrest" program in occupied areas, the cost of the present United States military establishment abroad, nor increased lending capacity of the Export-Import Bank for loans to Latin America. The present bill, together with these additional programs, involves a total of \$9,316,000,000.

## Recapitulation of estimated cost of existing and contemplated foreign financial commitments

1. Proposed "Foreign Assistance Act of 1948":	
European recovery program:	Million
Authorization of appropriations .....	\$4,300
For loans by Export-Import Bank .....	1,000
China:	
Economic assistance .....	420
Military assistance .....	150
Greek-Turkish aid .....	275
International Children's Fund .....	60
Total .....	\$6,205
2. Disease and unrest program in occupied areas <sup>1</sup> (included in the Army's budget):	
Germany .....	\$836
Japan and Ryukyus .....	487
Korea .....	134
Austria .....	8
Trieste .....	16
All others .....	2
Total .....	1,483
(Approximately \$95,000,000 of this represents administrative costs; the remainder is for the purchase of relief supplies.)	
3. Present U. S. Military Establishment abroad (included in the President's budget for fiscal 1949):	
Germany .....	\$256
Austria .....	36
Japan and Ryukyus .....	344
Korea .....	122
Estimated Air Corps cost .....	150
Total .....	908
4. Other contemplated economic foreign aid:	
Economic reconstruction (Japan and Korea) .....	\$220
Export-Import Bank (increase in lending capacity for Latin-American loans) .....	500
Total .....	720
Grand total .....	\$9,316

NOTE.—While not all of these are 12-month authorizations and expenditures from others are contingencies, the total represents an amount which should be considered as a possible 1-year expenditure for foreign activities.

<sup>1</sup> These estimates for the April to April period are based on the assumption that the \$150,000,000 remaining of the 1948 authorization is appropriated (now before House Appropriations Committee) and that the 1948-49 authorization (\$1,250,000,000) is approved.



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The administration requested \$570,000,000 for economic aid for China for the next 15 months. The present bill cuts this to \$420,000,000, but adds \$150,000,000 for military assistance.

Other contemplated economic aid, including \$220,000,000 for Korea and Japan and an increase in the lending power of the Export-Import Bank for Latin-American loans amounting to \$500,000,000 are not included in the bill since they are of less urgency than the needs therein specified.

The President has asked the Congress to appropriate \$55,000,000 of interim aid funds already authorized but not yet appropriated to take care of urgent western European needs from April 1, 1948, to the effective date of the European recovery program. Since this is already authorized it is not included in the recapitulation presented above.

### B. DOLLAR REQUIREMENTS OF THE EUROPEAN RECOVERY PROGRAM

Estimates of the volume and kinds of commodities that will, in fact, be required to enable the countries of western Europe to effect economic reconstruction are necessarily subject to wide margins of error owing to the variety of assumptions upon which the estimates are made, including possible changes in prices, crop conditions, and availability of supplies.

"Economic reconstruction" is a concept that can, and does, serve as a useful over-all target. In and of itself, however, it provides no yardstick as to detailed requirements. "Recovery" does not mean that Europe should recover exactly what it had before the war. Indeed, in certain respects, the prewar economies of certain European countries left much to be desired. At the very heart of the philosophy of the European recovery program lies the hope that western Europe will develop on a continental, or at least a group, basis rather than along the lines of national self-sufficiencies. What is hoped for is voluntary action on the part of those countries that will make them economically self-supporting as opposed to economically self-sufficient.

For such an objective there clearly can be no advance pattern. To have one, and to establish the controls and means of enforcement that would be necessary to bring it into being, would necessitate the use of some of the very kinds of outside pressures to which the United States and other democratic nations are unalterably opposed.

### C. WORK OF THE PARIS CONFERENCE

When the representatives of the 16 participating European countries met in Paris, following the suggestion made by Secretary of State Marshall in his speech of June 5, 1947, they were confronted by the necessity of working out a joint program for their own recovery. They then had to match the commodity and equipment requirements of such a program against their own resources so as to arrive at estimates of needs from non-European sources.

The remarkable fact is, not that the figures that their experts worked up can in many cases be questioned, nor that they left much to be desired in allowing for regional, as opposed to nationalistic, develop-

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ment, but rather that they were able to agree upon anything at all definitive. Equally noteworthy was the fact that they were able to do it in a relatively short time. The speed with which the report was turned out undoubtedly accounts for its omissions and ambiguities.

Such an accomplishment was made possible by the establishment of a number of technical subcommittees which, largely through the use of questionnaires addressed to the participating countries, prepared reports on requirements and production in the fields of food and agriculture, fuels and power, iron and steel, transport, timber, and manpower. The final report of the Paris Conference (known as the Report of the Committee of European Economic Cooperation or, more briefly, as the CEEC report) was transmitted to the United States Department of State on September 22, 1947, and shortly thereafter was made public.

The reports and findings of the technical subcommittees were turned over to a Balance-of-Payments Subcommittee that used them to construct an over-all balance-of-payments picture. Comparison of the various sections of the CEEC report is rendered difficult for a number of reasons, an important one of which is that the reports of the technical commodity subcommittees included estimates of the needs and availabilities of the dependent overseas territories of the United Kingdom, France, Netherlands, and Belgium, whereas the over-all balance-of-payments figures apply to the mother countries only. Comparison of the various parts of the CEEC report with one another, or with the Administration's "Outline" (Proposals of the U. S. Executive Departments), which includes the dependent territories in its estimates of requirements, is therefore a difficult task.

The Paris Conference estimated that the 16 participating countries would have a net balance-of-payments deficit with the American Continent in 1948 amounting to approximately 7.6 billion dollars. It was estimated that, in addition, the combined deficit of their overseas dependent territories would amount to \$460,000,000 bringing the total deficit of the participating countries and their overseas territories to a little more than 8.0 billion dollars.

They then estimated that the International Bank for Reconstruction and Development would be able to finance capital equipment (other than agricultural and mining machinery) amounting to about \$900,000,000, thereby leaving to be financed a net over-all deficit of 7.1 billion dollars.

### D. SCREENING BY UNITED STATES EXPERTS

Experts in the various departments of the United States Government were immediately impressed by the fact that the requirement figures had been inadequately screened, both in the light of the needs themselves and the availabilities of certain of the items in short supply. In fact, because of the nature and speed of the operation, about all that the Paris Conference had been able to do was to add up the individual country estimates of commodity requirements and present the totals as the needs of the entire area. Such a procedure, obviously, fails to discount the natural tendency to overstate national requirements. It also tends to inflate the requirements of national economic ambition



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as contrasted with the needs of the nations as members of a closely coordinated economic group.

Upon receipt of the report of the Paris Conference the State Department created a number of interdepartmental commodity committees to review the data. In general they paralleled the technical committees that had been set up at Paris with several additions. All of them except that on petroleum, were headed by experts from either the Department of Agriculture or the Department of Commerce. The data on petroleum were reviewed by the already-existing interdepartmental committee headed by an expert from the Department of State. Interdepartmental "country" committees were also established together with a working group on the over-all balance of payments picture.

The commodity committees first concentrated on minimum requirements without regard to availabilities. With regard to food, account was taken of the needs of the various populations on the bases of calorie intake, the need of proteins and fats and oils, and of historical differences in living standards. Emphasis was then shifted to estimates of European indigenous production and the possibilities of intra-European trade. The net requirements of the 16 countries, as a group, were finally set against estimated global availabilities.

In some cases the requirement figures were scaled down because of world shortages and substitutions of goods in more abundant supply made. Thus, the requirements figure for bread grains was cut to 79 percent of the CEEC figure, but the figure for processed milk was increased over the CEEC estimate by 44 percent. Similarly, the estimated requirement of 1,400,000 tons of steel scrap was eliminated altogether and in substitution for it the estimated requirement for finished steel was increased from 449,000 to 1,200,000 tons.

To assist in this phase of the work a number of the European technical experts who had assembled the original CEEC data at Paris were called to Washington to answer questions by the United States experts.

Throughout all of the work the experts relied heavily upon the reports of the Krug, Nourse, and Harriman committees. In some cases supplemental questionnaires were circulated to the participating countries in order to round out what had been provided by the experts at Paris. In general, estimates were first made in terms of physical quantities which were later translated into dollar equivalents.

The work of these committees served as the basis of the administration's Outline of European Recovery Program which was submitted by the Department of State to the Congress, together with the administration's proposed draft legislation, on December 19, 1947.

### E. THE ADMINISTRATION PROGRAM

Consideration of the problem of United States financing of the European recovery program for the first 10 months involves five basic factors:

- (a) The estimated dollar deficit of the participating countries over the 15-month period, April 1948 to June 30, 1949, with the Western Hemisphere.

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(b) Dollar funds which the participating countries might be expected to obtain from sources other than new United States funds.

(c) Additional funds (\$200,000,000) needed to build up the volume of shipments from the Western Hemisphere to western Europe.

(d) Segregation of authorized funds as between the Department of the Army and the Economic Cooperation Administration.

(e) Reducing the financial requirements from a 15-month basis, as presented by the executive branch, to a 12-month period.

The estimated balance-of-payments deficit of the participating countries, including western Germany, with the Western Hemisphere for the 15-month period, April 1, 1948, to June 30, 1949, is 8.5 billion dollars. An additional \$200,000,000 was included to cover a portion of the uncovered deficit of bizonal Germany with nonparticipating countries outside the Western Hemisphere. The dollar deficit of the participating countries to be financed, therefore, is about 8.7 billion dollars.

The executive branch estimated that almost 1.3 billion dollars of dollar funds could be obtained in this 15-month period from the International Bank, the Export-Import Bank, private investors, and by credits extended by other Western Hemisphere countries and certain of the participating countries. Deducting that 1.3 billion dollars from the uncovered dollar deficit of 8.7 billion dollars leaves 7.4 billion dollars of financing which would have to be met by new funds from the United States.

The executive branch, in rounding out its estimates, also had to take account of the increased flow of goods from the Western Hemisphere to the participating countries. Of the shipments going forward in the 15-month period, an estimated \$600,000,000 was in the pipe line at the start of this period. The rate of shipments would increase during the period. In order to sustain that increased rate of shipments, the executive branch estimated that \$800,000,000 would be in the pipe line as of June 30, 1949. This net increase of \$200,000,000 in the pipe line would also have to be financed with new United States funds, making 7.6 billion dollars in all.

