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To John Roberts

Room No. 112

From Angie Nash

To Keep

To Borrow (Date Due)

Per Your Request/Per Our
Conversation

FYI

Message: P.L.85-507 is the primary
source of the language of 5 U.S.C.
A. § 4111. There were changes to the
section when Title 5 was recodified
(over)

and again in 1979. However, the changes do not appear to relate to your question.

Therefore, I have attached a complete legislative history of only P.L.85-507. I have also attached the portion of the later public laws and related reports so that you can determine if they are relevant.

Cross References

Use of appropriated funds for membership dues or fees or for expenses of attendance at meetings prohibited except as authorized by this section, see section 5946 of this title.

Library References

United States Code 39(2).

C.J.S. United States §§ 17, 44.

§ 4110. Expenses of attendance at meetings

Appropriations available to an agency for travel expenses are available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of the functions or activities.

Pub.L. 89-554, Sept. 6, 1966, 80 Stat. 436.

Historical and Revision Notes

Derivation:	United States Code	Revised Statutes and Statutes at Large
	5 U.S.C. 2318(b)	July 7, 1958, Pub.L. 85-507, § 19(b), 72 Stat. 336.

Explanatory Notes

Standard changes are made to conform style of this title as outlined in the preface with the definitions applicable and the style of this title as outlined in the preface to the report.

Cross References

Use of appropriated funds for membership dues or fees or for expenses of attendance at meetings prohibited except as authorized by this section, see section 5946 of this title.

Notes of Decisions

1. Civilian employees

The attendance at meetings provision in former section 2318(b) of this title [now this section] dispensed with the necessity for specific statutory authority for the attendance at meetings required by former section 83 [now section 5946] of this title, insofar as those employees subject to this chapter were concerned; and since former section 2318(b) of this title [now this section] did not require that attendance at meetings be limited to

certain types of meetings which were approved by specified officials as required by section 605 of the Department of Defense Appropriation Act, 1954, [former section 174a of this title (now section 412 of title 37)] these restrictions were applicable only to attendance at meetings by members of the uniformed services and were not applicable to civilian employees covered by this chapter. 1959, 38 Comp. Gen. 800.

Acceptance of contributions, awards, and other payments

(a) To the extent authorized by regulation of the President, contributions and awards incident to training in non-Government facilities, and payment of travel, subsistence, and other expenses incident

to attendance at meetings, may be made to and accepted by an employee, without regard to section 209 of title 18, if the contributions, awards, and payments are made by an organization determined by the Secretary of the Treasury to be an organization described by section 501(c)(3) of title 26 which is exempt from taxation under section 501(a) of title 26.

(b) When a contribution, award, or payment, in cash or in kind, is made to an employee for travel, subsistence, or other expenses under subsection (a) of this section, an appropriate reduction, under regulations of the Director of the Bureau of the Budget, shall be made from payment by the Government to the employee for travel, subsistence, or other expenses incident to training in a non-Government facility or to attendance at a meeting.

Pub.L. 89-554, Sept. 6, 1966, 80 Stat. 437.

Historical and Revision Notes

Derivation:	United States Code	Revised Statutes and Statutes at Large
(a)	5 U.S.C. 2318(a)	July 7, 1958, Pub.L. 85-507, § 19(a), 72 Stat. 336.
(b)	5 U.S.C. 2318(c)	July 7, 1958, Pub.L. 85-507, § 19(c), 72 Stat. 336.

Explanatory Notes

In subsection (a), the words "section 209 of title 18" are substituted for "section 1914 of title 18" on authority of the Act of Oct. 23, 1962, Pub.L. 87-849, § 2, 76 Stat. 1128.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

Transfer of Functions. All functions vested by law (including reorganization plan) in the Bureau of the Budget or the Director of the Bureau of the Budget were transferred to the President of the United States by section 101 of 1970 Reorg. Plan No. 2, eff. July 1, 1970, 35 F. R. 7959, 84 Stat. 2085. Section 102 of 1970 Reorg. Plan No. 2 redesignated the Bureau of the Budget as the Office of Management and Budget and the offices of Director of the Bureau of the Budget, Deputy Director of the Bureau of the Budget, and Assistant Directors of the Bureau of the Budget as Director of the Office of Management and Budget, Deputy Director of the Office of Management and Budget, and Assistant Directors of

the Office of Management and Budget, respectively. Section 103 of 1970 Reorg. Plan No. 2 transferred all records, property, personnel, and funds of the Bureau to the Office of Management and Budget. See Part I of 1970 Reorganization Plan No. 2 set out in the Appendix to this title.

Delegation of Functions. Functions of the President under subsec. (a) of this section delegated to the Civil Service Commission, see section 401(b) of Ex. Ord. No. 11348, Apr. 20, 1967, 32 F.R. 6335, set out as a note under section 4103 of this title.

Authority of the President to prescribe regulations with respect to reductions to be made from payments by the Government to employees for travel, subsistence, or other expenses incident to training in a non-Government facility or to attendance at a meeting under subsec. (b) of this section delegated to the Administrator of General Services, see section 1(1) of Ex. Ord. No. 11609, July 22, 1971, 36 F.R. 13747, set out as a note under section 301 of Title 3, The President.

§ 4112. Absorption of costs within funds available

(a) The Director of the Bureau of the Budget, to the extent he considers practicable, shall provide by regulation for the absorption

tive in the broader context of both the Federal Government and the private sector.

1-203. The Commission shall supervise and review the operation of the Program, and recommend to the President ways to promote and improve the exchange between the Government and the private sector.

1-204. The Commission shall ensure that the Program operates in compliance with the merit principles set forth in Section 2301 of Title 5 of the United States Code [Section 2301 of this title].

1-3. Responsibilities of Executive Agencies.

1-301. Each Executive agency shall, to the extent permitted by law, cooperate

with the Commission and furnish it with such assistance as the Chairman may request in connection with the Program.

1-302. The head of each Executive agency shall designate a presidential appointee who is not a member of the Commission to serve as liaison to the Commission.

1-4. Administrative Provisions.

1-401. The Office of Personnel Management shall provide the Commission with administrative services, staff support, and travel expenses, as authorized by law.

1-402. Executive Order No. 11451 of January 19, 1969, is superseded.

JIMMY CARTER

§ 4106. Non-Government facilities; amount of training limited

(a) The training of employees by, in, and through non-Government facilities under this chapter is subject to the following limitations:

[See main volume for text of (1) to (3)]

The Office of Personnel Management may prescribe other limitations, in accordance with the provisions and purposes of this chapter, concerning the time which may be spent by an employee in training.

(b) On recommendation of the head of an agency, the Office may waive, with respect to that agency or part thereof or one or more employees therein, all or any of the limitations covered by subsection (a) of this section, if the Office determines that the application of all or any of the limitations thereto is contrary to the public interest. The Office, in the public interest, may reimpose all or any of the limitations so waived.

As amended Pub.L. 95-454, Title IX, § 906(a)(2), (3), Oct. 13, 1978, 92 Stat. 1224.

1978 Amendment. Subsec. (a). Pub.L. 95-454, § 906(a)(2), substituted "Office of Personnel Management" for "Civil Service Commission".

Subsec. (b). Pub.L. 95-454, § 906(a)(3), substituted "Office" for "Commission" wherever appearing therein.

Effective Date of 1978 Amendment. Amendment by Pub.L. 95-454 effective 90

days after Oct. 13, 1978, see section 907 of Pub.L. 95-454, set out as a note under section 1101 of this title.

Legislative History. For legislative history and purpose of Pub.L. 95-454, see 1978 U.S.Code Cong. and Adm.News, p. 2723.

§ 4109. Expenses of training

(a) The head of an agency, under the regulations prescribed under section 4118(a)(8) of this title and from appropriations or other funds available to the agency, may—

(1) pay all or a part of the pay (except overtime, holiday, or night differential pay) of an employee of the agency selected and assigned for training under this chapter, for the period of training; and

(2) pay, or reimburse the employee for, all or a part of the necessary expenses of the training, without regard to section 3324(a) and (b) of title 31, including among the expenses the necessary costs of—

(A) travel and per diem instead of subsistence under subchapter I of chapter 57 of this title or, in the case of commissioned officers of the National Oceanic and Atmospheric Administration, sections 404 and 405 of title 37, and the Joint Travel Regulations for the Uniformed Services;

(B) transportation of immediate family, household goods and personal effects, packing, crating, temporarily storing, draying, and unpacking under section 5724 of this title or, in the case of commissioned officers of the National Oceanic and Atmospheric Administration, sections 406 and 409 of title 37, and the Joint Travel Regulations for the Uniformed Services, when the estimated costs of transportation and related services are less

than the estimated aggregate per diem payments for the period of training;

[See main volume for text of (C) to (F); (b)]

(c) Notwithstanding subsection (a)(1) of this section, the Administrator, Federal Aviation Administration, may pay an individual training to be an air traffic controller of such Administration, during the period of such training, at the applicable rate of basic pay for the hours of training officially ordered or approved in excess of forty hours in an administrative workweek.

As amended Pub.L. 96-54, § 2(a)(19), Aug. 14, 1979, 93 Stat. 382; 97-258, § 3(a)(9), Sept. 13, 1982, 96 Stat. 1063; Pub.L. 97-276, § 151(a), Oct. 2, 1982, 96 Stat. 1200.

1982 Amendments. Subsec. (a)(2). Pub.L. 97-249, § 3(a)(9), substituted "3324 (a) and (b)" for "529".

Subsec. (c). Pub.L. 97-276 added subsec. (c).

1979 Amendment. Subsec. (a)(2). Pub.L. 96-54 substituted "National Oceanic and Atmospheric" for "Environmental Science Services" in cls. (A) and (B).

Effective Date of 1982 Amendment. Amendment by Pub.L. 97-276 effective on the first day of the first applicable pay period beginning after Oct. 2, 1982, see section 151(h)(2) of Pub.L. 97-276, set out as a note under section 5546a of this title.

Effective Date of 1979 Amendment. Amendment by Pub.L. 96-54 effective July 12, 1979, see section 2(b) of Pub.L. 96-54, set out as a note under section 305 of this title.

Legislative History. For legislative history and purpose of Pub.L. 96-54, see 1979 U.S.Code Cong. and Adm.News, p. 931. See, also Pub.L. 97-258, 1982 U.S. Code Cong. and Adm.News, p. 1895.

Index to Notes

Cost comparisons 2
Overtime pay 1

§ 4111. Acceptance of contributions, awards, and other payments

[See main volume for text of (a)]

(b) When a contribution, award, or payment, in cash or in kind, is made to an employee for travel, subsistence, or other expenses under subsection (a) of this section, an appropriate reduction, under regulations of the President, shall be made from payment by the Government to the employee for travel, subsistence, or other expenses incident to training in a non-Government facility or to attendance at a meeting. As amended Pub.L. 96-54, § 2(a)(2), Aug. 14, 1979, 93 Stat. 381.

1979 Amendment. Subsec. (b). Pub.L. 96-54 substituted "President" for "Director of the Bureau of the Budget".

Effective Date of 1979 Amendment. Amendment by Pub.L. 96-54 effective July 12, 1979, see section 2(b) of Pub.L. 96-54, set out as a note under section 305 of this title.

Delegation of Functions. Functions of the President under subsec. (b) of this

1. Overtime pay

Where Customs Patrol Officers attended special training course and claimed overtime pay under the Fair Labor Standards Act, section 201 et seq. of Title 29, or overtime or night premium pay under this title for regularly scheduled training sessions conducted after 6 p. m. and where training qualifies under exception to prohibition against payment of premium pay for training under this section, overtime under such Act or overtime or night premium pay under this title must be paid and payment should be made to employees under whichever law gives the greater benefit. 1979, 58 Comp. Gen. 547.

2. Cost comparisons

Where agency is sending employees on training assignments, before agency decides to pay for transportation of employee's dependents and household goods, cost comparisons, on individual basis, are required by this section. 1980, 59 Comp. Gen. 619.

section delegated to the Director of the Office of Management and Budget, see Ex. Ord. No. 12152, Aug. 14, 1979, 44 F.R. 48143, set out as a note under section 301 of Title 3, The President.