This dollar deficit of 7.6 billion dollars for the 15-month period, the executive branch recommended, should be financed by appropriating about \$800,000,000, as part of the Department of the Army's budget to prevent disease and unrest in occupied areas, and 6.8 billion dollars to the European recovery program.

### F. ADJUSTING THE FINANCIAL REQUIREMENTS FROM 15 TO 12 MONTHS

The executive branch also submitted estimates of an illustrative pattern of obligations, shipments, and expenditures which might take place in the actual operation of a 6.8 billion dollar European recovery program in the 15-month period. Estimated shipments financed by new United States funds under the European recovery program would amount to 1.5 billion dollars in the 1949 April-June quarter. Consequently, when the Senate reduced the initial period of the program



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from 15 to 12 months, this 1.5 billion dollars was deducted from the requested authorization of 6.8 billion dollars for the first 15 months.

In authorizing 5.3 billion dollars for the European recovery program for the first 12-month period, this committee recommends that the executive branch's requested authorization be accepted and that the period be adjusted from a 15- to a 12-month basis. In this manner the basic request of the executive branch for the European recovery program will be preserved.

### IV. DOLLAR REQUIREMENTS AND AVAILABILITIES

#### A. NATURE OF THE PROBLEM

Even though both the Paris Conference report and the administration program approach the import requirements of the 16 participating countries from the point of view of individual commodity needs, the total requirements of United States financial assistance are closely related to the estimated combined net deficit in the balance of international payments of those countries with the Western Hemisphere. The 6.8 billion dollars requested to be authorized in the administration program for the initial 15-month period was derived from the estimated balance-of-payment deficit based on estimated commodity needs, exports, and other factors as follows:

*Summary of proposed financing of balance-of-payments deficit of the participating countries, 15 months, Apr. 1, 1948, to June 30, 1949*

[In millions of dollars]

1.	Deficit with Western Hemisphere of all countries including western Germany:	
	(a) In July 1, 1947, prices .....	(7,962)
	(b) In current prices .....	8,527
2.	Uncovered deficit of Bizonal Germany with nonparticipating countries outside the Western Hemisphere .....	200
3.	Total to be financed .....	<u>8,727</u>
The deficit is to be met:		
4.	From sources other than new U. S. Treasury funds:	
	(a) From International Bank and other sources in the United States <sup>1</sup> .....	500
	(b) From other Western Hemisphere countries .....	700
	(c) From participating countries on cash basis <sup>2</sup> .....	85
	Subtotal .....	<u>1,285</u>
5.	From new U. S. Treasury funds:	
	(a) Grants and loans for procurement in the United States ..	3,805
	(b) Assistance for offshore procurement .....	2,615
	(c) Department of the Army GARIOA <sup>3</sup> .....	822
	Subtotal .....	<u>7,242</u>

<sup>1</sup> Includes disbursements from unutilized balances of existing Export-Import Bank credits as well as new private investment and disbursements from International Bank loans whether new or already granted.

<sup>2</sup> Represents the deficits with the Western Hemisphere of Portugal, Turkey, and Switzerland, where such are recorded, adjusted to account for price changes. Surpluses of these countries with the Western Hemisphere are not deducted from the gross amount of the recorded deficits.

<sup>3</sup> Government and relief in occupied areas. This is that portion of appropriation requests to be made by the Department of the Army to meet requirements to prevent disease and unrest in the bizonal area of Germany.

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6. Uncovered deficit of Bizonal Germany (same as item 2 above) ....	200
7. Total U. S. Treasury financing with new funds .....	7,442
8. Authority to obligate funds for procurement of items to be delivered in subsequent years .....	200
9. Total authorization for ERP .....	7,642
10. Of which to be covered by Department of Army's appropriation for GARIOA .....	822
11. Authorization requested for ECA .....	6,820
Above in round amount .....	6,800

Some question might be raised as to whether the balance-of-payments approach is the most satisfactory approach to the problem. Merely to balance the accounts of a country that finds itself in continued financial difficulties would not, in and of itself, assure that fundamental and necessary corrective measures will be taken. There is danger that if dollars are too easily forthcoming to balance the accounts, the western European nations will fail to make the fundamental adjustments in their economies that are necessary to assure essential improvement in productive efficiency. These steps include an increase in domestic production, the lowering of trade barriers against intra-European trade, the mitigation of exchange controls and other devices of a nationalistic economic character, the integration of inland transport, and the rationalization of power resources. The above estimates were based on the assumption that these steps will be taken.

The fundamental needs of western Europe for materials and capital equipment to accomplish some of these broad economic objectives should be filled as promptly as possible. Such an approach shifts the emphasis of the argument away from the precise number of dollars needed over into the area of the general nature and administration of the program. The corrective cooperative steps that the western European countries should take throughout the period of recovery are at this juncture necessarily indeterminate. Certain generalizations can be made regarding the desirability of working together, but the precise measures that should be undertaken in each of the lines of activity can be answered only as time passes. An alert, practical-minded administration, therefore, is the prime requisite for the success of the European recovery program. The more that our thinking is geared into the "real wealth" aspects of the problem, and not merely the financial aspects, the greater will be the likelihood that the objectives of the program will be attained.

### B. MOBILIZATION OF EXISTING DOLLAR RESOURCES

The administration's program estimates that \$1,285,000,000 of the \$8,727,000,000 to be financed during the first 15 months of ERP can be met from sources other than new United States Government funds. Of this amount, \$700,000,000 is expected to be contributed in the form of loans and grants to European recovery program countries by Western Hemisphere countries other than the United States. Unutilized balances of existing Export-Import Bank credits, new private investment and disbursements from International Bank loans (new or already granted) are estimated at \$500,000,000. The remaining \$85,000,000 represents cash



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settlement of the expected deficits of Portugal, Turkey, and Switzerland, whose resources of dollars are ample.

The administration's estimate that not more than \$1,285,000,000 can be mobilized, without the liquidation of foreign investments, seems conservative. Of course, no one can now tell to what extent private capital can be induced to enter the foreign lending field. Much depends upon the psychological factors involved.

**(a) The International Bank.**—The administration outline lumps together the resources of the International Bank and the Export-Import Bank and estimates that together they can provide only \$500,000,000. In the light of information already made public this appears to be a conservative estimate. Total gold and dollars assets of the International Bank, as of December 31, 1947, totaled \$687,000,000. Of this amount about \$197,000,000 represented loans authorized but not disbursed, leaving a net free United States dollar balance of \$490,000,000. The United States is committed to a guaranty toward repayment of securities of the Bank up to a total of \$3,175,000,000, of which \$885,000,000 have been issued to date. The remaining free United States guaranty thus amounts to \$2,290,000,000, and the total actual and potential United States resources of the Bank amount to \$2,780,000,000.

Although there has been testimony by qualified experts to the effect that it will not be feasible for the International Bank to finance more than 200 to 250 million dollars of the cost of foreign economic recovery in the initial 12-month period, the committee believes that this figure is too conservative and that the Bank may well be able to support a larger figure. Much depends, of course, upon the condition of the bond market.

There is merit in the view that the authorizations of the recovery program should not be cut too low, in reliance upon other agencies. But, to err in the opposite direction and to minimize the likely effectiveness of instrumentalities that have already been established for dealing with this sort of problem would be poor policy.

**(b) Export-Import Bank.**—No figure is given in the administration's plan for the Export-Import Bank as such. Its potential contribution is lumped together with that of the International Bank in the \$500,000,000 figure for the initial 15-month figure.

The net free lending balance of the Export-Import Bank on December 31, 1947, amounted to \$497,000,000. Scheduled repayments of loans outstanding for three quarters of 1948 and one-half of 1949 (15 months) amount to \$136,000,000, and the undisbursed balance of outstanding loans to the CEEC countries amounts to over \$312,000,000. Total available dollar resources of the Export-Import Bank, as of December 31, thus amounted to approximately \$845,000,000.

Relative conservatism will naturally be exercised in the extension of Export-Import credit as such. Even so, the inclusion of \$200,000,000 as a likely estimate of dollar funds that might be made available to the ERP countries by the Bank does not seem unreasonable.

**(c) Collateral loans.**—Collateral already pledged by the United Kingdom against a loan by the Reconstruction Finance Corporation in 1941 is presently valued at \$900,000,000, although the loan itself has been amortized from the original \$425,000,000 to \$176,000,000. It has been

estimated that the collateral could support a loan of as much as \$700,000,000. In addition, long-term investments in the United States of the 16 ERP countries have been estimated by the National Advisory Council at over 4.9 billion dollars, divided about equally between securities and other types of property holdings.

An estimate that sufficient of this collateral might be mobilized to service new loans amounting to \$500,000,000 would seem to be conservative.

It does not follow from this, however, that all or any of these foreign-held investments should be liquidated to help finance the recovery program, unless to do so would improve the balance-of-payments position of the foreign nations who hold them. To illustrate, if investments held by foreign nations to the amount of \$1,000,000,000 yield an income of, say \$40,000,000 per annum, they provide an "invisible" transfer of that amount, each year, which helps pay for imports from the United States. If such securities were to be liquidated and transferred to American ownership it would eliminate this annual foreign credit. The only justification for such liquidation would be if the transfer of the investment to other fields were to yield a return greater than \$40,000,000 per year. Even then, it would have to remain in foreign ownership if the annual balance-of-payments credit were not to be eliminated. Wholesale liquidation would thus represent a brand of "living on capital" that might do considerable harm to the over-all international balance-of-payments picture and to the economic recovery of western Europe.

This is not to say, however, that foreign-held securities should not be used as collateral for loans by the United States. But, even so, unless the loans are non-interest-bearing, or almost so, some of the same objection would apply as in the case of outright liquidation. If the annual income-yield of the collateral is used up in servicing the new loans, the balance-of-payments credit represented by the annual income is impaired and future income is mortgaged for currently expendable dollars.

**(d) Other Western Hemisphere countries.**—Information and estimates regarding the part that the remainder of the Western Hemisphere, particularly Latin America, is expected to pay in the European recovery program are scarce.

The \$700,000,000 included in the administration program as the share to be borne by other Western Hemisphere countries seems rather low in the light of the favorable international position of certain of the Latin-American countries (notably Cuba, Argentina, and Brazil), and in view of the plans to spend 1.7 billion dollars of the 6.8 billion dollars in offshore procurement in Latin-American countries.

**(e) Gold and dollar balances in excess of currency reserve.**—According to United States Treasury officials the "excess" gold and dollar balances of Switzerland, Portugal, and Turkey amount to 1.5 billion dollars. Since this is "free" gold, in the sense that it is not needed as currency reserve, it might advantageously be used to help implement the ERP philosophy of mutual aid. These three countries were all participants in the Paris Conference and it is to be hoped that some of this might be available in the form of long-term loans to participating countries that are experiencing serious balance-of-payments difficulties.



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### C. RANGE OF VARIABLES IN ESTIMATING REQUIREMENTS

There are so many variables with regard to crop conditions, prices, and availabilities of certain commodities that anything approaching a firm estimate of the over-all dollar requirements of ERP would be quite illusory. These variables are present regardless of the competency of the technical experts who make the estimates; they are inherent in the situation itself.

Thus, with regard to agricultural and food products alone, the 15-month requirement figure of which is in the neighborhood of 4.3 billion dollars, the price situation is so uncertain that a 20-percent rise or fall would occasion a plus or minus difference in the estimate of \$800,000,000 or a range of variation of 1.6 billion dollars.

Should favorable reports regarding crop conditions in Europe and north Africa materialize it is possible that this year's harvest might reach 85 percent of prewar. On the other hand, should the dry phase of the climatic cycle become a reality in 1948 in the Northern Hemisphere, the supply situation might again become acute and prices rise accordingly. A 20-percent rise or fall in price, therefore, seems conservative.

Although steel and petroleum are of vital importance to the European recovery program, as well as to our own economy, the dollar volume is relatively small in the total program. In view of the tight supply situation in steel a substantial cut, percentagewise, might be necessary. But, since the dollar volume is so small (\$453,000,000 in the CEEC report and \$325,000,000 in the administration program) even a 50-percent revision in the figure would amount to only a little over \$200,000,000.

In view of the present situation confronting this country with regard to petroleum supplies, it seems likely that even the revised requirement figures might prove to be too high. Therefore, a downward variation of as much as \$200,000,000 might materialize.

There is also a wide range between the amounts that it would seem economically possible for the other Western Hemisphere countries, particularly Latin America, to contribute to the program and what experience tells us will actually materialize.

Undoubtedly the range of variables in many of the other estimates would be proportionally as great as the ones here mentioned. The variations herein discussed cover a range of anything from a \$1,000,000,000 increase in the cost of the program to a decrease of as much as \$1,000,000,000. The fact that in a program of this size a possible range of as much as \$2,000,000,000 appears possible illustrates how futile it is to spend too much time debating the exact size of the program. No one can tell now whether in the 12 months before us 5.3 billion dollars will be necessary or whether it can be cut back safely to 4.3 billion dollars, or whether even without a further turn for the worse in European political events the contemplated program might cost as much as \$6,000,000,000 or \$7,000,000,000.

But, this much we do know—that, in view of the overriding importance of the objectives sought, it will be much safer for the Administrator to have access to too many, rather than too few, dollars.

### D. WHERE WILL THE MONEY BE SPENT?

The so-called "Illustrative Composition of Imports and Commodities and Services from the Western Hemisphere, April 1, 1948, through June

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30, 1949, and Possible Sources and Distribution of Financing," issued as a press release by the Department of State on January 20, 1948, shows how the 6.8 billion dollars sought for the European recovery program might be spent among the recipient countries, by commodity categories. In view of all the circumstances, including availabilities and usual trade channels, it shows, by country, how many of the new dollars might go for the various commodities and how much might be purchased out of the countries' own earnings and other dollar resources. The figures are illustrative only and in all probability vary widely from what will probably actually occur. Nevertheless, they are based on guesses by informed experts and are useful as an indication of what might occur.

The figures show that for the 15-month period under consideration total imports of the CEEC countries are estimated at 11.8 billion dollars. Other dollar payments, including estimated freight, bring their total dollar payments to 12.9 billion dollars. It is estimated that, under the European recovery program, these dollar demands will be met as follows:

	Billion
From the countries' own dollar earnings from exports and services . . . .	\$4.9
From dollar sources other than new United States funds (International Bank, etc.) . . . . .	1.2
From new U. S. Government funds . . . . .	6.8

The commodity categories are not given in as great detail as one would like to see, and a large amount (4.2 billion dollars) is left unclassified in the "other imports" classification. Nevertheless, the break-down is fairly complete so far as food, fuel, and fertilizer items are concerned.

These data, summarized from the State Department's Illustrative Composition, are as follows:

[In millions of dollars]

Category	Method of financing			Total
	By own dollar earnings	Sources other than new United States funds	New United States funds	
Food, fuel, fertilizer . . . .	755	618	4,185	5,558
Other raw materials . . . .	383	80	986	1,448
Listed capital equipment..	36	53	489	578
Other imports . . . . .	3,211	408	609	4,228
Other dollar payments . . .	1,555	.....	2,592	1,147
Total . . . . .	4,940	1,159	6,861	12,960

1 \$226,000,000 freight and \$319,000,000 other dollar payments.

2 All freight.

Note.—See tables in the appendix II for detailed break-down.

## E. ECONOMIC AID FOR CHINA

China's economy has deteriorated steadily since the defeat of Japan. This deterioration has been due to the devastation which civil warfare has added to the disorganization and destruction brought about by the war against Japan, and to the difficulties faced by China, in the circumstances,



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in mobilizing effectively its available resources. It has taken place despite large amounts of foreign aid extended or available to China since VJ-day. The United States alone has extended aid to China amounting to somewhat over 1.4 billion dollars since VJ-day. In addition, the Chinese Government has expended more than \$700,000,000 of its own foreign exchange holdings.

The civil warfare in China has seriously dislocated economic activity in two major respects. First, its physical impact has been felt through the destruction and dislocation of transportation and industrial facilities, and in the isolation of raw material, fuel, and food sources from centers of consumption and ports of export. Second, the monetary and financial impact of civil war is felt throughout the entire economy in the disruptive consequences of inflation resulting from the issuance of paper currency in order to finance mounting Government deficits caused mainly by military expenditures. Inflation impedes the production and movement of goods for domestic consumption and export, and stimulates speculation and hoarding. It thus intensifies existing scarcities, and requires ever-larger Government appropriations.

China needs economic assistance if she is to be able to purchase essential imports and to undertake urgent reconstruction projects.

Her essential commodity needs, for the 15-month period ending June 30, 1949, as set forth by the Department of State, amount to \$510,000,000. The items, and their estimated cost, including insurance and freight, are as follows:

Cereals (wheat and rice) .....	\$130,000,000
Cotton .....	150,000,000
Petroleum and petroleum products .....	110,000,000
Fertilizer .....	30,000,000
Tobacco .....	28,000,000
Metals .....	24,000,000
Pharmaceuticals .....	5,000,000
Coal .....	3,000,000
Replacement articles for existing capital equipment .....	30,000,000
Total .....	\$510,000,000

The cost of essential reconstruction projects in China has been estimated at \$60,000,000.

Although the authorization for economic assistance to China in the current bill falls short of the requested \$570,000,000, it adds \$150,000,000 for military assistance, thereby bringing the total authorization for China for both economic and military-type assistance back to the \$570,000,000 figure.

### V. ANALYSIS OF TITLE I OF THE BILL: EUROPEAN RECOVERY PROGRAM

#### A. BASIC OBLIGATIONS ASSUMED AS CONDITIONS OF PARTICIPATION IN THE EUROPEAN PROGRAM

The nations within the scope of this program will qualify for assistance through the steps, first, of joining with the other nations concerned in the program of cooperation for restoration of the European economy and, second, of signing a bilateral agreement with the United States.

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The basic agreements will be specific and intricate. They must be predicated on and derived from the details applicable to each respective participating country. The work of negotiating them necessarily will be postponed until the Congress has finally determined the basic conditions. To afford the time necessary for the making of proper agreements and yet to avoid a hiatus in getting the program under way, provision is made for limited interim assistance.

The bill as originated by the President specifies that for 3 months any country signifying by definite action its intention of going along with the program may be extended any appropriate aid authorized by the program. The bill as it comes from the Senate, in addition to the above, specifies that any CEEC nation may be extended relief-type aid through June 30, 1948.

The substance of the cooperative pledge is of such importance as to merit specific review. It is stated as follows in the CEEC report:

In order to insure that the recovery program is carried out, the 16 participating countries pledge themselves to join together, and invite other European countries to join with them, in working to this end. This pledge is undertaken by each country with respect to its own national program, but it also takes into account similar pledges made by the other participating countries. In particular, each country undertakes to use all its efforts:

- (i) to develop its production to reach the targets, especially for food and coal;
- (ii) to make the fullest and most effective use of its existing productive capacity and all available manpower;
- (iii) to modernize its equipment and transport, so that labor becomes more productive, conditions of work are improved, and standards of living of all peoples of Europe are raised;
- (iv) to apply all necessary measures leading to the rapid achievement of internal financial monetary and economic stability while maintaining in each country a high level of employment;
- (v) to cooperate with one another and with like-minded countries in all possible steps to reduce the tariffs and other barriers to the expansion of trade both between themselves and with the rest of the world, in accordance with the principles of the draft charter for an International Trade Organization;
- (vi) to remove progressively the obstacles to the free movement of persons within Europe;
- (vii) to organize together the means by which common resources can be developed in partnership.

As provided in the requirements for the bilateral pledges to be undertaken by the recipient countries with the United States, the substance of virtually all the above undertakings are made integral parts of the structure of the program envisaged by this proposed act. The basic objectives considered immediately below are those which will involve virtually every participating nation. Others will apply in specific instances and are considered in relevant parts of the report.

The bill in its present form, and as it comes for the Senate, makes the undertaking of cooperation with the other nations of Europe a more specific condition precedent than does the draft proposed by the President or does the Herter bill.



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The pledges to be required in the bilateral agreements include the undertaking of steps necessary to eliminate abnormal outside aid. This is the basic requirement in regard to production. The committee found that the bill as it comes from the Senate, the bill as proposed by the President, and the Herter bill were alike in principle on this basic requirement.

The pledges to be required in regard to money and finance were likewise similar in the three bills. As proposed by the President, the undertakings would be in the direction of stable currency, proper exchange rates, and restored confidence in the national currencies.