Legislative History. For legislative history and purpose of Pub.L. 96-54, see 1979 U.S.Code Cong. and Adm.News, p. 931.

§ 4112. Absorption of costs within funds available

(a) The President, to the extent he considers practicable, shall provide by regulation for the absorption of the costs of the training programs and plans under this chapter by the respective agencies from applicable appropriations or funds available for each fiscal year.

(b) Subsection (a) of this section may not be held or considered to require—

LEGISLATIVE HISTORY OF P.L. 85-507

S. 385

C.R.

Introduced and referred to the Committee on Post Office and Civil Service.....	342
Reported from committee with amendments..... S.Rept. 85-213(attached)	5220
Debated.....	5580
Amended and passed.....	5606
Referred to the House Committee on Post Office and Civil Service.....	5702
Reported with amendment..... H.Rept. 85-1951(attached)	12129
Rules suspended, amended and passed House.....	12376
Senate concurs in House Amendment.....	12461
Signed by the Speaker and President pro tempore....	12602, 12734
Bill presented to the President.....	12661
Signed by the President.....	13113

By Mr. JOHNSTON of South Carolina (for himself and Mr. NEUBERGER):
A bill to authorize the training of Federal employees at public or private facilities, and for other purposes; and

S. 386. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. JOHNSTON of South Carolina (for himself, Mr. NEUBERGER, and Mr. CARLSON):

S. 387. A bill to readjust postal classification on educational and cultural materials; to the Committee on Post Office and Civil Service.

By Mr. HILL:

S. 388. A bill to restore to the rolls certain emergency officers heretofore granted retirement pay; to the Committee on Armed Services.

S. 389. A bill to provide certain benefits for persons who served as contract surgeons or contract dental surgeons during the war with Spain, the Philippine Insurrection, or the China Relief Expedition; to the Committee on Finance.

S. 390. A bill for the relief of Rosa Hendrica Maria Warrick and Maria Josephina Warwick; to the Committee on the Judiciary.

S. 391. A bill to prohibit the promulgation of rules and regulations by the Veterans' Administration requiring that real estate loans to veterans have maturities which are less than the maximum maturities provided for in title III of the Servicemen's Readjustment Act of 1944, or that downpayments be required with respect to such loans; and

S. 392. A bill amending paragraph IV of Veterans Regulation No. 6 (a) by including the Republic of the Philippines; to the Committee on Labor and Public Welfare.

By Mr. HILL (for himself and Mr. SPARKMAN):

S. 393. A bill for the relief of Alfred C. Conder; and

S. 394. A bill to authorize the award of a Medal of Honor to Commander Hugh Barr Miller, Jr., United States Navy; to the Committee on the Judiciary.

By Mr. HILL (for himself, Mr. MURRAY, Mr. SMITH, Mr. IVES, and Mr. PURTELL):

S. 395. A bill to encourage expansion of teaching and research in the education of mentally retarded children through grants to institutions of higher learning and to State educational agencies; to the Committee on Labor and Public Welfare.

By Mr. IVES:

S. 396. A bill for the relief of Lock Ting King;

S. 397. A bill for the relief of Willem Woeras; and

S. 398. A bill for the relief of Benjamin Wachtfogel; to the Committee on the Judiciary.

By Mr. CASE of South Dakota:

S. 399. A bill to amend the Internal Revenue Code of 1954 so as to exclude from gross income a portion of the gain realized upon the condemnation of business property of an individual who has attained the age of 60 and is retiring from the conduct of any trade or business; to the Committee on Finance.

S. 400. A bill for the relief of Paul Thury;

S. 401. A bill for the relief of Gladys Florence Thomas; and

S. 402. A bill for the relief of Martha Huber Vavra; to the Committee on the Judiciary.

By Mr. WATKINS:

S. 403. A bill to further amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed on the farm, and for other purposes;

S. 404. A bill to authorize the sale for feeding purposes of limited quantities of wheat of less desirable milling quality; and

S. 405. A bill to require the Bureau of the Census to develop farm income data by economic class of farm; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. WATKINS when he introduced the above bills, which appear under separate headings.)

By Mr. JOHNSON of Texas (For Mr. ROBERTSON):

S. 406. A bill for the relief of Lily Wu;

S. 407. A bill for the relief of Julian D. Dycalco; and

S. 408. A bill for the relief of Faith Hilda Kung; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 409. A bill for the relief of Cynthia D. Stark; to the Committee on the Judiciary.

By Mr. BIBLE:

S. 410. A bill to authorize the establishment by the Government of recreational facilities in certain reservoir areas of reclamation projects having a national significance, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 411. A bill to amend the Trading With the Enemy Act, as amended; to the Committee on the Judiciary.

S. 412. A bill to provide for the issuance of a special postage stamp commemorating the 100th anniversary of the discovery of the Comstock Lode at Virginia City, Nev.; to the Committee on Post Office and Civil Service.

By Mr. BIBLE (for himself and Mr. MALONE):

S. 413. A bill to provide for transfer of title to irrigation distribution systems constructed under the Federal reclamation laws upon completion of repayment of the costs thereof; and

S. 414. A bill to provide for the conveyance, upon completion of the payment of construction charges, of the Newlands project, including lands and works, to the Truckee-Carson Irrigation District, Fallon, Nev.; to the Committee on Interior and Insular Affairs.

By Mr. SCHOEPEL:

S. 415. A bill to amend section 301 (b) of the Immigration and Nationality Act, as amended, relating to the loss of nationality and citizenship; to the Committee on the Judiciary.

By Mr. THYE:

S. 416. A bill to make the retirement benefits of the Army and Air Force Vitalization and Retirement Equalization Act of 1948 available to certain persons who rendered active Federal service during the Korean conflict; to the Committee on Armed Services.

S. 417. A bill to provide for the establishment of a national cemetery at the Birch Coulee battlefield site in Renville County, Minn.; to the Committee on Interior and Insular Affairs.

S. 418. A bill for the relief of Elisabeth Trout; and

S. 419. A bill for the relief of Francis Choyuan Lin and his wife, Wong Su-I Lin; to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 420. A bill to provide for the appointment of additional circuit and district judges, and for other purposes; and

S. 421. A bill for the relief of Mrs. Shong Chan (Dong She); to the Committee on the Judiciary.

By Mr. EASTLAND (for himself and Mr. STENNIS):

S. 422. A bill for the relief of Mrs. John William Brennan; and

S. 423. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of William E. Stone for disability retirement as a Reserve officer or Army of the United States officer under the provisions of the act of April 3, 1939, as amended; to the Committee on the Judiciary.

By Mr. EASTLAND (for himself and Mr. SMATHERS):

S. 424. A bill for the relief of Herbert James Bramley; to the Committee on the Judiciary.

By Mr. SYMINGTON (for himself, Mr. HENNING, and Mr. DOUGLAS):

S. 425. A bill to authorize the modification of the existing project for the Mississippi River between the Ohio and Missouri Rivers by the construction of a dam at Chain of Rocks; to the Committee on Public Works.

By Mr. HENNING:

S. 426. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. HENNING (for himself, Mr. O'MAHONEY, and Mr. LANGER):

S. 427. A bill to protect the right to political participation;

S. 428. A bill to reorganize the Department of Justice for the protection of civil rights; and

S. 429. A bill to declare certain rights of all persons within the jurisdiction of the United States, and for the protection of such persons from lynching, and for other purposes; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 430. A bill to provide for the appointment of a district judge for the Middle District of Tennessee; to the Committee on the Judiciary.

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

By Mr. KEFAUVER (for himself, Mr. HENNING, and Mr. LANGER):

S. 431. A bill to provide for assistance to and cooperation with States in strengthening and improving State and local programs for the diminution, control, and treatment of juvenile delinquency; to the Committee on Labor and Public Welfare.

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

By Mr. FULBRIGHT:

S. 432. A bill to allow additional income-tax exemptions for a taxpayer or a spouse, or a dependent child under 23 years of age, who is a full-time student at an educational institution above the secondary level; and

S. 433. A bill to amend the Internal Revenue Code of 1954 so as to allow a taxpayer to deduct certain expenses incurred by him in obtaining a higher education; to the Committee on Finance.

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

By Mr. KENNEDY (for himself, Mr. PAYNE, Mr. BYRD, Mr. BRIDGES, Mr. MCCLELLAN, Mr. JACKSON, Mr. SYMINGTON, Mr. HUMPHREY, Mr. THURMOND, Mr. MCCARTHY, Mr. MUNDT, Mrs. SMITH of Maine, Mr. COTTON, Mr. MARTIN of Iowa, Mr. ALLOTT, Mr. ANDERSON, Mr. BARRETT, Mr. BEALL, Mr. BENNETT, Mr. BIBLE, Mr. BUSH, Mr. BUTLER, Mr. CAPEHART, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CHAVEZ, Mr. CURTIS, Mr. DIRKSEN, Mr. FLANDERS, Mr. GREEN, Mr. HOLLAND, Mr. HRUSKA, Mr. IVES, Mr. LAUSCHE, Mr. MAGNUSON, Mr. MARTIN of Pennsylvania, Mr. MONROE, Mr. MORTON, Mr. POTTER, Mr. PURTELL, Mr. ROBERTSON, Mr. SALTONSTALL, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. TALMADGE, Mr. THYE, Mr. WATKINS, and Mr. WILLIAMS):

S. 434. A bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; to the Committee on Government Operations.

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

By Mr. GORE:

S. 435. A bill to authorize the conveyance of certain lands in Shiloh National Military Park to the State of Tennessee for the relocation of highways, and for other purposes; to

**REPEAL OF SALES TAX ON FOOD
IN THE DISTRICT OF COLUMBIA—
RESOLUTION**

Mr. JAVITS. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Petworth Citizens' Association, Inc., of the city of Washington, favoring the repeal of the sales tax on food bought in grocery stores in the District of Columbia.

There being no objection, the resolution was referred to the Committee on the District of Columbia and ordered to be printed in the RECORD, as follows:

**RESOLUTION FOR REPEAL OF SALES TAX ON FOOD
IN THE DISTRICT OF COLUMBIA**

Whereas there is pending in Congress Senate bill 1590, which, if enacted into law, would amend the District of Columbia Sales Tax Act so as to exempt from tax sales of food for human consumption off the premises where such food is sold; and

Whereas it is reported that but few large cities in the country impose a sales tax on foods for home consumption, nor do the nearby States of Maryland and Virginia, and as a result much District money is spent in those States for groceries; and

Whereas such a tax has never proven very popular wherever it has been tried, in that it is looked upon as being most burdensome on people who can least afford it, and often amounts to more than 3 cents on the dollar when purchases are small, and there is no uniform system among merchants in keeping record of their sales: Therefore be it

Resolved by the Petworth Citizens' Association, Inc., in regular meeting this the 19th day of March 1957, That it does approve of the above-identified bill for the purposes as aforesaid; and be it further

Resolved, That copies of this resolution be sent to the Commissioners, the chairmen of both Houses of Congress on District of Columbia legislation, to Senators JAVITS and MOSS, and the Federation of Citizens' Associations.

MARION WEAVER,
President.

Attest:
FLORENCE V. CRAVER,
Secretary.

**NATIONAL SHELTER PROGRAM—
PETITION**

Mr. NEUBERGER. Mr. President, I recently received a petition signed by more than 200 residents of Portland, Ore., and expressing this group's belief that the United States should embark upon a national shelter program to protect United States citizens from possible atomic attack. The author of the petition, Mr. James Deer, a Portland physicist, is an active leader in the civil-defense program in my State.

The petitioners, while requesting that the Federal Government provide adequate protection for the Nation's civilian populace, point out that our ultimate goal must be the preservation of peace and strengthening of the United Nations.

Because I believe the suggestions of these civic-minded citizens of Portland should receive wider readership, I ask unanimous consent that the petition, together with a brief news release, summarizing its contents, be printed in the RECORD.