The bill as it comes from the Senate and as now reported adopts approximately the same language, changing the word "proper" to "valid" and specifying balanced budgets as a goal. The Herter bill specifies the arrest of inflation as an objective, but in general conforms to the language of the other bills. In the committee's judgment, the language of any of the bills would suffice as a directive for the bilateral agreements.

During the hearings the committee's attention was drawn to the idea of stipulating the methods by which the fiscal objectives should be reached. A formula more explicit than the words of the bill as reported and yet cut to a pattern to fit all participating nations appeared impracticable. In this respect, as in many others, the quality of the result to be produced must be left to the judgment and the energy with which the program is administered. It cannot be predetermined by nice definition.

Regarding international trade, the basic terms of the bilateral agreements will require cooperation to increase the interchange of goods and services and to reduce trade barriers. The language is like that originally proposed by the President. It differs from that of the Herter bill principally in applying such cooperation in commerce to trade with all nations rather than to commerce with other participants.

One of the significant basic obligations is that which refers to the proper use of the resources of the participating country, including those made available under the program. The bill as proposed by the administration emphasizes this aim. The bill as it comes from the Senate adds language obligating the participating nations to take measures to locate and control assets in the United States owned by their nations.

The committee gave mature consideration to varied proposals for forcing the participating nations to take explicit measures to pledge the assets of their nations as security or otherwise to bring them actively to the support of the program. In the last analysis the committee was restrained by the consideration that more specific requirements might force the wholesale liquidation of such assets and thus unwittingly conduce to the destruction of a seedbed of private initiative. Here again, in the committee's judgment, the results must depend on the force and wisdom of the administration and the good faith of the participants rather than upon rigid prescriptions.

Also related to the proper use of resources is the aspect of possible reexport of goods made available under this program to nations that are hostile to its objectives, thus contributing to the frustration of the program's objectives and impairing the interests of the United States. Specific language adopted by the committee and herewith recommended to

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the consideration of the House charges the Administrator to interdict the shipment to participating countries of commodities or products to be used in the production of commodities or products which are intended for export from the participating countries to nations which have declared their hostility to the European recovery program and which are of the type which the United States, under its export-control policies, would not ship to such nations. It would be a paradox if the resources of the program were to be employed to strengthen the hands of its enemies. It is this paradox, of such serious implication not only to the integrity of the program but also to the security of this nation, that the committee seeks to avoid.

The committee, in the course of hearings, heard many other suggestions for inclusion of special terms in the basic agreements.

The idea of imposing special conditions to protect private initiative against the threats of collectivism was brought up by several witnesses. Some of them urged stipulations that the participating countries must pledge not to nationalize industry or take any measures to impair free, private, competitive enterprise. In view of the delicacy of attempting to interfere with internal constitutional provisions, others urged that the committee avoid conditions which, because of their repugnance to the recipient countries as interference in their domestic concerns, might defeat the very ends the program is intended to promote.

The committee has elected to depend upon the spirit of administration rather than upon rigid initial bargains. It has added a provision, however, intended to protect the interests of American business operating in the participating countries. It would require the recipient countries to pledge to submit to arbitration questions involving compensation of American nationals in event of governmental measures affecting property rights and concessions—subject to espousal of the claim by this Government.

The special place of Germany in any plans for restoration of Europe is apparent in any objective consideration of the problems. The point need not be labored here that German recovery is a great factor in western European revival. The crux is the issue on dismantling of German industrial plants. The committee is not of a unified view as to the merits of what has been done and as to the merits of what should be done. The evidence on dismantling was mixed. None can deny, however, that the dismantling program was undertaken as a reparations measure before a joint program for European recovery had been brought into reality. Few would dispute that the new circumstances of the recovery program would justify a reexamination of the merits of dismantling. Nevertheless, the reparations program is based upon international agreements to which this Nation has adhered. A national statute is of limited effect in upsetting an international agreement. The committee, in recognition of the relevance of German plants to German recovery, and of German recovery to European recovery, has directed the seeking of agreements wherein the participating countries will undertake to subordinate their property rights in reparations equipment to the principle of locating plants in the areas where they will contribute most effectively to the restoration of European productivity.



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The inclusion of the zones of western Germany in the CEEC program is itself a significant step in the direction of improving western German conditions. A second matter in solving the problems of peculiar importance to Germany and of general importance to Europe as a whole is that of distribution of manpower. The committee has not proposed to write conditions in this respect into the basic agreements. It does propose, however, to direct the Administrator to seek agreements for the most effective use of manpower. The objective includes the integration into the recovery programs of the various participating countries of a fair share of the displaced persons who, because of the conditions of the postwar world, are kept from becoming effective participants in economic life. The authority of the International Refugee Organization as the agency whose mandate it is to see to the protection of these homeless people is recognized in the provision. It is anticipated that if brought into effective use, this provision will assist in contributing to the solution of the displaced persons problem. It is the hope that arrangements will be worked out whereunder resettlement in family groups will be undertaken rather than emphasizing the resettlement only of the strongest and ablest of the displaced persons.

Finally, as it comes from the Senate and as recommended to the House, the bill includes a statement of the understanding that the nations still holding German prisoners of war are undertaking to repatriate them by the end of this year. This is the case. It is not intended to intervene in a repatriation schedule based upon international agreement. It is intended only to indicate the watchfulness of the United States over the performance under such agreement.

Finally, there is the matter of special publicity. The Herter bill includes the idea of making full publicity of American assistance a condition for the basic agreements. A number of witnesses supported this view. Others pointed out that the United States can, with better effectiveness, undertake to see to the adequacy of publicity through its own devices. The bill as originated and as now recommended includes an obligation to make available full information regarding assistance. It does not name specific publicity undertakings. The committee has added a provision that would extend the guarantee of convertibility of the return on approved American investments to information media already operating.

A suggestion made recurrently to the committee was the idea of including in the basic agreements an undertaking of a defensive alliance. In the committee's view, notwithstanding the arguments that can be brought to support the idea of an alliance, it would be inadvisable to attempt to provide it here. The Administrator should confine his negotiations to economic interests; he should not be charged with undertaking military security.

Another recurring idea suggested for inclusion in the basic agreements was that of bringing about definite steps toward political amalgamation. The Union of Europe is a consummation devoutly to be wished. But the impulse must come from the participants. It is inherent in the entire European recovery program that it is a gesture of encouragement to such an end. This is stated at several points in the bill.

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### B. THE MECHANICS OF THE PROGRAM

The bills considered by the committee were alike in the scope and variety of aid to be permissible under the contemplated programs. Commodities of all kinds, transportation, storage, repairs, all kinds of service, the expenses of persons hired as technicians in the economies concerned—such were the things which the United States was to make available to impoverished Europe. No restriction as to source was to be provided other than a directive, explicit in all but the President's bill in its original form, to avoid a drain on United States resources. (This provision is particularly emphatic with respect to the procurement of petroleum.)

Flexibility in purchasing is provided. In the administration bill the participating countries, private importers in the participating countries, agencies of this Government, international agencies, and private investors may do the purchasing with funds and credits to be made available.

Withdrawals from the funds available for the administration of the program may be made by advances or reimbursements to the recipient countries, by reimbursements to United States Government agencies, or reimbursements or advances to international agencies, and by making guaranties to private investors spending money on projects approved as conducing to the purposes of the bill up to the amount of money they put up—these guaranties being limited only to convertibility into dollars of what they earn and not extended to business risk.

In the bill as approved by the Senate and as now recommended by this committee, the Administrator is granted great flexibility in making arrangements whereby private channels of trade may be used to the maximum extent in this program. Withdrawals of funds on letters of commitment and upon presentation of contracts, invoices, and other validated business documentation is permitted. This committee has added language directing attention to the maximum use of private trade channels subject to safeguards for the purposes of the program.

Flexibility in accounting, contracting, and like aspects is provided. This is essential to the working of the program in a businesslike fashion. It is obvious that statutory requirements that usually would apply prohibiting advance payments out of public funds for purchases, requiring advertising on bids for purchases, requiring the opportunity for bidders to be present at the opening of contracts, restricting purchases to United States-produced goods, limiting employment on Government contracts to an 8-hour day, and the like—have no place in a program that must work in a variety of conditions and countries.

Accordingly, an escape from provisions that would hamper the program and serve no public interest—subject to Presidential discretion—is included. It is believed that this will give the Economic Cooperation Administration flexibility equivalent to that obtainable under a corporate form. In addition, the Administrator is authorized to set up a corporate instrumentality if such is found necessary. Settlement of accounts for procurement abroad on documents as prescribed by the Administrator is provided.

A novel provision in the bill related to the encouragement of private efforts to relieve suffering in Europe. As originated in the Senate, this provision authorizes the Administrator to defray ocean freight charges of



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relief supplies forwarded by voluntary agencies and of relief packages sent by private individuals. The subsidy is confined to ocean freight charges in the Senate bill. The committee has added domestic port charges. It applies only to packages and supplies destined for countries on a grant basis in the program in the Senate bill. The committee has extended it to western Germany and Trieste. The committee has also written in a provision for registration with and approval by the Advisory Committee on Voluntary Foreign Aid of the Department of State insofar as voluntary agencies are concerned. A further encouragement to voluntary foreign aid is provided in a permissive power for the Administrator to make agreements with participating countries for using for local transportation costs the local currency deposits provided for in the grant provisions of the title.

### C. ECONOMIC IMPACT OF THE FOREIGN-AID PROGRAM ON THE UNITED STATES ECONOMY

The economic impact of the foreign-aid program upon the United States economy as a whole, as opposed to its effect upon individual commodities and industries, needs to be considered from both the short-term and the long-term point of view. The short-term view is concerned primarily with the effects of the advance of substantial amounts of goods and funds at a time when the Nation is in the inflationary phase of the economic cycle. The longer-term view is concerned with some of the implications of the aid program on the international economic position of the United States, particularly with regard to commercial policy.

Generally speaking, the outstanding characteristic of an inflationary situation is an excessive demand for goods, expressed in terms of effective money demand, relative to the supplies of goods available. Such a situation can be brought about by either expansion of credit and increases in the supply of money or by decreases in the supplies of goods, or both.

Most countries today find themselves in an inflationary spiral. In war-devastated areas, notably Europe, acute deficiencies in the output of food, coal, steel, clothing, and other articles for immediate consumption are still widespread. Although physical production in certain countries is already close to, or even above, the prewar rate the tremendous vacuum of goods has not yet been filled. The shortages, furthermore, are frequently in the very lines that are needed most to increase production, such as coal and steel. The pent-up demand for consumer goods throughout the war period when a large proportion of productive effort was applied to war goods is now making itself felt.

Not only are goods scarce but the supply of money is large. During the war years countries financed themselves by the traditional borrowing methods that resulted in substantial increases in their monetary supplies and bases for credit expansion. The phenomenon is applicable, but is not confined to, the United States; it is world-wide.

No development could contribute more to alleviate world-wide inflationary pressures than the achievement of the objectives of the foreign-aid program. It is the purpose of the program to provide such temporary help as may be needed to restore the economic production of war-devastated countries, particularly of the countries of western Europe. If it is success-

ful, it will relieve immediately those aspects of the inflationary problem which reflect inadequate production. Greatly increased production of food, coal, and steel in Europe, once the world's workshop, would go far to remove the most acute shortages that are pushing up prices throughout the world.

Although the causes of inflation in the United States are mainly internal, deliveries of goods abroad under the foreign-aid program inevitably will add somewhat to existing domestic inflationary pressures. Until its economy is again self-supporting, the survival of western Europe on an independent basis will require large net imports of foodstuffs, raw materials, and manufactured goods. The need for these deliveries falls on this country at a time when it is going through a period of strong internal inflationary pressures. In these circumstances any foreign demand for our products in excess of our imports is necessarily inflationary in its immediate impact. Net merchandise exports grew to approximately \$9,000,000,000 in 1947, and this has been a factor that has accentuated domestic inflationary forces.

In the aggregate our gross national product in 1947 was \$232,000,000,000 and our net merchandise exports to all countries of approximately \$9,000,000,000 constituted 4 percent of the gross product.

When the problem is considered from this point of view, that is, in its aggregate impact, it is apparent that the over-all amounts involved in the foreign-aid program in and of themselves do not impinge critically on our ability to supply, especially as compared with total exports in 1947. Any net export of goods is, of course, a subtraction from the amount that might otherwise be available, and to this extent diminishes the amount of goods in the home market. The extent of this subtraction, as an aggregate, however, is not of sufficient size to indicate a critical situation, particularly when it is remembered that our total net exports in 1948, with a foreign-aid program, will not vary greatly from the amounts exported in 1947, and that in 1947 the volume of goods remaining available for consumption within the United States after exports exceeded all previous levels. From an aggregate point of view, therefore, it is apparent that the prevalence of broad inflationary pressures in the American market is primarily internal in origin.

Optimistic though the picture is, so far as the basic wealth of the Nation is concerned, there is grave danger in failing to look beyond the relationship of aggregates and into some of the details.

Although the export surplus, both recent and likely under a new foreign-aid program, is small in relation to the real income and the basic resources of the country, the impact of exports happens to be greatest in those very fields in which commodity shortages both here and abroad are the most serious; namely, food (principally grains), coal, fertilizer, and iron and steel.

It is precisely because food and coal constitute an important share of the consumer's budget, and because the "cost of living" and the price of coal and steel constitute such an important part of the cost of all manufacturing, that price rises in these commodities are dangerously inflationary. When consumers find their living costs mounting higher and higher, and manufacturers similarly are confronted with rising costs of production, the pressure for higher wages and higher selling prices breaks beyond



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the resistance point. Unless the familiar wage-price-cost spiral is halted the consequences are likely to be serious.

It is essential, therefore, that the country be aware of the inflationary dangers that we shall face if we allow the demands for goods in tight supply to have unrestrained impact on the limited supplies of those goods. This impact is out of all proportion in its inflationary effects to the dollar volume involved.

It is from this aspect that the foreign-aid program requires meticulous analysis and special precautions to minimize its inflationary implications on the American economy. Those implications do not arise out of the aggregate size of the export surplus, which is clearly within the capacity of the American economy, but out of the export of specific commodities in critically short supply from an economy in which a considerable part of the inflationary potential created by the war is still present.

These specific inflationary impacts of the foreign-aid program can be mitigated or neutralized to a considerable extent by administrative programming procedures such as were developed during the war. It would be the purpose of such measures to maximize available supplies, to insure that the supplies produced were made available in fact for the most essential uses, and that other uses were deferred if acceptable substitutes were not available.

Although our war experience will be of great aid in devising and executing such programs for specific commodities, the general economic problem which is posed to this country is not at all analogous to that presented by the war. Then, because the war was a total war, the estimated needs of the fighting services superimposed on essential domestic needs tended to exceed the capacity of the economy to produce. Given this basic problem, administrative measures such as the above could not be restricted to a few commodities in critically short supply. All resources were potentially short and war controls inevitably spread over an ever-widening area as the war progressed. The effect of such controls, furthermore, as it was related to prices was confined in the main to minimizing the actual current price inflation. Inflationary potential in the form of the gradual accumulation of excessive liquid assets continued to mount. In fact, the success of those controls depended in no small measure on the fact that the public was willing to accumulate excessive liquid assets. Current inflation was held in check in considerable part by accumulating an inflationary potential that was bound to present future problems.

The current economic problem, however, is different. The American economy has given ample demonstration during the past year that it has the capacity in the aggregate to provide simultaneously (1) for a very high level of internal civilian consumption, (2) for a very high rate of internal investment and, consequently, for an even higher level of future potential consumption, and (3) for the essential exports required abroad for rehabilitation and reconstruction. Under these circumstances, there is no reason to expect that the adoption of administrative measures to program the use of particular commodities in critically short supply would create a situation which would require spreading such controls over wide sectors of the economy.

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The inflationary impacts of critical shortages can be minimized by measures designed to program their use without thereby further accentuating the inflationary potential. Such measures need not be extended over wide areas of the economy; in fact, if they were to be broadly extended, their success would be likely to be purchased at the expense of a further increase in the inflationary spending potential.

In markets as active as those in the United States at the present time, any outlay of funds for foreign aid will add to the existing excess of internal buying power unless it is offset by a withdrawal of potentially active funds in equivalent volume. Purchases by foreign governments out of their own financial resources, as, for example, though the delivery of gold to this country or through checks drawn upon hitherto idle deposit balances, will also have inflationary effects.

If the expenditures are covered by additional taxation or by a decision to forego an equivalent tax reduction, the inflationary effect of the expenditures is offset by the deflationary effect of the equivalent tax receipts. Unless they are offset by taxation, however, dollars spent by the Treasury to acquire commodities remain in the hands of the public while the commodities go out. There are thus fewer goods left in the internal market to satisfy the demands of an undiminished supply of dollars. If purchases of commodities are made outside of the country, dollars are made available to foreigners which they are only too anxious to use to purchase in our markets under present conditions of dollar scarcity. Unless these funds are raised by taxation, or out of genuine savings, the inflationary impact on the domestic economy remains.

The inflationary impact of the present bill is lessened by the fact that the bulk of the aid will be in the form of grants and the money with which the commodities are purchased from producers in the United States will come out of regular Government revenues. It will tend to be deflationary from the point of view of the recipient country to the extent that local currency is given up in exchange for commodity imports that enter into the country's economy, thereby increasing, at least temporarily, the ratio of goods to money since the imports require no offsetting exports.

Regardless of the short-run effects of the foreign-aid program on the United States economy, there are certain longer-run implications of great consequence. The permanent economic recovery of western Europe will depend, in no small measure, upon her obtaining and holding foreign markets for her merchandise. Europe traditionally has been the workshop of the Old World, but to be a workshop she needs markets for her wares in order to be able to pay for her imported raw materials, including food.

There is, in final analysis, only one way that western Europe can acquire dollars, and that is from the United States. This does not mean that the United States must provide the dollars direct to Europe, but simply that via multiangular trade the United States must export dollars to some foreign countries. Before the war, the accustomed pattern was for the United States to send more goods to Europe than it bought from Europe and for Europe to send more goods to Latin America and other raw-material-producing countries than it bought from them, and for these countries in turn to send more to the United States than they purchased from it. Thus, the debits and credits were offset in a triangular, or multilateral, trade pattern.



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The only ways, in the long run, that the United States can provide dollars is either by buying foreign-produced goods with them or by giving them away. To the extent that we choose to continue to give the dollars away, there will of course be no exchange problem. To the extent that we lend the dollars, we shall build up claims against the rest of the world which, it is to be expected, will someday be repaid. The only way that these debts can be repaid, however, is in terms of goods. For a considerable time, it is true that ultimate settlement can be postponed by the continuance of foreign lending operations in sufficient volume to offset the interest and other servicing charges on existing indebtedness.

A real danger confronting this country is that, particularly in the event of an economic recession, the pressures toward increasing our barriers against foreign-produced merchandise will be too great to resist and that our debtors will find themselves in the position in which our post-World War I debtors found themselves. The difficulty then was more our unwillingness to accept payment in goods than their ability to pay.

The position of the United States in the world today is vastly different from what it was prior to the First World War. Changes then ushered in were not recognized to exist, while we continued to pursue the traditional export philosophy of a debtor nation. Two world wars have changed this picture. The United States now is due to become the largest creditor nation in the world's history. The implications have not yet become clear to all, and therein lies a great danger to the foreign recovery program. For a creditor nation must import more than it exports, eventually and in the long run, or it will cease to be a creditor nation.

### D. THE USE OF PLENTIFUL COMMODITIES AND PRIVATE SERVICES

The program is supposed to involve the procurement of large quantities of supplies of many kinds and is supposed, at the same time, to avoid undue impact upon the normal economy of the United States. This in itself means that there is a vast range of possible calculation as to how to get the best value for the program from the money spent and, at the same time, how to avoid causing shortages and too severe price reactions in the United States.

Such calculations may be performed by almost every interested party. This was reflected in the large number of suggestions submitted to the committee. Some of these called the attention of the committee to the presence of excessive stocks of some commodities that might well be unloaded through this program, with advantage to all concerned, though in some cases price factors might be such as to require a subsidy through some mechanism or other. Other suggestions, in the view of the committee, were based upon an effort to preserve the expanded position of some industry or business resulting from the war. Whereas the principle of minimizing the impact of the program upon the domestic economy was expressed by the Congress in connection with the Foreign Aid Act of 1947, and has been fully accepted by this committee, it has seemed in some cases that the purpose of a proposal was rather to maximize the impact of the program in order to preserve an economically oversized business from the impact of peace.