There being no objection, the petition was referred to the Committee on Armed Services; and the petition, together with

the news release, was ordered to be printed in the RECORD, as follows:

We, the undersigned, desire to express to you our great concern over the catastrophic situation of our Nation's defense. Information available to us indicates the following to be true:

1. The international situation is highly unstable. It is so unstable that recently H-bomb-bearing aircraft were kept in the air at all times, ready for instant and massive retaliation.

2. The potential enemy possesses hydrogen bombs, and the means to deliver them. It has been estimated that as many as 500 enemy bombers could penetrate our defenses.

3. If a surprise attack were made on the United States there might be little or no warning.

4. The radioactive fallout from an H-bomb makes evacuation highly questionable. It is said that an H-bomb can contaminate with lethal radioactivity an area 100 miles wide and 100 miles long.

5. The potential enemy either has or soon will have H-bomb-bearing intercontinental ballistic missiles.

6. The potential enemy is far ahead of us in the construction of shelters for his personnel.

7. The possibility must be faced that when the leaders of the potential enemy have achieved shelters for a certain percentage of their people, they may be willing to sacrifice the remainder in order to deliver a surprise attack on the United States. Their past performance has shown them to be ruthless killers.

The inevitable conclusion is forced upon us that either our national leaders are misrepresenting the need for H-bombs and guided missiles, or they are guilty of a heartless disregard for the safety of this country.

We believe that in the proposed Federal budget for fiscal year 1957-58, too much money is allotted for offense and not enough for defense. We, therefore, petition that you try to secure a more sensible distribution of available funds. The sum of \$38 billion for the military and \$5 billion for the AEC is too large, compared to the ridiculously small sum of \$130 million for civil defense. Whereas the former amounts to over \$200 for every person in the United States, the latter amounts to only about 80 cents per person.

We therefore propose that \$5 billion be taken off the military budget and \$1 billion off the AEC budget, and the \$6 billion thus saved be used to provide a more adequate civil defense, including a national shelter program. We propose that the Army, Navy, Air Force, and AEC be required to supply to the Civil Defense Administration, on a loan basis, qualified experts to see that a sound civil-defense plan is worked out. Scientists of the Army, Navy, Air Force, and AEC have shown remarkable ingenuity in the design of new weapons. We have confidence they will display the same ingenuity in the design of an adequate civil defense.

We request that adequate shelter be included in any new schoolbuildings built with Federal funds.

We request these measures for the safety of ourselves and our children.

We furthermore beseech you to work, with all the strength at your command, for a more powerful United Nations, capable of removing this dread menace from over the heads of ourselves and our loved ones.

NEWS RELEASE

PORTLAND, OREG.—A national shelter program to protect the United States from atomic attack is proposed by a group of Portland citizens in a petition recently completed. Signed by a total of over 200 residents, the petition is directed to Congress, and expresses their great concern over the safety of this country.

The petitioners refer to recent testimony that the Russians are far ahead of the United States in the construction of shelters, and point out that the possibility must be faced that when the potential enemy leaders have achieved shelter for a certain percentage of their people, they may be tempted to sacrifice the rest in order to achieve a surprise blow against the United States.

A shelter program of some six billion dollars is requested by the petitioners, and they propose that if necessary this amount be taken off the budget of the AEC and the military.

The petition is sponsored by a group of 20 Portlanders, and is signed by 185 others. It was prepared by Jim Deer, Portland physicist.

Deer pointed out that such a program would have the following beneficial effects:

(1) It would greatly strengthen national security by bringing about a better balance between offense and defense.

(2) If carefully and wisely done, the buildings could be an asset to the community. In addition to being shelters, they could also serve normal peacetime functions such as libraries, hospitals, schoolrooms, gymnasiums, museums, and many others. He said it has repeatedly been shown that underground buildings are no more expensive than surface buildings.

(3) Such a program would mean that more of the defense dollar would be spent in the local community, through local building contractors.

Deer said that a shelter program is not a warlike move, because you cannot take a shelter and hit a man over the head with it or dump it out of an airplane. He said he and the sponsoring group are not supernationalists, but believe America must protect herself until international law and order can be brought about through a more powerful United Nations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GREEN, from the Committee on Foreign Relations, without amendment:

H. R. 4271. An act to provide that the Delegate from Alaska in the House of Representatives of the United States may be a member of the Alaska International Rail and Highway Commission (Rept. No. 211); and

H. Con. Res. 115. Concurrent resolution expressing the sense of the Congress that efforts should be made to invite Spain to membership in the North Atlantic Treaty Organization (Rept. No. 212).

By Mr. CLARK, from the Committee on Post Office and Civil Service, without amendment:

S. 1412. A bill to amend section 2 (b) of the Performance Rating Act of 1950, as amended (Rept. No. 214); and

S. 1521. A bill to exempt persons appointed to student trainee positions from the provisions of section 9 of the Civil Service Act prohibiting the employment in the classified service of more than two members of the same family (Rept. No. 215).

By Mr. CLARK, from the Committee on Post Office and Civil Service, with amendment:

A bill to authorize the training of Federal employees at public or private facilities, and for other purposes (Rept. No. 213).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. J. Res. 12. Joint resolution to provide for transfer of right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project and payment to Crow Indian Tribe in connection therewith, and for other purposes (Rept. No. 216).

8. The compact recognizes that most of the benefits accrue to Massachusetts rather than to New Hampshire. Therefore, the compact provides that Massachusetts will reimburse New Hampshire for 70 percent of the amount of taxes lost by reason of the acquisition and ownership by the United States of lands and rights for flood-control dams and reservoirs in the valley. Present estimates indicate that will involve payment by Massachusetts of about \$14,000 annually for the three projects already constructed.

The compact sets up a joint, six-man agency to cooperate in the control of floods and utilization of the water resources of the river. This agency also administers the financial aspects of the compact.

9. Let me make it clear that approval of the compact by Congress does not commit the Federal Government to anything. The compact merely provides a means by which two States can cooperate effectively between themselves, and with the Federal Government, for purposes of flood control and water conservation and utilization in the Merrimack River Basin.

10. At the time the Connecticut River compact was ratified by Congress, it was cleared with the various Federal agencies, such as the Federal Power Commission, the Secretary of the Army, and others. Because this compact is identical in its pertinent provisions, it is not considered necessary to formally submit it to these agencies again.

The PRESIDING OFFICER. The Senate has received from the House of Representatives, House bill 6092, which is identical in every respect with Senate bill 1682.

Without objection, the Senate will proceed to the consideration of the House bill, which will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 6092) granting the consent and approval of Congress to the Merrimack River flood control compact.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 6092?

There being no objection, the Senate proceeded to consider the bill (H. R. 6092) granting the consent and approval of Congress to the Merrimack River flood control compact.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H. R. 6092) was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1682 is indefinitely postponed.

RETURN OF CERTAIN MINERAL INTERESTS IN LAND TO FORMER OWNERS

The bill (S. 268) to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Army is authorized and directed, when he determines that the exploration for or exploitation of any mineral interests underlying lands within and for the purpose of reservoir projects of the Yazoo Basin head-

water project in the State of Mississippi will not be incompatible with the development, maintenance, and operation of the reservoir projects and that the reconveyance of any such aforementioned interests to the former owners thereof will be in the public interest, to convey such interests to the former owners thereof, or in the case of any such owner who is deceased, to his legal heirs, if any, upon (1) application made within 8 years from the date of enactment of this act, and (2) payment to the United States of an amount which shall be determined to be the equivalent of the fair market value thereof.

Sec. 2. Each conveyance of mineral interests under this act shall contain such reservations, restrictions, terms and conditions as the Secretary determines are necessary for the development, maintenance, and operation of the reservoir projects.

COL. BENJAMIN AXELROAD—BILL PASSED OVER

The bill (S. 1008) for the relief of Col. Benjamin Axelroad was announced as next in order.

Mr. PURTELL. By request, I ask that the bill go over.

Mr. KEFAUVER. Mr. President, I wonder whether the Senator from Connecticut will withhold the objection, and will allow the bill to be placed at the foot of the calendar, so that during the further call of the calendar I may have an opportunity to confer with him about the bill.

Mr. PURTELL. Mr. President, the objection has been made at the request of another Senator. Of course I must consult with him before I can agree to the taking of any action on the bill, other than to have it passed over.

Mr. KEFAUVER. Will the Senator from Connecticut withhold his objection and let the bill go to the foot of the calendar? If he will agree to that course, and if he still objects when the end of the calendar is reached, after he has been in consultation with the Senator who has requested that objection be made in his behalf—

Mr. PURTELL. Mr. President, let me say that the Senator who objects is out of the city today; therefore, I cannot pursue any course other than the one I have already taken, inasmuch as the objection was made at the request of that Senator.

The PRESIDING OFFICER. Objection having been made, the bill will be passed over.

DELEGATE FROM ALASKA TO BE MEMBER OF THE ALASKA INTERNATIONAL RAIL AND HIGHWAY COMMISSION

The bill (H. R. 4271) to provide that the Delegate from Alaska in the House of Representatives of the United States may be a member of the Alaska International Rail and Highway Commission was considered, ordered to a third reading, read the third time, and passed.

PROPOSED MEMBERSHIP OF SPAIN IN NATO

The concurrent resolution (H. Con. Res. 115) expressing the sense of the

Congress that efforts should be made to invite Spain to membership in the North Atlantic Treaty Organization was considered and agreed to.

The preamble was agreed to.

TRAINING OF FEDERAL EMPLOYEES—BILL PASSED OVER

The bill (S. 385) to authorize the training of Federal employees at public or private facilities, and for other purposes, was announced as next in order.

Mr. RUSSELL. Mr. President, I should like to have a statement made regarding how much the proposed general authorization for training will increase the cost of the Government.

Mr. CLARK. Mr. President, I am happy to advise the distinguished Senator from Georgia that the Bureau of the Budget, which has endorsed the bill—

Mr. RUSSELL. Mr. President, I must say that fact is not very persuasive to me.

Mr. CLARK. I am not suggesting that it is, Mr. President; I am merely endeavoring to supply the information the Senator from Georgia desires to have.

I was saying that the Bureau of the Budget, which has endorsed the bill, has indicated that the cost of the training can be absorbed by current appropriations. However, it is estimated that over a period of time the cost of the bill will run from \$800,000 to \$900,000.

Let me point out to my good friend, the Senator from Georgia, that the method by which the bill will operate will be as follows: From time to time, members of the civil service will be sent to various training programs, which will be conducted perhaps for a few weeks in some instances and in other instances to perhaps as much as 9 or 10 months. Their places will not be filled while they are away, taking the training; instead, the remainder of the staff will absorb their work. When they return, they will be far better able to conduct the activities of the Government with which they are entrusted, than they were before they went away.

The bill has, among its many supporters, distinguished representatives of private industry, including the vice president in charge of training, of the Bell Telephone Company of Pennsylvania, who testified that similar procedures have been in effect in most of the large corporations of the United States for many a long year, and that the bill is merely for the purpose of modernizing the Government's procedures for the training of governmental employees, so as to enable them to keep up with the many technical and difficult problems which constantly confront them in this changing, modern world.

Mr. RUSSELL. It may be a highly desirable bill. Of course, it is interesting that the remainder of the staff of an agency will be able to absorb the work and carry on at a time a man is away from his job to acquire training. It would seem that the agency was overstaffed, if the staff was able to do the work while he was away being trained.

to do the work more efficiently and the same group were retained after he returned.

However, what concerns me is that the bill eliminates the limitations on the amount some of the agencies may expend for this purpose. We have had bills in the Senate from time to time to provide training, for example, for personnel in the Civil Aeronautics Administration. That training was very valuable, but there was a limitation on the amount which could be spent for that purpose. I have forgotten the exact amount. I think the amount the agency could spend for that purpose was \$100,000 or \$50,000. The same limitation was applied to other agencies that were permitted to participate in a training program. There was a limitation on the amount they could spend in any one year. This bill removes that limitation and leaves it to the discretion of the head of the agency. It is bound to result in increased spending.

Mr. CLARK. If the Senator will yield, it is understanding—and I trust the Senator from Georgia will correct me if I am wrong—that the training which is permitted by the bill has long been afforded to members of the Armed Forces, with which the Senator from Georgia, I am sure, is familiar, as he is chairman of the Committee on Armed Services. The bill will give to the civilian force of the United States Government the same privileges that are extended to the Armed Forces, as to which there is no limitation, as I understand. If I am wrong, I am willing to be corrected.

Mr. RUSSELL. I do not think there is any definite limitation on the amount to be expended to train a radar operator, for example, in the Armed Forces, or one who would operate a tank. However, I think there is some slight difference between such an operation and the blanket authorization here proposed for agencies to engage in training programs and to broaden and expand them. It may be a desirable bill. We have a great many things in Government that are desirable but not necessary. I am somewhat dubious about taking away all of the limitation on the various agencies as to the amounts they may expend for this purpose.

We all talk about the \$72 billion budget and complain about it. I say we all complain about it; I do not suppose we all do, but there have been some complaints about it. The budget is composed of literally millions of small items. Everytime we remove restraints and limitations on spending, we are simply inviting agencies to increase their expenditures by a few thousand dollars here and a few thousand dollars there. It is the sum total of all those items that makes up the \$72 billion budget.

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

Mr. RUSSELL. I yield.

Mr. AIKEN. I was going to inquire whether training civil-service employees in private institutions will result in the reduction of personnel in Federal agencies. The reason I ask that question is that in times past Congress has said how fine it would be if private industry could

take over some of the work being done by Government employees, do the work in a shorter time and have it over with, and we would not have to have so many Federal employees. We tried following that principle in some departments, but I am sorry to say that where work has been contracted for by private concerns it has not been accompanied with a corresponding reduction in Federal personnel. In some cases Federal personnel seemed to exercise so much unnecessary supervision over the private contractors that not only are some of the private contractors becoming reluctant to take on such work, but we have an added expense, that is, the amount which is paid to the private institution for carrying on the work without an accompanying reduction in Federal personnel.

The reasons for that are too complicated to go into at this time, but we ought to have some assurance that when work is transferred to private contractors it will be accompanied by a reduction of costs in the Federal agency involved.

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

Mr. RUSSELL. I yield.

Mr. CLARK. May I ask the Senator from Vermont whether the comments he has just made indicate that he has an objection to this particular bill, which, of course, has nothing to do with contracts with private industry for the doing of work which the Government would otherwise do itself?

Mr. AIKEN. I am not familiar with the provisions of the bill. I just came to it on the calendar. I have not studied the bill. I was simply remarking on the general situation that when we transfer work from the Federal Departments to private industry we ought to make sure that there will be a corresponding decrease in the payroll of the Federal department involved. I think there would be a great deal of merit in doing that.

I have particular reference to testimony which has been received in the Committee on Foreign Relations with regard to work done in foreign countries, in connection with some of our colleges and universities that have contracted to carry on some of our economic and technical assistance programs. There is much grumbling that the work of the contracting agency is supervised and directed by Federal employees, to such an extent that, since they are there, anyway, they might as well do the work and save additional expense. In other words, we have two sets of people doing the work, and they do not get along very well.

Mr. CLARK. I should like to assure the Senator from Vermont that the pending bill, in my judgment, does not hit the situation which he seems to have in mind. The bill would merely permit the Federal Government to give the same training to its employees, in technical schools, universities, and elsewhere, which is the current personnel practice in, I think I am safe in saying, the overwhelming majority of all of the large

corporations of the United States, which feel, without dissent, that this type of training is in the interest of their efficiency and profit-making opportunities and that the spending is justified.

Mr. AIKEN. I am not sufficiently familiar with the details of the bill to object to it at this time, but the calling of the bill on the calendar seemed to afford me a proper vehicle to express myself on another matter relating to Government employees, which I think ought to be called to the attention of the Congress and which the Congress ought to look into.

Mr. RUSSELL. I am reluctant to object to a bill which claims to promote more efficiency in Government. However, after some years of service in this body, I have become exceedingly wary of bills claiming to reduce the cost of Government by promoting efficiency in operation. If all of the bills we have supported that were supposed to decrease costs by promoting efficiency in operation had achieved the objectives which were claimed by their sponsors, in my opinion, the budget would be in the neighborhood of about \$60 billion, instead of being \$72 billion or \$73 billion. We must have to hire a great many new people who have nothing to do except to chronicle and record the greatly increased efficiency of those already on the rolls, if those bills have really effectuated efficiency. The more legislation we pass to increase efficiency, the higher the total number of employees on the payroll.

I see in this bill the seed of a program that, by eliminating all the limitations which are in the existing law on the amount that can be spent, will be reflected in the budget in years to come by increased cost to the American taxpayer.

Mr. PURTELL. Mr. President, I think the colloquy on the floor points up what the minority calendar committee had decided, namely, that a measure such as this ought not to be passed on the Consent Calendar. Personally, I have no objection to the bill. It has the recommendation of two Hoover Commissions. It is a recommendation that will require the expenditure of eight or nine hundred thousand dollars. I think the bill should go over because I do not believe it is proper Consent Calendar business, and not because I object personally to the bill's being passed.

Mr. CLARK. Mr. President, will the Senator yield for a moment?

Mr. PURTELL. I am happy to yield.

Mr. CLARK. I ask the Senator to yield to permit me to state for the RECORD that the bill is not only sponsored by the administration, but that it received the unanimous approval of the majority and minority members of the Post Office and Civil Service Committee. I should like to have that fact made a matter of record.

Mr. PURTELL. Mr. President, I should like the RECORD to show a repetition of my statement that I have no objection to the bill. I am in favor of it; but I feel the bill ought not pass on the Consent Calendar.

The PRESIDING OFFICER. The bill will be passed over.

List of contributors of \$500 and over, for the period Jan. 1 to Nov. 30, 1956, arranged by listing of 225 largest corporations with which contributors are connected as officers and directors—Continued

TRADE CORPORATIONS—continued

			Repub- lican	Demo- cratic	Other				Repub- lican	Demo- cratic	Other
M 8	MONTGOMERY WARD					SEARS, ROEBUCK—continued					
M 6 D	Avery, Sewell L., Chicago, Ill. (R)		\$6,000			M 2 D	Stern, Edgar B., New Orleans, La. (D W)		\$1,500		
M 6 D	Eckhart, Percy B., Chicago, Ill. (R)		1,000			M 2 D	Wood, Robert E., Chicago, Ill. (R)		2,500		
	Total		7,000			M 2 D	Wood, Robert E., Chicago, Ill. (M)				\$2,725
M 11	NATIONAL TEA					Total			6,500	2,800	2,725
M 11	None.					M 20	WINN-DIXIE STORES				
M 4	J. C. PENNEY					M 20	Davis, Artemus D., Jacksonville, Fla. (D)		1,000		
M 4	None.					M 20	Davis, James E., Jacksonville, Fla. (D)		1,000		
M 3	SAFEWAY STORES					Total			2,000		
M 3	None.					M 7	F. W. WOOLWORTH				
M 2	SEARS, ROEBUCK					M 7 D	Knox, Seymour H., Buffalo, N. Y. (R)		1,500		
M 2 D	Crandall, Lou R., New York, N. Y. (R)		2,000			Gross total		116,050	14,500	2,725	
M 2 D	Stearns, Russell B., Boston, Mass. (R)		2,000			Deductions for duplication		46,750			
M 2 D	Stern, Edgar B., New Orleans, La. (D)			\$1,000		Net grand total		69,300	14,500	2,725	

RECAPITULATION FOR EXHIBIT 25

	Republican	Democratic	Other
Gross totals	\$3,029,956	\$110,850	\$34,775
Deductions for duplication	1,213,359	7,125	18,260
Net grand totals	1,816,597	103,725	16,515

Mr. CLARK. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar 214, S. 385.

The PRESIDING OFFICER (Mr. COTTON in the chair). The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 385) to authorize the training of Federal employees at public or private facilities, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Pennsylvania?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with an amendment.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the committee amendment.

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

That the President of the United States may authorize the heads of Federal agencies to obtain training at non-Federal facilities for civilian officers and employees of their agencies, when they find that such training will be in the interests of the Government and not inconsistent with the interests of national security and will contribute to the more effective functioning of their agencies.

SEC. 2. For the purposes of this act—

(a) The term "Federal agency" means (1) any department or independent establishment in the executive branch of the Government, including any Government owned or controlled corporation subject to title I or title II of the Government Corporation Control Act (but not including any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests), except the Central Intelligence Agency, the Atomic Energy Commission, the Tennessee Valley Authority, the Bureau of Medicine and Surgery of the Veterans' Administration, and the Foreign Service of the State Department, (2) the municipal government of the District of Columbia, (3) the Library of Congress, (4) the Government Printing Office, and (5) the General Accounting Office.

(b) The term "training" means the provision of opportunities to acquire skill or knowledge related to the work of the respective Federal agencies.

(c) The term "non-Federal facilities" includes State, county, local, or foreign governments, interstate or international organizations, or instrumentalities thereof; institutions of learning or individual instructors; laboratories; trade, labor, agricultural, or scientific associations; foundations; industrial or commercial organizations; or other appropriate organizations and facilities, foreign or domestic.

(d) The term "employee" means any officer or employee of a Federal agency, as defined above, except those subject to the Career Compensation Act of 1949, as amended.

SEC. 3. Training of employees of one Federal agency by another; loan of training facilities among Federal agencies; training activities on a joint basis among Federal agencies; and training by Federal agencies of their own employees are also authorized.

SEC. 4. Appropriations or other funds available to Federal agencies for salaries or expenses shall be available for the purposes of this act. Tuition, fees, and related training expenses may be paid to the training facility or to the trainee: *Provided*, That no part of any appropriation, or of the funds

available for expenditure by any corporation, or other funds, shall be available to pay for training at any facility that teaches or advocates the overthrow of the Government of the United States by force or violence.

SEC. 5. No training in a non-Federal facility shall be provided under this act for any employee unless such training is authorized by the head of the agency or by another official of such agency designated for that purpose by the head thereof.

SEC. 6. Regulations issued under authority of the President pursuant to this act shall set forth the obligations to which employees who accept training in non-Federal facilities shall be required to agree, including an agreement in writing to remain in the Government service, unless voluntarily separated therefrom, for a period equal to three times the length of any period of time off with pay granted such employee without charge to annual leave for the purpose of such training. Any such trainee who fails to fulfill such obligations or agreement shall be required to reimburse the Government for whatever portion of the travel, subsistence, tuition, fees, and related training expenses the head of the agency concerned or official thereof designated under section 5 determines, in accordance with criteria established by such regulations, to be equitable.

SEC. 7. This act shall become effective upon its passage. After 90 days from the date of its enactment, no training in non-Federal facilities shall be obtained for an employee by a Federal agency except as provided by this act: *Provided, however*, That such training begun or specifically approved by the appropriate authority authorizing official prior to the enactment of this act or within 90 days thereafter may be completed in accordance with the authorities upon which they were based, and without regard to the provisions of this act.

SEC. 8. To the extent authorized by regulations of the President under the authority of this act, contributions may be made by private sources and accepted by employees receiving training in non-Federal facilities without regard to the provisions of section 1914 of title 18 of the United States Code.

SEC. 9. All laws or parts of laws inconsistent with the provisions of this act are hereby repealed to the extent of such inconsistency, and such repeal shall include but shall not be limited to the following laws and parts of laws:

(a) Section 307 (b) of the Civil Aeronautics Act of 1938, as amended by Public Law 670, 81st Congress (64 Stat. 417).

(b) The last sentence of section 201 (e) of the Merchant Marine Act of 1936, as amended.

(c) Clause (8) of section 803 of the Civil Aeronautics Act of 1938, as amended by Public Law 691, 79th Congress (60 Stat. 945). Clause (7) of the same section is amended by inserting the word "and" at the beginning, immediately following the number "(7)", and immediately preceding the word "promote", striking out the word "and" at the end following the semicolon, and changing the semicolon to a period.