The most meritorious of the suggestions in this general field seemed

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to be the one for disposal of surplus commodities now in the hands of the Government, at prices based on their value as substitutes for ordinarily cheaper foods. The Secretary of Agriculture is specifically charged with functions in relation to this aspect of the program by section 112, subsection (d), (e), and (f). It is not, of course, to be desired that this arrangement should become permanent, with the Government engaged in the purchase of dried fruits or other such foods at high prices, and selling them at prices competitive with wheat and potatoes on a calorie basis. But it would certainly be wasteful if such food supplies already exist, and no better opportunity for sale is in sight, not to arrange for hungry people to eat them up. If such provisions have any tendency to delay necessary postwar economic adjustments in the United States, or to maintain a boom-or-bust philosophy in certain groups, that will remain a concern, and not only of this committee. Provisions in this connection are included in section 112.

Some proposals were rejected by this committee mainly on the argument that they would involve the program in serious impediments due to red tape. Suggestions for using private services "wherever possible" would make for enormous difficulty in the handling of accounts, since proof might be required of fulfillment by the General Accounting Office. Also, in the view of the committee, they would actually have very little effect on the amount of business handled through customary private channels, since this will be governed by practical consideration.

On the other hand, the use of private trade channels "to the maximum extent consistent with the accomplishment of this title" does not provide any such difficulty and serves to indicate intent and as a beneficial stimulus to performance.

### E. SHIPS AS A FORM OF AID

Shipping presents a special problem as a form of aid. In the bill originally proposed transfer of merchant ships certified as surplus by the Maritime Commission was to be permitted on Presidential order. In addition, chartering of merchant ships to participating countries, to permit them to sail under foreign flags and thus avoid the higher costs of operation under American standards and the necessity of payment of the crew in dollars, was to be authorized.

The bill as reported to the Senate struck out the provision for transfer and limited chartering to 300 ships in number, dry-cargo ships in type, and June 30, 1952, in term. It was to be required that the ships chartered be not in operation at the time of chartering.

This charter provision was eliminated in the Senate and in lieu thereof was substituted a provision specifying that 50 percent of cargoes originating in the United States and related to the program should be carried in American ships if such should be available at market rates.

A special subcommittee of the Committee on Foreign Affairs was set up during the bill marking stage to look into the problem and to arrive at the crux in the conflict of viewpoints presented in testimony given before the committee.

On the point of national security, the committee was assured by the statement of Secretary of Defense Forrestal that even the original pro-



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vision for transfer and charter was no threat to American defense interests. On the point of costs, it was clear that the denial of the charter provision and the requirement that half of the gross tonnage be carried in American ships would add to the costs of the operation in requiring payment in dollars, and in tending to drive shipping rates upward. The additional cost, it is apparent, would be considerable. Whether existing rates would hold in the face of the restrictions in the Senate bill was argued at length before the committee. No one denied that the additional cost would be great. Conservative estimates placed the cost of the program at \$100,000,000 for the first year.

To the committee it would be an expensive paradox to divert funds from European recovery to the purpose of maintaining United States maritime operations at a level which all concede is inflated far above the predicted permanent postwar operations. The aim of the program is to restore Europe, not to save American interests from the impact of peace.

Accordingly, the committee struck out the 50 percent requirement and substituted in its place the phrase "a substantial portion." The 50-percent requirement is one that originated in connection with the carrying of cargoes floated by loans incident to American recovery. It is incongruous in a program in which America must sacrifice for the recovery of others. The committee wrote back into the bill the provision for chartering, cutting the number of dry-cargo ships affected to 200, and doubly insuring protection of security interests by specifying the instant revocability of the charters in the interest of national defense.

### F. FINANCIAL CONSIDERATIONS OF THE BILL

#### Loans and guaranties

The hearings showed that 20 to 40 percent of the funds were to be made available as loans and the Senate bill provided that not more than 5 percent should be used for guaranties. The committee determined that at least \$1,000,000,000 of the total 5.3 billion dollars should be available solely for loans and guaranties, and the bill so provides. One billion dollars is available for loans or guaranties, including not to exceed \$500,000,000 for guaranties, as provided in section 111 (b) (3). These guaranties are to facilitate the use, insofar as possible, of private enterprise by insuring the convertibility of local currency receipts from projects approved by the Administrator. Whatever remains in this fund of \$1,000,000,000, after the Administrator has set aside such funds as he desires to earmark against guaranties, would be available for loans through the agency of the Export-Import Bank, to be financed as public-debt transaction.

#### Division between loans and grants

The remaining 4.3 billion dollars which may be appropriated may be used either for grants or loans as the Administrator deems necessary, acting in consultation with the National Advisory Council on International Monetary and Financial Problems. The determination, therefore, of what shall be a grant and what shall be a loan has been made partly by the setting aside of a maximum amount as an authorization

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beyond which no grants can be made, but with the assumption that some loans may be authorized within this amount. The determination of the conditions under which loans may be properly made rests, therefore, with the Administrator in consultation with the National Advisory Council, notwithstanding the provisions of the Export-Import Bank Act of 1945. It is provided, however, that these loans will be such as to have a reasonable assurance of repayment which is the same standard currently applicable to Export-Import Bank loans.

It is provided that the Administrator in making loans shall utilize first the funds made available by the \$1,000,000,000 public-debt transaction, before utilizing for loan purposes any funds appropriated under this act.

In conformance with the statutory provisions governing the division of funds as between loans and grants, as above stated, the Administrator may make grants to the participating countries for approved types of assistance. He may require currencies of the participating countries in amounts commensurate to the aid received in this form to be placed in special joint accounts hereafter described, or he may secure, by the language of section 111 (c) (1), section 117 (a), and section 115 (b) (5) and in conformity with section 115 (h) (9) of the provisions of repayment, strategic materials for stock-piling purposes in the United States.

In essence, the aid which is extended for local currencies becomes a grant to the recipient nation, since the disposition of the currencies concerned is made a matter of joint agreement.

### G. LOCAL CURRENCY DEPOSITS

The committee strongly believes that local currency funds, wisely administered, can become a major force toward (a) reconstruction, expansion, and modernization of industrial capacity; (b) stabilization of internal financial and monetary conditions, and (c) development and expansion of raw material productive capacity. The funds also shall be available to meet the local administrative expenses of this program. It appears probable that a large part of most of the funds accruing during the first year will be temporarily frozen in order to reduce inflationary pressures; in Greece, however, the local funds must be used for immediately current expenditures due to the disruption resulting from the civil war. This is an example of the varying conditions which must be considered by the Administrator in the various countries.

The committee has examined the possibility of vesting legal title to these funds and detailed control of their use, solely with the United States, but has rejected this concept on the grounds that it would place the United States in the position of primary responsibility for the financial stability of these countries. Such a position would be inconsistent with the objective of strengthening the cooperation and mutual self-help among the participating nations. The committee has, therefore, provided for the establishment of a special account by each country, subject to joint control of its disposition by the recipient country and the United States.



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The agreements between the Administrator and the recipient countries on the use of these funds may be as broad or as detailed as necessary in order to provide effective supervision of expenditures. The approval of representatives of both the recipient country and of the Administrator might be required for withdrawals from the fund. Funds so deposited are restricted to uses within the recipient country (including its dependencies).

In order that the use of these funds not be confined solely to the governments of recipient nations and thereby further the trend of nationalization, they should also be available to private industries to facilitate productive enterprise.

This assistance to private firms may take any form mutually agreed upon, including loans or guaranties of loans where applicable. There is no reason why these funds should not be equally available to American as well as to domestic firms.

The bill provides that any unencumbered balances which may remain in any of these funds on July 30, 1952, shall be disposed of within the recipient countries in accordance with agreements between their governments and the Government of the United States and must be approved by the Congress of the United States.

The committee considered the possibility of creating from these funds a foundation fund to encourage creation of a permanent union in western Europe. It was pointed out that this purpose could be implemented by the Administrator if timely opportunity developed under the bill as drafted.

The committee therefore decided not to attempt to write such a requirement into the bill.

## II. STOCK-PILING PROVISIONS

One of the points to be covered in the bilateral agreements to be undertaken as a condition for participation in the benefits of this recovery program is stated as "facilitating the transfer to the United States by sale, exchange, barter, or otherwise for stock-piling purposes" and under terms and conditions to be agreed upon, of materials that are required by the United States because of deficiencies or potential deficiencies in its own resources (sec. 115 (b) 5). The phrase "otherwise" would indicate the possibility of acquisition as repayment to the United States but this is strengthened by the insertion of paragraph 9 in the same subsection, which makes mandatory upon the participating country the recognition of the principle of equity in respect to the drain upon the natural resources of the United States and of the recipient countries, through providing a schedule of availabilities for United States purchase of strategic materials at world market prices, in order to secure an equitable share of such materials for United States industry.

Further, the act protects, through an agreement to negotiate, the rights of access by United States enterprise for the development of the materials on terms of national treatment in the territories of the countries concerned, and still further provision for the negotiation of repayment through an agreed percentage of increased production of

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such materials where practicable (par. 10). Section 111 (c) also deals with stock-piling materials as one of the provisions governing the terms of repayment which the Administrator is authorized to accept for aid. Section 117 (a) provides for funds to be made available by the Administrator to secure by agreement and wherever practical an increase in the production in the participating countries of materials which are needed by the United States because of domestic deficiencies, actual or potential.

Insofar as is legislatively possible, therefore, the bill may be said to encourage stock piling through development, purchase, or repayment through strategic materials—those deficient in the United States.

### I. PRIVATE ENTERPRISE AND INVESTMENT

The magnitude of recovery abroad necessitates the use of public credit. However, one of the principal aims of the European recovery program is the reestablishment of private investment in productive enterprise. Since the war, chaotic economic conditions throughout Europe and Asia have prevented this, however, it is anticipated that as recovery gathers impetus important enterprise will once more become the primary force behind the progressive development and expansion of trade abroad.

Until such time as overseas capital is restored sufficiently to assist in financing such trade the principal sources of private investment must be in America. There is evidence of a desire on the part of business to expand abroad. This is limited, however, by the inability to transfer foreign currency into dollars. To meet this difficulty, at least in part, and encourage new investment section 11 of the Senate bill authorized the Administrator to guarantee new loans and investments up to 5 percent of the funds appropriated or \$265,000,000. The House bill in section 11 increases the permissive total to \$500,000,000, but levies a charge of not to exceed 1 percent per annum. By almost doubling the amount available for guaranties, the committee hopes that private enterprise may be encouraged still further. On the other hand, the committee believes that by charging a small fee it will limit the use of the guaranty feature to those who most need it. The guaranties need not be used nor any definite figure set aside by the Administrator to cover them. They constitute only a contingent public liability.