(d) Section 16 of the Defense Highway Act of 1941 (55 Stat. 770), as amended.

(e) Public Law 472, 81st Congress (64 Stat. 43), as amended.

(f) That part of section 33 of the World War Veterans Act (44 Stat. 793) which follows the words "and may detail employees to attend the same"; and that part of the first sentence of section 9 of part VII, Veterans Regulation Numbered 1 (a), as amended by Public Law 16, 78th Congress (57 Stat. 45), which reads "and may detail any such personnel to attend courses conducted by other than Veterans' Administration agencies, including private organizations, and such employees in addition to their salaries shall be entitled to the payment of expenses incident to such detail, including transportation and tuition, as the administrator by rules and regulations shall provide".

SEC. 10. The head of each agency any employees of which are provided training in non-Federal facilities shall report annually to the Congress the name of each employee receiving such training during the period covered by the report, the length of his total service as an employee of the Government, the grade, title, and primary functions of his position and the length of his service in such position, the non-Federal facility at which his training was received, the nature, length, and cost of such training, and the relationship of the training to the employee's position.

MR. CLARK. Mr. President, the bill, which was sponsored by the administration, and was introduced by the chairman of the Committee on Post Office and Civil Service, provides, briefly, that the President of the United States may authorize the heads of Federal agencies to obtain at non-Federal facilities training for civilian officers and employees of their agencies when they find that such training will be in the interest of the Government and not inconsistent with the interest of national security, and will contribute to the more effective functioning of their agencies.

The remainder of the bill merely defines its terms; authorizes the President to make appropriate regulations for carrying out the provisions of the bill; provides that the appropriations or other funds available to other agencies for salaries or expenses shall be available for the purpose of the bill; and provides that there shall be no training unless the head of the agency or another official designated by him for that purpose shall so direct.

In general, the purpose of the bill is to make available to employees in the Federal service the same opportunities

for training which are now available to members of the armed services of the United States.

Two days of hearings were held on the bill by a subcommittee of the Committee on Post Office and Civil Service of which I had the honor to be the chairman.

Testimony in support of the bill was adduced from the Federal Bureau of the Budget, the Civil Service Commission, the Department of Defense, a number of civic agencies, a number of employee groups, and a large number of educators from educational institutions throughout the country.

No opposition was offered to the bill, which was reported by the Committee on Post Office and Civil Service, by the unanimous vote of both the majority and the minority members.

The bill, if enacted, will enable the executive arm of the Federal Government to provide the same kind of training for its employees, whether it be 2 or 3 weeks in a technical school or 8 or 9 months at an institution of higher learning, as it is almost the unanimous practice of private industry, among the larger corporations, to make available to their employees. I suggest that the large corporations which are interested in making a profit, meeting payrolls, and paying dividends to the stockholders have adopted such programs because they know that better training of personnel makes for the more efficient, economical carrying on of their business.

I trust that the bill will be approved by my colleagues.

MR. PRESIDENT, I offer an amendment to the committee amendment, and ask that it be stated.

THE PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

THE LEGISLATIVE CLERK. On page 6, line 14, after the word "Agency", it is proposed to insert "the Federal Bureau of Investigation."

THE PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [MR. CLARK] to the committee amendment.

MR. CLARK. Mr. President, I wish to state the reasons for the amendment. In section 2 of the bill a number of Federal agencies are listed, among them the Central Intelligence Agency, the Atomic Energy Commission, the Tennessee Valley Authority, and others, which are exempted from the terms of the bill because those agencies already have in effect training programs which are satisfactory, and they do not need the general protection provided by the bill.

Subsequent to the hearings, the Federal Bureau of Investigation communicated with me and requested that it be added as an exempt agency. I think all Senators are familiar with the splendid training program of the Federal Bureau of Investigation. I am happy, at its request, to include that agency among the exempted agencies.

THE PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

THE PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

INCREASE OF INTEREST RATE ON UNITED STATES SAVINGS BONDS

THE PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 5520) to amend the Second Liberty Bond Act to increase the maximum interest rate permitted on United States savings bonds.

TENSION BETWEEN THE UNITED STATES AND CANADA

MR. NEUBERGER. Mr. President, it is my intention to discuss comparatively briefly the very unfortunate and distressing tension which has arisen between the United States and our closest ally in war and in peace—Canada. I shall explain why I have taken what might be called a somewhat special interest in the case.

I have a very warm personal feeling and a great admiration for the people of Canada and for the Canadian Government. During World War II, I served much of the time in the Yukon Territory with the American troops whose mission it was to construct the 1,500-mile Alaska Military Highway, linking continental United States with our great bastion in the north, Alaska. For a part of that time I was assigned as aide-de-camp to a very fine and brave American officer, the late Gen. James A. O'Connor, of the Corps of Army Engineers. General O'Connor was in charge of building the Alaska Highway.

I may say that General O'Connor, during his lifetime, was a constituent of the distinguished senior Senator from California [MR. KNOWLAND] who is now on the Senate floor. General O'Connor was a resident of Los Angeles, and his widow and family still live in Los Angeles.

Because of the duties which were mine in the service, I had many associations with the people of Canada, and some slight association with the Government of Canada.

I have hanging on my wall a cherished photograph of General O'Connor, the late Canadian Prime Minister W. L. Mackenzie King, and myself looking at a map of the Arctic areas, where we showed Mr. Mackenzie King the realm in his own country in which American troops had been allowed, through the good-will and friendship of the people of Canada, to build the great lifeline to Alaska which we know today as the Alaska Highway. I might add that that lifeline is paralleled by a great series of airways, by which Alaska and the Aleutians were supplied during World War II.

Every year since the end of my service in the Army and until the time of my

credit union did business from a small downtown location. After the building owner gave notice that she intended to remodel the building and raise the rent considerably, the credit union sacrificed its downtown location for more room and a home of its own. Charlie Poole, Fidele Guenzi, and Louie Rieke, three longtime members, bought a plot of land about eight blocks from the business center and constructed a small masonry building for the credit union home. The credit union rents its space, a central office with handy counter and ample room for the desks of Poole, an assistant treasurer, and two secretaries, plus a directors' conference room.

IT'S CONVENIENT

As a convenient place to do business, the Sterling Community Federal Credit Union is a model. About 95 percent of its business is done across the counter, with the other 5 percent by mail. Office hours are 9 to 5:30 daily and 9 to noon Saturday. On the average day, between 60 and 75 persons will come in to make a share deposit, a loan payment, or both. In its 19-year history the credit union has made loans ranging from \$10 to \$33,000.

There's only one Negro family in Sterling, and they are longtime credit-union members. There are a number of Spanish-American families, and many of them have credit union-financed homes or cars.

TWO CREDIT COMMITTEES

The board of directors has made some by-law changes to keep pace with the credit-union's growth. For one, they rescinded a former rule which limited a man to serving two 2-year terms in succession in any one office. Too much talent and enthusiasm and willing work potential was lost as a result of that rule, they felt. Now Rieke, the credit committee chairman, is serving his third term. Interestingly, every member of the credit committee is a former chairman of that group, and the credit committee has alternate members who meet with the regular committee on call.

Whether it's a farmer wanting to buy feed for his hogs or a businessman wanting to expand his firm, each loan applicant gets personal and confidential consideration. Either Treasurer-Manager Poole or his assistant, Carl Waltz, meets with the applicant in the separate conference room. Either Treasurer-Manager Poole or his assistant "we try to dispel the idea that a credit union is just another lending agency. We point out the democratic fact that the credit union is owned by the members and that no man has more than one vote in its control. We don't find the 1 percent per month interest rate hard to explain, because we talk in terms of how much is the money going to cost the borrower. We will show him that we can lend him money cheaper than somebody else, or we'll show the borrower that he can get his money cheaper somewhere else if that is true."

WANTS HIGHER LIMIT

Poole believes that the \$400 Federal limit on signature loans is outdated. He would have the limit raised to \$1,000. "After all," he argues, "when you lend more, you're depending on the cosigner. If you can depend on him, you ought to be able to depend on the borrower." Also, Poole believes that his credit union has lost some loans because of the 3-year repayment limit, and he would raise that limit to 5 years.

Not only does the credit committee meet as often as necessary, with either Poole or Waltz meeting with them, but board of directors meetings are held subject to call. The Sterling Credit Union has no educational committee as such, but the board of directors takes that as part of its job.

THE AUDITING PROBLEM

"The weak link in our chain, and I don't think we're unusual," Poole says, "is our

supervisory committee. Not that we don't have good members, but it is just impossible to get them to make an audit more often than quarterly. Oh, it might do some good to have one of the credit committee members move over to the supervisory committee, but we feel that our first job is to get the money back to the members, and that certainly is what our credit committee does."

No small part of the Sterling Credit Union's success is attributed to its advertising and educational program. Last year that took a \$1,645.58 bite out of the total expenses of \$29,749.73. Much of the advertising money went to local newspapers and radio, about \$50 per month to newspaper and \$300 per year on radio.

The Sterling Credit Union feels strongly about benefits gained from league and national association membership. They spent more than \$300 last year on material from CUNA Supply Cooperative, including copies of every release which applied to their problems.

Last year the Sterling Credit Union had \$82,804.65 income, including \$63,288.14 interest on loans to members, \$11,904.17 on investments in savings and loan associations, \$5,783.38 on loans to other credit unions and \$1,828.96 on other income.

One feature of the credit union which Poole likes to mention is its family membership. Some families run as high as 15 or 20 members, each with a savings account. And there are a couple of proud grandfathers who see that each grandchild gets a \$5 account the day he is born. "You can't beat membership like that," Poole boasts.

The Sterling Community Federal Credit Union is a model of how well a credit union can serve a community's needs. In the process it has hung at least one record: It was the first Federal community type credit union in the United States to reach the \$1 million mark in assets.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. KEARNEY (at the request of Mr. ARENDS) for the week on account of official business.

To Mr. SADLAK (at the request of Mr. MARTIN) to May 6 on account of official business attending council meeting, Interparliamentary Union, Nice, France.

To Mr. MULTER (at the request of Mr. SISK) for the balance of the week on account of official business.

To Mr. KEATING from April 8 to April 19, inclusive, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. BAILEY, for 20 minutes, on Thursday next.

Mrs. ROGERS of Massachusetts, for 10 minutes, today, on a bill she introduced today, and for 5 minutes today on another subject, and to revise and extend her remarks and include extraneous matter; also for 5 minutes on tomorrow.

Mr. O'HARA of Illinois, for 10 minutes today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL

RECORD, or to revise and extend remarks, was granted to:

Mr. GATHINGS and to include extraneous matter.

Mr. MCGOVERN (at the request of Mr. NATCHER) and to include a speech by Senator HUMPHREY.

Mr. MCGREGOR and to include extraneous matter.

Mr. NEAL.

Mr. WILSON of Indiana.

Mr. PORTER in three instances and to include extraneous matter.

Mr. HOSMER to include two editorials in his remarks on Pan American Day.

Mr. MAHON to revise and extend his remarks and include extraneous matter.

Mr. MULTER (at the request of Mr. BOLAND) in two instances and to include extraneous matter.

Mr. GARMATZ (at the request of Mr. BOLAND).

Mr. ZELENKO (at the request of Mr. BOLAND).

Mr. VAN ZANDT in two instances.

Mr. REES of Kansas and to include extraneous matter.

Mr. BYRD and to include extraneous matter.

Mr. THOMPSON of New Jersey.

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 126. An act for the relief of Ljubischa Nikolich; to the Committee on the Judiciary.

S. 130. An act for the relief of Frosso Spillotou; to the Committee on the Judiciary.

S. 161. An act for the relief of Elias Youssef Mikhael (Ellis Joseph Michael); to the Committee on the Judiciary.

S. 248. An act for the relief of Herta Kubelle Shields; to the Committee on the Judiciary.

S. 249. An act for the relief of Theodora Hegeman; to the Committee on the Judiciary.

S. 251. An act for the relief of Edith Elisabeth Wagner; to the Committee on the Judiciary.

S. 253. An act for the relief of Josef Michael Adolf; to the Committee on the Judiciary.

S. 257. An act for the relief of Petronella Elisabeth Delmbeck Major; to the Committee on the Judiciary.

S. 268. An act to provide that the Secretary of the Army shall return certain mineral interests in land acquired by him for flood-control purposes to the former owners of such land; to the Committee on Public Works.

S. 368. An act for the relief of Jose Medina-Chavez (Joe Medina); to the Committee on the Judiciary.

Act to authorize the training of Federal employees at public or private facilities, and for other purposes; to the Committee on Post Office and Civil Service.

S. 438. An act for the relief of Paul Er (Ear) Chen and Lydia Chen, nee Shih Ming Chung; to the Committee on the Judiciary.

S. 528. An act for the relief of Nicolaos Papathanasiou; to the Committee on the Judiciary.

S. 560. An act for the relief of Alec Ernest Sales; to the Committee on the Judiciary.

S. 570. An act for the relief of Jeannine Therlaud Grantham; to the Committee on the Judiciary.

H. R. 6322. An act to provide that the dates for submission of plan for future control of the property of the Menominee Tribe shall be delayed;

H. R. 6641. An act to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 9381. An act to designate the lake above the diversion dam of the Solano project in California as Lake Solano;

H. R. 9382. An act to designate the main dam of the Solano project in California as Monticello Dam;

H. R. 10009. An act to provide for the reconveyance of certain surplus real property to Newaygo, Mich.;

H. R. 10035. An act for the relief of Federico Luss;

H. R. 10349. An act to authorize the acquisition by exchange of certain properties within Death Valley National Monument, Calif., and for other purposes;

H. R. 10969. An act to extend the Defense Production Act of 1950, as amended;

H. R. 11058. An act to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments;

H. R. 11399. An act relating to price support for the 1958 and subsequent crops of extra long staple cotton;

H. R. 12052. An act to designate the dam and reservoir to be constructed at Stewart's Ferry, Tennessee, as the J. Percy Priest Dam and Reservoir;

H. R. 12164. An act to permit use of Federal surplus foods in nonprofit summer camps for children;

H. R. 12521. An act to authorize the Clerk of the House of Representatives to withhold certain amounts due employees of the House of Representatives;

H. A. 12586. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase United States obligations directly from the Treasury;

H. R. 12613. An act to designate the lock and dam to be constructed on the Calumet River, Illinois, as the "Thomas J. O'Brien lock and dam";

H. J. Res. 382. Joint Resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; and

H. J. Res. 577. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

H. R. 4683. An act to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the Lake Greason Reservoir, Narrows Dam;

H. R. 5033. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.

H. R. 6641. To fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire lands therein, and to provide for the transfer of certain land not included within said boundary, and for other purposes;

H. R. 7081. An act to provide for the removal of a cloud on the title to certain real property located in the State of Illinois;

H. R. 7917. An act for the relief of Ernst Haeusserman;

H. R. 9381. An act to designate the lake above the diversion dam of the Solano project in California as Lake Solano;

H. R. 9382. An act to designate the main dam of the Solano project in California as Monticello Dam;

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H. J. Res. 577. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

penses, general administration," (1360120), pursuant to Public Law 798, 84th Congress; to the Committee on Government Operations.

2061. A letter from the Secretary of State, transmitting the draft of a proposed bill entitled "A bill to amend the Foreign Service Act of 1946, as amended, and for other purposes"; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 5949. A bill to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to Potter County, Tex.; with amendment (Rept. No. 1948). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Joint Committee on Atomic Energy. H. R. 12457. A bill to further amend Public Law 85-162 and Public Law 84-141, to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; without amendment (Rept. No. 1949). Referred to the Committee of the Whole House on the State of the Union.

Mr. HEMPHILL: Committee on Post Office and Civil Service. An act to authorize the training of Federal employees at public or private facilities, and for other purposes; with amendment (Rept. No. 1951). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 12628. A bill to amend title VI of the Public Health Service Act to extend for an additional 3-year period the Hospital Survey and Construction Act; without amendment (Rept. No. 1952). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 12739. A bill to amend section 1105 (b) of title XI (Federal Ship Mortgage Insurance) of the Merchant Marine Act, 1936, as amended, to implement the pledge of faith clause; without amendment (Rept. No. 1953). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 12694. A bill to authorize loans for the construction of hospitals and other facilities under title VI of the Public Health Service Act, and for other purposes; without amendment (Rept. No. 1954). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee on Interstate and Foreign Commerce. H. R. 10045. A bill to provide for the sale of all of the real property acquired by the Secretary of Commerce for the construction of the Burke Airport, Va.; with amendment (Rept. No. 1955). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Committee on Armed Services. H. R. 12827. A bill to extend the provisions of title III of the Federal Civil Defense Act of 1950, as amended; without amendment (Rept. No. 1956). Referred to the Committee of the Whole House on the State of the Union.

Mr. VINSON: Committee on Armed Services. H. R. 13015. A bill to authorize certain construction at military installations, and for other purposes; with amendment

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval bills and a joint resolution of the House of the following titles:

H. R. 2548. An act to authorize payment for losses sustained by owners of wells in the vicinity of the construction area of the New Cumberland Dam project by reason of the lowering of the level of water in such wells as a result of the construction of New Cumberland Dam project;

H. R. 4260. An act to authorize the Chief of Engineers to publish information pamphlets, maps, brochures, and other material;

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 33 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 25, 1958, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2060. A letter from the Secretary of Commerce, transmitting copies of reports for partial restoration of the balances withdrawn from the appropriation "Salaries and ex-

time prior to the maturity date. In addition to the terms and conditions provided for, each loan under this part shall be made subject to such terms, conditions, and covenants relating to repayment of principal, payment of interest, and other matters as may be agreed upon by the applicant and the Surgeon General.

"(b) Where the Surgeon General determines it necessary to protect the financial interest of the United States, he may enter into agreements modifying any of the terms and conditions of a loan made under this part.

"(c) If, at any time before a loan for a project has been repaid in full, any of the events specified in clause (A) or clause (B) of section 625 (e) shall occur with respect to such project, the unpaid balance of the loan shall become immediately due and payable by the applicant, and any transferee of the facility shall be liable to the United States for such repayment.

"Funds for loans by the Surgeon General

"Sec. 664. Any loan under this title shall be made out of the allotment from which a grant for the project concerned would be made. Payments of interest and repayments of principal on loans under this part shall be deposited in the Treasury as miscellaneous receipts."

The SPEAKER. Is a second demanded?

Mr. AVERY. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HARRIS. Mr. Speaker, this bill is also an amendment to the Hospital Construction Act which would provide for loans to be made under all the conditions and circumstances and requirements provided for grants under present law. The purpose of this bill is to permit certain applicants who otherwise, because of their own deep and fundamental beliefs could not accept grants from the Federal Government for the construction of such hospitals, to obtain loans, for a 40-year term, for this purpose.

It was brought to the attention of the committee that there are certain religious denominations which because of their deep-seated convictions, policies, and principles, cannot accept grants from the Federal Government, because of a policy of separation of church and state. Under this legislation they may make applications under the Hill-Burton program to obtain loans for such purposes in lieu of grants. All of the requirements of the present Hill-Burton law must be met, and applicant must comply with the State plans of the various States under this program.

That is, very briefly, what this bill would do. We think those who would contribute to the welfare of the sick and needy should have the benefit of the consideration of this bill, and should have the opportunity of receiving loans instead of grants for this purpose.

Mr. Speaker, I yield 3 minutes to the gentleman from Mississippi [Mr. WILLIAMS], a member of the committee.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the chairman of the Committee on Interstate and Foreign Commerce has given a very good explanation of this bill.

Among the church groups who maintain hospitals around the country and are affected by this legislation are the Baptists and the Pentacostal Church. I am informed there is a possibility, although it is not definite, that members of the Church of Christ might be subject to this legislation, as well as other Protestant denominations.

This bill provides simply that those church or charitable organizations who can otherwise qualify for Hill-Burton grants, but whose religious creed and beliefs do not permit them to accept grants from Government sources would be permitted, in lieu of receiving a grant, to receive a loan from the Federal Government, repayable over a period of 40 years.

As far as I know, there is no opposition to this legislation. It does not cost the Government a penny. On the contrary, such money as will be repaid into the Hill-Burton program in repayment of loans will in actuality reduce the overall cost of the Hill-Burton program.

This legislation was reported from the subcommittee and from the full committee unanimously.

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

Mr. WILLIAMS of Mississippi. I yield to the gentleman from California.

Mr. HIESTAND. I see nothing in the bill or in the report as to the limitation of the total authorization or the amount. Will the gentleman explain how this is limited?

Mr. WILLIAMS of Mississippi. There is no authorization under this bill for any additional appropriation. Such funds as may be loaned to these organizations in lieu of outright grants will be charged against the overall appropriation for the Hill-Burton program.

Mr. HIESTAND. So there is no limitation?

Mr. WILLIAMS of Mississippi. That is right.

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

Mr. WILLIAMS of Mississippi. I yield to the gentleman from West Virginia.

Mr. NEAL. Mr. Speaker, I think the matter has been pretty well explained. The religious institutions that have rules and regulations that prevent them from accepting Federal funds on a matching basis must, under the terms of this bill, meet all other requirements of the Hill-Burton Act. The limitation as to the amount of money will be upon the same basis as if they were permitted to take the full benefit of the Hill-Burton program.

We feel that this is meritorious legislation and wholly complies with the wishes of the organizations to be affected. We believe this bill ought to pass.

Mr. AVERY. Mr. Speaker, I know of no opposition to this bill, but I should like to take 30 seconds to express the appreciation of all the taxpayers of America to the religious denomination that requested this legislation. To my knowledge, this is the first time in the 4 years I have been here that any organization has turned down a grant in favor of a loan.

We have no further requests for time, Mr. Speaker.

Mr. MACK of Illinois. Mr. Speaker, I join with my colleagues in support of this legislation. I hope the House adopts the recommendations of the committee and passes this bill. I want to make it very clear that it was the understanding in the committee that once this decision is made as to whether this will be a grant or a loan, it would be considered as such from that time forward.

There are institutions which have conscientious objections to accepting grants under the Hill-Burton hospital construction program. They should be offered financial assistance on a loan basis.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12695) entitled "An act to provide a 1-year extension of the existing corporate normal-tax rate and of certain excise-tax rates."

TRAINING OF FEDERAL EMPLOYEES AT PUBLIC OR PRIVATE FACILITIES

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. MURRAY].

Mr. MURRAY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 385) to authorize the training of Federal employees at public or private facilities, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc.—

SHORT TITLE

SECTION 1. This act may be cited as the "Government Employees Training Act."

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of the Congress—

(1) that, in order to promote efficiency and economy in the operation of the Government and provide means for the development of maximum proficiency in the performance of official duties by employees thereof, to establish and maintain the highest standards of performance in the transaction of the public business, and to install and utilize effectively the best modern practices and techniques which have been developed, tested, and proved within or outside of the Government, it is necessary and desirable in the public interest that self-education, self-improvement, and self-training by such employees be supplemented and extended by Government-sponsored programs, provided for by this act, for the training of such employees in the performance of official duties and for the development of skills, knowledge, and abilities which will best qualify them for performance of official duties;

(2) that such programs shall be continuous in nature, shall be subject to supervision and control by the President and review by the Congress, and shall be so established as to be readily expandable in time of national emergency;

(3) that such programs shall be designed to lead to (A) improved public service, (B) dollar savings, (C) the building and retention of a permanent cadre of skilled and efficient Government employees, well abreast of scientific, professional, technical, and management developments both in and out of Government, (D) lower turnover of personnel, (E) reasonably uniform administration of training, consistent with the missions of the Government departments and agencies, and (F) fair and equitable treatment of Government employees with respect to training; and

(4) that the United States Civil Service Commission shall be responsible and have authority, subject to supervision and control by the President, for the effective promotion and coordination of such programs and of training operations thereunder.