The guaranty as in the case of the Senate bill relates to convertibility only and does not apply to normal business risks. Both bills require that any project must further the recovery program and be approved by the Administrator and the participating country.

In section 11 (b) (3) the committee includes a provision of importance in connection with the activities of the United States Information Service which did not appear in the Senate bill. This permits the Administrator to guarantee the convertibility into dollars of funds employed by private United States enterprise in Europe for the dissemination of information about the United States, by means of mass media up to the total of \$15,000,000 during the first year of the recovery program. Any local currency received in exchange for dollar credits is the property of the United States Government. The committee hopes that this will



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serve to promote through private channels that have been prevented from operating heretofore, a true understanding of American institutions and policy among the nations. Nothing could be more useful in supplementing the activities of our information program overseas.

In deleting the so-called Taft amendment (section 11 (b) (4)) (i and ii) of the Senate bill, the committee felt that it did not carry out the purpose for which it was adopted, namely, to induce the fullest possible participation of the Western Hemisphere countries, other than the United States, in ERP. Furthermore, it was felt that the experiment might be expensive.

The principal points against the amendment are as follows:

(a) There is a limit to the "soft" currencies that can be accepted by the Western Hemisphere countries in financing trade with the participant countries. The figure cannot now be set forth accurately but the administration estimates this to be \$700,000,000. Whatever this exact figure proves to be, no guaranty can very well increase it over and above the saturation point.

(b) The proposed guaranty of 70 percent would influence the sellers in the Western Hemisphere to withhold the normal credit extensions in favor of the 70 percent guaranteed credits.

(c) This procedure might be costly to the United States since it is not a guaranty as to exchange but an actual guaranty as to risk without ascertainable benefit to the program. Should there be default or a failure to repay a sufficient sum to cover the 70-percent guaranty the United States would be required to make up the loss.

In China the present bill has authorized the expenditure by the Administrator of from 5 to 10 percent of the \$420,000,000 earmarked for economic aid to further the advancement of rural reconstruction under a mixed commission. In so doing, the committee feels a project of basic importance for long-term recovery will be undertaken which in time should encourage private investment and trade development with a corresponding betterment in the present low standard of living.

The committee is of the opinion that business enterprise and technical ability is of the utmost importance in furthering the ERP. Accordingly, it agrees with the provision set forth in the Senate bill authorizing the Administrator to employ consultants and organizations of consultants to help him.

### J. DURATION AND LIQUIDATION

What is the duration of this undertaking? A program lasting through June 30, 1952, is envisaged. This does not represent a commitment. This Congress does not attempt to bind future Congresses. The program represents rather an objective whose realization will be contingent upon the practical results achieved by the participating nations. The right of the Congress is stipulated to terminate the program on its independent judgment as stated in a concurrent resolution.

While the committee heard many arguments that the intention behind the undertaking should be stated as only for a 1- or 2-year program, the committee believes that a 4-year goal is necessary to

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bring about the necessary type and scope of planning and performance. The bill as originally proposed would allow 3 years beyond June 30, 1952, during which goods procured under the assistance agreements might continue to be shipped. The Senate cut this period to 12 months—a sound step in the direction of avoiding unnecessary protraction. The same limit is placed upon the expiration of the power to allocate funds and upon the life of the central agency, in contrast to 5 years provided in the bill as originally offered by the President. No terminal date for liquidation is specified. It is obvious that liquidation will require a considerable period. The convertibility guaranty provision, for example, will place an obligation upon the United States for some 14 years. The bill as proposed by the President, passed by the Senate, and now recommended to the House, leaves the President to determine the liquidating agency or agencies. This appeared to the committee as preferable to an attempt by the Congress to specify what agency should handle liquidation so far in advance of information as to what the precise requirements may be.

### K. RELATION TO INTERNATIONAL ORGANIZATIONS

The bill as originally proposed is ambiguous in regard to relations between the Economic Cooperation Administration and the activities of the many international organizations under the general aegis of the United Nations in fields related to its objectives. It states the authority to establish such relationships as residing both in the Administrator and in the President, with the latter alone authorized to convey funds in connection therewith. The bill as passed by the Senate and now reported confines the authority to the President, as it properly should be. The committee has added a stipulation that in the employment of international organizations in furtherance of the purposes of this act there shall be no conveyance of authority to determine the types and amounts of assistance. This appears advisable in order to preclude the possibility of an UNRRA-type of operation. In the committee's judgment, the safeguard is adequate. It would be impossible to name in advance the organizations whose personnel and resources might at some stage be brought into the operations contemplated and it appears highly advisable to leave the door open for the Administrator to draw upon the talents and facilities available among international organizations.

Cooperative endeavors with such organizations as the Coal Committee of the Economic Commission for Europe, the Food and Agriculture Organization, the International Labor Office, the International Bank for Reconstruction and Development, and, if and when it comes into existence, the International Trade Organization, may be anticipated.

Because of the factor of unpredictability, it appeared to the committee unwise to attempt to restrict the amounts of money which might be involved in such endeavors.

The bill provides properly for full reporting of activities to, and registration of agreements with, the United Nations.

A second aspect of relation to international organizations occurs with respect to organizations set up specifically for cooperation in Europe. Participation in the CEEC is made a contingency for assistance. Agree-



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ments with groups of participating countries as well as singly are permitted. A Special Representative will represent the United States in dealings with any European organization set up to carry out the program. He will represent the United States on the Economic Commission for Europe (an instrumentality of the United Nations). The participating nations collectively are encouraged to assist the Administrator in seeing that the resources of the program are devoted to its objectives.

### L. ASSURING PROPER USE OF AID

Several different provisions of the bill are designed to make sure that the aid given is put to good use by the recipient countries. First, there are detailed requirements for the bilateral agreements to be made by the United States and each participating country. These are embodied in section 115, and require each country to promote industrial and agricultural production, to take measures to stabilize currency to cooperate with other participants toward increasing trade, and to make efficient use of its own resources. There is also the provision for setting up a special deposit in local currency, in amounts commensurate with any aid furnished on a grant basis. This is more fully discussed elsewhere in this report, but must be mentioned as a means of greatly increasing the effect that may be gained by grants, since they will be matched by local funds that will be used in some measure and in various ways to promote recovery.

In addition to the terms that must be embodied in bilateral agreements there are statements of policy embodied in section 102, and connected with the provision for termination of aid in section 118. This puts it within the power of the Administrator to relate the quantity of aid given, and the continuance of aid, to the performance by the recipient of its obligations. He is also directed to refuse delivery to participating countries of commodities or products which go into the production of commodities or products for delivery to any country which has announced its intention to attempt to prevent the success of ERP which commodities or products would be refused export licenses to those countries by the United States.

Administrative provisions for follow-up on the use of aid are provided in the terms of section 108 setting up a United States Special Representative in Europe and special missions abroad under the Economic Cooperation Administration.

Finally there are the provisions of section 123 concerning reports to the Congress, both current and at stated times. Given the character of the program, as one extending presumably over a number of years, and requiring not only renewed appropriations but also renewed authorization annually, there will be an annual check of which all concerned with, remain conscious, and especially the recipients themselves. Over the long course this may prove to be the most effective of all checks embodied in the program to assure proper and efficient utilization of aid.

### M. CONGRESSIONAL CHECKING

The provision in section 23 of the bill as passed by the Senate for the so-called watch-dog committee has now been stricken. The Legis-

lative Reorganization Act of 1946 was specific in avoiding the dangers of creating overlapping jurisdictions and increasing the lack of responsibility for legislative authorization and scrutiny by eliminating special committees of this character. The Committee on Foreign Affairs has been duly vested with and throughout its history has operated in the area of economic foreign policy. The primary responsibility under the Constitution for the initiation of economic measures involving revenues and expenditures rests with the House of Representatives. The function of the Senate Foreign Relations Committee is more primarily that of considering treaties and matters of high policy. It may naturally not be concerned at the creation of a committee which through its scrutiny of economic aspects of foreign policy has devolved by tradition and by constitutional usage, in considerable measure, on the House, and through the House Committee on Foreign Affairs. This committee is therefore the proper agency for performing for the House of Representatives the functions vested by the Senate bill in the Joint Congressional Committee on Foreign Economic Cooperation. The authorizing committees of Congress have the duty to review the performance under their authorizations.

Long experience with joint committees of the character of the one proposed by the Senate has proved and continues to prove that they are more attractive in theory than in practice. They do not command the responsibility which goes with the legislative duties and undivided responsibility of a standing committee.

#### N. THE CENTRAL AGENCY

It is essential to the success of the program that it be allowed to get under way without delay. No less essential is the necessity of getting precisely the right man to head it. This involves a possible conflict. The necessary care in selecting the Administrator may result in a slight postponement of the establishment of the central agency of administration. Accordingly, the President is authorized to select any agency of the Government to take the initial steps, pending the qualification of the Administrator or his Deputy. The interval for such administration is limited to 30 days and may be extended if the President has nominated an Administrator or a Deputy Administrator and if neither has qualified. This limitation, aimed to produce rapid action in establishing the permanent agency, was added by the Senate. The committee decided to concur in this general provision after weighing several possible alternatives. The Herter bill has no provision for interim administration.

The permanent agency proposed in the administration bill, accepted in the Senate bill, and now recommended by this committee, is an administratively independent establishment of the executive branch, non-corporate in form. It will be known as the Economic Cooperation Administration.

The principal alternative is that proposed in the Herter bill—a corporate agency to be known as the Emergency Reconstruction Authority.

No question was given more searching examination by this committee, in the deliberations upon the bill, than the question of corporate as



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against noncorporate administration. The committee heard arguments of singular persuasiveness on both sides of this issue.

For the corporation, there were the arguments that it would tend to insure businesslike administration, that the Administrator's judgment would be tempered by a board of directors, that freedom from the usual restrictions upon accounting and contracting by Federal agencies would be eliminated.