DEFINITIONS

Sec. 3. For the purposes of this act—

(1) the term "Government" means the Government of the United States of America and the municipal government of the District of Columbia;

(2) the term "department", subject to the exceptions contained in section 4, means (A) each executive department, (B) each independent establishment or agency in the executive branch, (C) each Government-owned or controlled corporation subject to title I or title II of the Government Corporation Control Act, (D) the General Accounting Office, (E) the Library of Congress, (F) the Government Printing Office, and (G) the municipal government of the District of Columbia;

(3) the term "employee", subject to the exceptions contained in section 4, means any civilian officer or employee in or under a department, including officers of the Coast and Geodetic Survey in the Department of Commerce;

(4) the term "Commission" means the United States Civil Service Commission;

(5) the term "training" means the process of providing for and making available to an employee, and placing or enrolling such employee in, a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields which are or will be directly related to the performance by such employee of official duties for the Government, in order to increase the knowledge, proficiency, ability, skill, and qualifications of such employee in the performance of official duties;

(6) the term "Government facility" means any property owned or substantially controlled by the Government and the services of any civilian and military personnel of the Government; and

(7) the term "non-Government facility" means (A) the government of any State, Territory, or possession of the United States, the government of the Commonwealth of Puerto Rico, and any interstate governmental organization, or any unit, subdivision, or instrumentality of any of the foregoing, (B) any foreign government or international organization, or instrumentality of either, which is designated by the President as eligible to provide training under this act, (C) any medical, scientific, technical, educational, research, or professional institution, foundation, agency, or organization, (D) any business, commercial, or industrial firm, corporation, partnership, proprietorship, or any other organization, and (E) any individual not a civilian or military officer or

employee of the Government of the United States or of the municipal government of the District of Columbia. For the purposes of furnishing training by, in, or through any of the foregoing, the term "non-Government facility" also shall include the services and property of any of the foregoing furnishing such training.

EXCLUSIONS

Sec. 4. (a) This act shall not apply to—

(1) the President or Vice President of the United States,

(2) the Foreign Service of the United States under the Department of State,

(3) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests,

(4) the Tennessee Valley Authority,

(5) any individual appointed by the President by and with the advice and consent of the Senate or by the President alone, unless such individual is specifically designated by the President for training under this act, and

(6) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102 (a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such act.

(b) The President is authorized—

(1) to designate at any time in the public interest any department or part thereof, or any employee or employees therein (either individually or by groups or classes), as excepted from this act or any provision of this act (other than this section, section 21, and section 22), and

(2) to designate at any time in the public interest any such department or part thereof, or any such employee or employees therein, so excepted, as again subject to this act or any such provision of this act.

Such authority of the President shall not include the authority to except the Commission from any provision of this act which vests in or imposes upon the Commission any function, duty, or responsibility with respect to any matter other than the establishment, operation, and maintenance by the Commission, in the same capacity as any other department, of programs and plans of training for employees of the Commission.

DEPARTMENTAL REVIEWS OF TRAINING NEEDS

Sec. 5. Within 90 days after the date of enactment of this act and at least once every 3 years after the expiration of such 90-day period, the head of each department shall conduct and complete a review of the needs and requirements of such department for the training of employees under its jurisdiction. Upon request of a department, the Commission is authorized, in its discretion, to assist such department in connection with such review of needs and requirements. Information obtained or developed in any such review shall be made available to the Commission at its request.

TRAINING REGULATIONS OF COMMISSION

Sec. 6. (a) The Commission after consideration of the needs and requirements of each department for training of its employees and after consultation with those departments principally concerned, shall prescribe regulations containing the principles, standards, and related requirements for the programs, and plans thereunder, for the training of employees of the departments under authority of this act (including requirements for appropriate coordination of and reasonable uniformity in such training programs and plans of the departments). Such regulations, when promulgated, shall provide for the maintenance of necessary information with respect to the general conduct of the training activities of each depart-

ment, and such other information as may be necessary to enable the President and the Congress to discharge effectively their respective duties and responsibilities for supervision, control, and review of training programs authorized by this act. Such regulations also shall cover with respect to training by, in, and through Government facilities and non-Government facilities—

(1) requirements with respect to the determination and continuing review by each department of its needs and requirements in connection with such training;

(2) the scope and conduct of the programs and plans of each department for such training;

(3) the selection and assignment for such training of employees of each department;

(4) the utilization in each department of the services of employees who have undergone any such training;

(5) the evaluation of the results and effects of programs and plans for such training;

(6) the interchange among the departments of information concerning such training;

(7) the submission by the departments of reports on the results and effects of programs and plans of such training and economies resulting therefrom, including estimates of costs of training by, in and through non-Government facilities;

(8) such requirements and limitations as may be necessary with respect to payments and reimbursements in accordance with section 10; and

(9) such other matters as the Commission deems appropriate or necessary to carry out the provisions of this act.

(b) In addition to matters set forth in subsection (a) of this section, the regulations of the Commission shall, with respect to the training of employees by, in, or through non-Government facilities—

(1) prescribe general policies governing the selection of a non-Government facility to provide such training;

(2) authorize training of employees by, in, or through a non-Government facility only after determination by the head of the department concerned that adequate training for such employees by, in, or through a Government facility is not reasonably available and that appropriate consideration has been given to the then existing or reasonably foreseeable availability and utilization of fully trained employees; and

(3) prohibit the training of an employee by, in, or through a non-Government facility for the purpose of filling a position by promotion if there is in the department concerned another employee of equal ability and suitability who is fully qualified to fill such position and is available at, or within a reasonable distance from, the place or places where the duties of such position are to be performed.

(c) From time to time and in accordance with this act, the Commission may revise, supplement, or abolish its regulations prescribed under this section and may prescribe additional regulations.

(d) Nothing contained in this section shall be construed to authorize the Commission to prescribe the types and methods of intradepartmental training programs.

ESTABLISHMENT OF PROGRAMS OF TRAINING THROUGH GOVERNMENT AND NON-GOVERNMENT FACILITIES

Sec. 7. Within 270 days after the date of enactment of this act, the head of each department shall prepare, establish, and place in effect a program or programs, and a plan or plans thereunder, in conformity with this act, for the training of employees in or under such department by, in, and through Government facilities and non-Government facilities in order to increase economy and efficiency in the operations

of the department and to raise the standard of performance by employees of their official duties to the maximum possible level of proficiency. Each such program, and plan or plans thereunder, shall conform, on and after the effective date of the regulations prescribed by the Commission under section 6 of this act, to the principles, standards, and related requirements contained in such regulations then current, shall be operated and maintained in accordance with the provisions of this act, and shall provide for adequate administrative control by appropriate authority. Two or more departments jointly may operate under any such training program. Each such program shall provide for the encouragement of self-training by employees by means of appropriate recognition of resultant increases in proficiency, skill, and capability.

GENERAL PROVISIONS OF PROGRAMS OF TRAINING THROUGH GOVERNMENT FACILITIES

Sec. 8. The program or programs of each department for the training of employees by, in, and through Government facilities under authority of this act—

(1) shall provide for training, insofar as practicable, by, in, and through those Government facilities which are under the jurisdiction or control of such department, and

(2) shall provide for the making by such department to the extent necessary and appropriate, of agreements with other departments, and with other agencies in any branch of the Government, on a reimbursable basis if so requested by such other departments and agencies, (A) for the utilization in such program or programs of those Government facilities under the jurisdiction or control of such other departments and agencies and (B) for extension to employees of such department of training programs of such other departments.

GENERAL PROVISIONS OF PROGRAMS OF TRAINING THROUGH NON-GOVERNMENT FACILITIES

Sec. 9. (a) The head of each department is authorized to enter into agreements or make other appropriate arrangements for the training of employees of such department by, in, or through non-Government facilities in accordance with this act, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5).

(b) The program or programs of each department for the training of employees by, in, and through non-Government facilities under authority of this act shall—

(1) provide for information to be made available to employees of such department with respect to the selection and assignment of such employees for training by, in, and through non-Government facilities and the limitations and restrictions applicable to such training in accordance with this act, and

(2) give appropriate consideration to the needs and requirements of such department in recruiting and retaining scientific, professional, technical, and administrative employees.

(c) Each department shall issue such regulations as the department deems necessary to implement the regulations of the Commission issued under section 6 (a) (8) in order to protect the Government with respect to payment and reimbursement of training expenses.

EXPENSES OF TRAINING THROUGH GOVERNMENT FACILITIES AND NON-GOVERNMENT FACILITIES

Sec. 10. The head of each department in accordance with regulations issued by the Commission under authority of section 6 (a) (8) is authorized, from funds appropriated or otherwise available to such department, (1) to pay all or any part of the salary, pay, or compensation (excluding overtime, holiday, and night differential pay) of each employee of such department who is elected and assigned for training by, in, or through

Government facilities or non-Government facilities under authority of this act, for each period of such training of such employee, and (2) to pay, or reimburse such employee for, all or any part of the necessary expenses of such training, without regard to section 3648 of the Revised Statutes (31 U. S. C. 529), including among such expenses the necessary costs of (A) travel and per diem in lieu of subsistence in accordance with the Travel Expenses Act of 1949, as amended, and the Standardized Government Travel Regulations, or, in the case of commissioned officers of the Coast and Geodetic Survey in the Department of Commerce, section 308 of the Career Compensation Act of 1949, as amended, and the Joint Travel Regulations for the Uniformed Services; (B) transportation of immediate family, household goods and personal effects, packing, crating, temporary storage, drayage, and unpacking in accordance with the first section of the Administrative Expenses Act of 1946, as amended, and Executive Order No. 9805, as amended (except that in the case of commissioned officers of the Coast and Geodetic Survey in the Department of Commerce, such expenses shall be paid under section 303 of the Career Compensation Act of 1949, as amended, and the Joint Travel Regulations for the Uniformed Services), whenever the estimated costs of such transportation and related services are less than the estimated aggregate per diem payments for the period of training, (C) tuition and matriculation fees, (D) library and laboratory services, (E) purchase or rental of books, materials, and supplies, and (F) other services or facilities directly related to the training of such employee. Such expenses of training shall not be deemed to include membership fees except to the extent that such fees are a necessary cost directly related to the training itself or that payment thereof is a condition precedent to undergoing such training.

AGREEMENTS OF EMPLOYEES RECEIVING TRAINING THROUGH NON-GOVERNMENT FACILITIES TO CONTINUE IN GOVERNMENT SERVICE FOR CERTAIN PERIODS

Sec. 11. (a) Each employee who is selected for training by, in, or through a non-Government facility under authority of this act shall, prior to his actual assignment for such training, enter into a written agreement with the Government to the effect that (1) after the expiration of the period of his training, he will continue in the service of his department for a period at least equal to three times the length of the period of such training unless he is involuntarily separated from the service of his department, and (2) if he is voluntarily separated from the service of his department prior to the expiration of the period for which he has agreed to continue in the service of his department after such period of training, he will pay to the Government the amount of the additional expenses incurred by the Government in connection with his training. No employee selected for such training shall be assigned thereto unless he has entered into such agreement.

(b) An employee who, by reason of his entrance into the service of another department or of any other agency in any branch of the Government, fails to continue, after his training, in the service of his department for the period specified in such agreement, shall not be required to pay to the Government the amount of the additional expenses incurred by the Government in connection with his training unless the head of the department which has authorized such training notifies the employee prior to the effective date of his entrance into the service of such other department or agency that such payment will be required under authority of this section.

(c) If any employee (other than an employee relieved of liability under subsection (b) of this section or under subsection (b)

of section 4) fails to fulfill his agreement to pay to the Government the additional expenses incurred by the Government in connection with his training, a sum equal to the amount of such additional expenses of training shall be recoverable by the Government from such employee or his estate (1) by setoff of accrued salary, pay, compensation, amount of retirement credit, or other amount due such employee from the Government and (2) by such other method as may be provided by law for the recovery of amounts owing to the Government. The head of the department concerned may, in accordance with regulations of the Commission, waive in whole or in part any right of recovery under this subsection, if it is shown that such recovery would be against equity and good conscience or against the public interest.