For the noncorporate form there were the arguments that it would insure the direct responsibility of its chief to the President, that it could work in closer liaison with the regular departments of the Federal Government which are of similar form, and that freedom from the hampering restrictions upon practices of Federal agencies could be eliminated by specific exemptions in the act.

The committee was most strongly impressed by the argument of direct responsibility to the Chief Executive in an operation involving, as this program will, considerations of the utmost delicacy in the execution of major policies of this country, both domestic and foreign. Mindful, however, of the advantages claimed for the corporate form, the committee decided to permit the chartering of a corporation for business operations in this program when such might be found by the Administrator to be conducive to the success of the program. It so recommends to the House.

### O. THE ADMINISTRATOR

The Administrator's qualities and abilities will largely determine the success of the undertaking here envisaged. He must combine tact, force, and experience. He will be called upon to perform a public duty the critical character of which has seldom if ever been surpassed in the history of the Nation.

The Administrator and his Deputy will be nominated by the President, subject to senatorial confirmation. The Administrator will have Cabinet rank.

The committee heard many interesting suggestions brought forth in testimony, including administration by a Cabinet secretariat, a board of four with a requirement for the concurrence of three in any action taken, a committee of Presidential appointees who must be businessmen, and a split administration with one head for programing and another for supply and distribution. The committee concluded that a single chief was preferable to such alternatives.

To whom will the Administrator be responsible? The bill as proposed by the President states his subordination to the Secretary of State on all matters affecting the conduct of foreign policy—a broad field for intervention since virtually everything in the program will affect foreign policy. The bill passed by the Senate states his direct responsibility to the President. The committee decided to concur in this provision. It carefully weighed but put aside the proposal in the Herter bill making the chief of the program responsible in part to a corporate board of directors and in part to the President.

## P. ADVISORY PROVISIONS

Who will advise the Administrator? This is a question of considerable importance. It will be necessary to give him access to the wisest and most prudent counsel.

The bill as originated by the President proposes that regular advice on international financial matters be supplied through contact between the Administrator and the National Advisory Council on International Monetary and Financial Problems established under the Bretton Woods Agreements Act. The bill as passed by the Senate includes not only this provision but also a provision making the Administrator a member of the National Advisory Council. The Senate bill also provides for an advisory board of up to 12 members, to be nominated by the President and confirmed by the Senate, to sit with the Administrator presiding as chairman. This advisory board will be required to meet at least once a month or on call of the Administrator, and any three members of the board will be empowered to precipitate a meeting.

To insure against a monopoly of the board membership by any party, no more than a majority of two from any one party is permitted.

As recommended to the House by this committee, it is specified that the board be drawn from leaders in business, labor, agriculture, and the professions.

Besides the Public Advisory Board, the Administrator is authorized to summon special advisory boards to sit with him as special problems arise requiring him to counsel with leaders of particular groups of the public.

The committee weighed carefully the merits of the Foreign Aid Council proposed as an advisory body in the Herter bill. This was strongly supported in the hearings. This Council would draw together the Secretary of State, the Secretary of the Treasury, the Secretary of National Defense, the Secretary of Agriculture, the Secretary of Commerce, the Chairman of the Board of Directors of the Export-Import Bank of Washington, and seven members of the Board of Directors who sit with the chief of the program in corporate affairs.

The committee came finally to the view that the best mechanism for advice was one which would separate the public sources and the official sources of advice rather than merging them.

## Q. POWERS AND RESPONSIBILITY

The Administrator's general powers are specified in the Senate version of the bill and the version now reported, in contradistinction to the bill in its original form. They include the power to review and appraise requirements of participating countries, formulate the programs of assistance, approve specific projects submitted by the participants, provide for efficient execution of the program. He is also to determine upon withdrawal of aid from any participating country failing to meet its obligations or misapplying assistance, or in event of a change in conditions affecting the national interest of the United States. His specific powers are stated through the bill. In all his functions he will be primarily responsible to the President.

The President will play a special role in nominating the Administrator



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and his Deputy, the special representative in Europe, and the Public Advisory Board. He will determine both the agency to perform interim administration pending the establishment of the permanent agency and the agency to succeed the Economic Cooperation Administration upon its expiration. He will control the funds. He will exercise the determining authority in prescribing release from the usual restrictions upon contracting and accounting. He will have the final word in the establishment of special arrangements with international organizations, including agencies of the United Nations as well as the United Nations itself, in the execution of the program. Most important of all, he will be the arbiter in policy differences between the Administrator and the Secretary of State on foreign-policy matters and between the Administrator and the official who administers the export controls on questions in the field where their responsibilities obviously merge.

The Secretary of State's role in the program also deserves special attention. As already mentioned, the bill as passed by the Senate and now reported considerably modifies the subordination of the Administrator to the Secretary of State on foreign-policy matters. It provides for continual interchange between them on all matters of mutual concern. It provides a special access to the President, who will settle the issue, on actions contemplated by the Administrator and considered by the Secretary of State as incompatible with other aspects of United States foreign policy.

The question naturally rises whether there is an equivalent opportunity for the Administrator to take issues to the President. In the committee's view the power of the President to issue directives to all agencies regarding cooperation in the program, the specified Cabinet status of the Administrator, the Administrator's direct access to the President, and the President's inherent authority as Chief Executive over his immediate subordinates are sufficient protection to the Administrator. The committee believes that the bill gives assurance of coordination in our foreign policy, insofar as this can be assured on the organizational plane.

Finally, in connection with the President's role, special attention should be called to the obligation placed upon the President to seek the assistance of other Western Hemisphere countries in the program.

### R. RELATION TO OTHER AGENCIES

In considering the status and powers of the Administrator, it should be stressed that he will be on a plane equal with that of the heads of the Departments of the executive establishment. A provision is included specifying that the President shall have power to direct other agencies to afford him required assistance in personnel and facilities. The administration bill had left such assistance contingent upon the consent of the head of the other agency concerned. With the change made in the Senate and concurred in by this committee, the Administrator will be assured of the support of other agencies.

The Administrator will have a direct line of connection with the overseas organization established by the Government to carry on the program. He will be authorized to appoint overseas personnel in his

own right, as well as to facilitate their appointment through channels of the Foreign Service reserve. He will have a direct authority over the chief of the mission for special European recovery program affairs in each participating country. He will have a direct line of communication with the Special Representative of the program in Europe.

The committee gave close study to the interesting proposal in the Herter bill to leave the methods, organization, and relationships overseas to be determined by the President and, under him, by the managing authority of the program. The committee came to the conclusion that it would be preferable to have the Congress determine the outlines of organization rather than to leave such essential parts of the structure to be worked out within the executive establishment.

Finally, it should be pointed out that the Administrator will be brought into close touch with the participating countries. Though the basic agreements will be made by the Secretary of State consulting the Administrator, the implementing and interpretative agreements under the basic agreements will be in the Administrator's hands. It is he who will authorize and arrange specific assistance and advance credits. He will work out projects for increasing production of critical materials, enter into arrangements for the convertibility guaranties, determine in joint agreements the use of local currency funds, take steps to encourage resettlement of displaced persons, stimulate steps toward joint organization among the participating nations, and finally determine (subject, of course, to Presidential concurrence in the event of disagreement with the Secretary of State) when aid must be terminated because of failure to comply with the terms of the program or for other reasons.

#### §. THE LOCATION OF EXPORT CONTROLS

The location of export-control authority was presented to the committee as of crucial importance in relation to the questions of central authority in this program. The Herter bill contemplates the locating of export-control authority in the Administrator, along with the attendant power to make domestic allocations of critically short items. The committee heard many presentations of the argument that such an arrangement would be indispensable in affording the Administrator power commensurate with his responsibilities. The committee concluded, however, that the more cogent arguments were on the side of leaving present arrangements undisturbed. There is in sight no need for domestic requirements to be made claimant against the European recovery program or for exports to all areas of the world to be made subject to the veto of an official whose statutory responsibility is related to our trade with one area.

The theoretic evidence on this point was mixed. In any event, if experience should clarify—as theoretical arguments do not—a need for integrating export controls in the Administrator of the European recovery program, the authority for so establishing them is already at hand in Public Law 395, Eightieth Congress. The committee would be reluctant to force such a change—thereby disrupting existing relations and disestablishing existing agencies—without more compelling evidence of the necessity. In the committee's view a provision, developed in the



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Senate stage of the bill, for continual interchange between the Administrator and the official, if other than the Administrator, exercising authority over export controls, with specific recourse to the President in event of policy disagreements, gives adequate assurance that export controls will be harmonized with the needs of the European recovery program.

### T. THE OVERSEAS ORGANIZATION

Specific attention should be given to the organization overseas.

Its central figure will be the Special Representative of the United States before any organization set up by the participating nations. He will coordinate undertakings abroad involving any groupings of participating nations. It is obvious that such an ambassador will be needed since the scope of the general undertaking and of specific subsidiary undertakings will be wider than the mandate of any chief of a diplomatic mission. The Special Representative will serve this country's interests also before the Economic Commission for Europe. He will be given rank commensurate with the importance of his position—the rank of a chief of mission.

The Special Representative is provided for in the bill in its original form. The Senate has added provisions specifying that he must keep the Secretary of State, all chiefs of United States diplomatic missions and special European recovery missions concerned, and the Administrator informed of his activities. The committee has added that this same line of communication should extend to the committees of the House and of the Senate involved in the foreign policy and financial considerations of the program.

The special missions will carry on the program in each country. This is in accordance with the President's original proposal, but the details have evolved considerably in the legislative history of this bill. The Senate has taken the chief of mission out from under the wing of the diplomatic mission in each country. As now established, the chief of the recovery mission will rank in precedence immediately below the chief of the diplomatic mission, with whom mutual, constant communication is provided. In event of a difference that cannot be reconciled on their level, the chief of the diplomatic mission will have recourse to Washington for final settlement. The committee considered whether a like recourse should be specified for the chief of the recovery mission. Its decision was that in any case such recourse would be inherent, and that to specify it would tend toward the establishment of two-headed missions. The committee believes the present formula strikes a proper balance between unity in policy and independence in action.

The committee has altered the language of the bill, however, to correct the inference that a special mission must be established in each participating country. In some instances it may be well to have one mission for two or more nations. Flexibility in the requirement seems preferable to rigidity.

As to the staff personnel of the special missions, the President's proposal provided for their appointment in the Foreign Service Reserve. For some members this might be desirable from the standpoint of prestige and precedence. For others it might be undesirable as involv-