LIMITATIONS ON TRAINING OF EMPLOYEES THROUGH NONGOVERNMENT FACILITIES

Sec. 12. (a) The training of employees by, in, and through non-Government facilities under authority of this act shall be subject to the following provisions:

(1) The number of man-years of such training by, in, and through non-Government facilities for each department in any fiscal year shall not exceed 1 percent of the total number of man-years of civilian employment for such department in the same fiscal year as disclosed by the budget estimates for such department for such year.

(2) No employee having less than 1 year of current, continuous civilian service in the Government shall be eligible for such training unless the head of his department determines, in accordance with regulations of the Commission, that such training for such employee is in the public interest.

(3) In the first 10-year period of his continuous or noncontinuous civilian service in the Government following the date of his initial entry into the civilian service of the Government, and in each 10-year period of such service occurring thereafter, the time spent by an employee in such training shall not exceed 1 year.

(4) The Commission is authorized, in its discretion, to prescribe such other limitations, in accordance with the provisions and purposes of this act, with respect to the time which may be spent by an employee in such training, as the Commission deems appropriate.

(b) The Commission is authorized, in its discretion, to waive, with respect to any department or part thereof or any employee or employees therein, any or all of the restrictions covered by subsection (a) of this section, upon recommendation of the head of the department concerned, if the Commission determines that the application of any or all of such restrictions to any department or part thereof or employee or employees therein is contrary to the public interest. The Commission is further authorized, in its discretion, to reimpose in the public interest, with respect to any such department or part thereof, or any such employee or employees therein, any or all of the restrictions so waived.

PROHIBITION ON TRAINING THROUGH NONGOVERNMENT FACILITIES FOR SOLE PURPOSE OF OBTAINING ACADEMIC DEGREES

Sec. 13. Nothing contained in this act shall be construed to authorize the selection and assignment of any employee for training by, in, or through any non-Government facility under authority of this act, or the payment or reimbursement by the Government of the costs of such training, either (1) for the purpose of providing an opportunity to such employee to obtain an academic degree in order to qualify for appointment to a particular position for which such academic degree is a basic requirement or (2) solely for the purpose of providing an opportunity to such employee to obtain one or more academic degrees.

**PROHIBITION ON TRAINING THROUGH FACILITIES
ADVOCATING OVERTHROW OF THE GOVERNMENT
BY FORCE OR VIOLENCE**

Sec. 14. No part of any appropriation of, or of any funds available for expenditure by, any department shall be available for payment for the training of any employee by, in, or through any non-Government facility teaching or advocating the overthrow of the Government of the United States by force or violence, or by or through any individual with respect to whom determination has been made by a proper Government administrative or investigatory authority that, on the basis of information or evidence developed in investigations and procedures authorized by law or Executive orders of the President, there exists a reasonable doubt of his loyalty to the United States.

**REVIEW BY COMMISSION OF PROGRAMS OF TRAINING
THROUGH NONGOVERNMENT FACILITIES**

Sec. 15. The Commission shall review, at such times and to such extent as it deems necessary, the operations, activities, and related transactions of each department in connection with the program or programs, and the plan or plans thereunder, of such department for the training of its employees by, in, and through non-Government facilities under authority of this act in order to determine whether such operations, activities, and related transactions are in compliance with such programs and plans, with the provisions and purposes of this act, and with the principles, standards, and related requirements contained in the regulations of the Commission prescribed thereunder. Upon request of the Commission, each department shall cooperate with and assist the Commission in such review. If the Commission finds that noncompliance exists in any department, the Commission, after consultation with such department, shall certify to the heads of such department its recommendations for modification or change of actions and procedures of such department thereafter in connection with such training programs and plans. If after a reasonable time for placing such recommendations in effect the Commission finds that noncompliance continues to exist in such department, the Commission shall report such noncompliance to the President for such action as he deems appropriate.

**COLLECTION OF TRAINING INFORMATION BY
COMMISSION**

Sec. 16. The Commission is authorized, to the extent it deems appropriate in the public interest, to collect information, from time to time, with respect to training programs, plans, and methods in and outside the Government. Upon appropriate request, the Commission may make such information available to any department and to the Congress.

**ASSISTANCE BY COMMISSION WITH RESPECT TO
TRAINING PROGRAMS**

Sec. 17. Upon request of any department, the Commission, to the extent of its facilities and personnel available for such purpose, shall provide advice and assistance in the establishment, operation, and maintenance of the programs and plans of such department for training under authority of this act.

REPORTS

Sec. 18. (a) Each department annually shall prepare and submit to the Commission, at such times and in such form as the Commission shall prescribe, reports on the programs and plans of such department for the training of employees by, in, and through Government facilities and non-Government facilities under authority of this act. Each such report shall contain—

(1) such information as the Commission deems appropriate with respect to the expenditures of such department in connection with such training.

(2) the name of each employee of such department (other than students participating in any cooperative educational program) who, during the period covered by the report, received training by, in, or through a non-Government facility for more than 120 days; the grade, title, and primary duties of the position held by such employee; the name of the non-Government facility from which such training was received; the nature, length, and cost to the Government of such training; and the relationship of such training to official Government duties,

(3) the name of each employee of such department who, during the period covered by the report, received a contribution or award in the manner provided by section 19 (a) of this act.

(4) a statement of the department with respect to the value of such training to the department,

(5) estimates of the extent to which economies and improved operations have resulted from such training, and

(6) such other information as the department or the Commission deems appropriate.

(b) The Commission shall include in its annual report a statement, in such form as shall be determined by the Commission with the approval of the President, with respect to the training of employees of the Government under authority of this act. Each such statement shall include—

(1) a summary of information with respect to the operation and results of the programs and plans of the departments,

(2) a summary of information received by the Commission from the departments in accordance with subsection (a) of this section, and

(3) such recommendations and other matters as the President or the Commission may deem appropriate or which may be required by the Congress.

(c) The Commission annually shall submit to the President for his approval and for transmittal to the Congress a report including the information received by the Commission from the departments under paragraphs (2) and (3) of subsection (a) of this section.

Sec. 19. (a) To the extent authorized by regulation of the President, contributions and awards incident to training in non-Government facilities may be made to and accepted by employees, and payment of travel, subsistence, and other expenses incident to attendance ~~therein~~ be made to and accepted by employees, without regard to the provisions of section 1914 of title 18 of the United States Code: *Provided*, That such contributions, awards, and payments are made by an organization determined by the Secretary of the Treasury to be an organization described in section 501 (c) (3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501 (a) of such code.

(b) Hereafter any appropriation available to any department for expenses of travel shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

(c) Whenever, under the authority of subsection (a), a contribution, award, or payment, in cash or in kind, is made to an employee for travel, subsistence, or other expenses, an appropriate reduction in accordance with regulations of the Director of the Bureau of the Budget shall be made from any payment by the Government to such employee for travel, subsistence, or other expenses incident to training in a non-Government facility or incident to attendance at a meeting.

(d) Nothing in this act shall be construed to authorize the training of any employee by, in, or through any non-Government fa-

cility any substantial part of the activities of which is (1) the carrying on of propaganda, or otherwise attempting, to influence legislation or (2) the participation or intervention in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office.

(e) The functions, duties, and responsibilities of the Commission under this act shall be exercised subject to supervision and control by the President and review by the Congress.

**TRANSITION FROM EXISTING GOVERNMENT
TRAINING PROGRAMS**

Sec. 20. In order to facilitate the transition from existing Government training programs and notwithstanding any provision of this act to the contrary or the repeal or amendment of any provision of law thereby, the education, instruction, and training, either within or outside the Government, of employees of any department, under any program in effect immediately prior to the date of enactment of this act, may be initiated, continued, and completed until the expiration of the day immediately preceding (1) the day on which such department shall have placed in effect, in accordance with section 7 of this act, a program or programs of training or (2) the first day following the date of expiration of the period of 270 days following enactment of this act specified in such section 7, whichever day first occurs. All such education, instruction, and training initiated or uncompleted prior to the day specified in clause (1) or the day specified in clause (2) of this section, whichever day first occurs, may be continued and completed under such program on and after such day.

**REPEAL AND AMENDMENT OF EXISTING
EMPLOYEE TRAINING LAWS**

Sec. 21. (a) The respective provisions of law specified in subsections (b) and (c) of this section are each repealed or amended, as the case may be, as provided in such subsections, each such repeal and amendment to be effective (1) on and after the day on which the department listed with respect to such provision of law shall have placed in effect, in accordance with section 7 of this act, a program or programs of training or (2) on and after the first day following the date of expiration of the period of 270 days following enactment of this act specified in such section 7, whichever day first occurs.

(b) The following provisions of law with respect to the following departments are repealed and amended, effective in the manner provided in subsection (a) of this section:

(1) Atomic Energy Commission: Paragraph n of section 161 of the Atomic Energy Act of 1954 (68 Stat. 950; 42 U. S. C. 2201 (n)) is repealed. Paragraphs o, p, q, r, and s of such section 161 are redesignated as paragraphs n, o, p, q, and r, respectively, of such section.

(2) Central Intelligence Agency: Section 4 of the Central Intelligence Agency Act of 1949 (63 Stat. 208; 50 U. S. C. 403d) is repealed. Sections 5, 6, 7, 8, 10, 11, and 12 of such act are redesignated as sections 4, 5, 6, 7, 8, 9, and 10, respectively, of such act.

(3) Civil Aeronautics Administration, Department of Commerce: Section 307 (b) and (c) of the Civil Aeronautics Act of 1938, as amended (64 Stat. 417; 49 U. S. C. 457 (b) and (c)), is repealed. Section 307 (a) of such act is amended by striking out "(a)".

(4) Federal Maritime Board and the Maritime Administration, Department of Commerce: The last sentence in section 201 (e) of the Merchant Marine Act, 1936, as amended (53 Stat. 1182; 46 U. S. C. 1111 (e)), is repealed.

(5) National Advisory Committee for Aeronautics: The act entitled "An act to

promote the national defense and to contribute to more effective aeronautical research by authorizing professional personnel of the National Advisory Committee for Aeronautics to attend accredited graduate schools for research and study", approved April 11, 1950, as amended (64 Stat. 43; 68 Stat. 78; 50 U. S. C. 160a-160f), is repealed.

(6) Bureau of Public Roads, Department of Commerce: Section 16 of the Defense Highway Act of 1941 (55 Stat. 770; 23 U. S. C. 116) is repealed.

(7) Veterans' Administration: Section 235 of the Veterans' Benefits Act of 1957 (71 Stat. 94; Public Law 85-56), subsections (b) and (c) of section 1418 of the Veterans' Benefits Act of 1957 (71 Stat. 134 and 135; Public Law 85-56), and that part of the first sentence of paragraph 9 of part VII of Veterans Regulation No. 1 (a) (57 Stat. 45; 38 U. S. C., ch. 12A) which follows the words "The Administrator shall have the power" and ends with a semicolon and the words "and also", are repealed.

(c) Section 803 of the Civil Aeronautics Act of 1938, as amended (60 Stat. 945; 49 U. S. C. 603), is amended—

(1) by inserting "and" immediately following the semicolon at the end of clause (6) of such section.

(2) by striking out the semicolon at the end of clause (7) of such section, and

(3) by striking out "and (8) detail annually, within the limits of available appropriations made by Congress, members of the Weather Bureau personnel for training at Government expense, either at civilian institutions or otherwise, in advanced methods of meteorological science: *Provided*, That no such member shall lose his individual status or seniority rating in the Bureau merely by reason of absence due to such training."

EXISTING RIGHTS AND OBLIGATIONS

SEC. 22. Nothing contained in this act shall affect (1) any contract, agreement, or arrangement entered into by the Government, either prior to the date of enactment of this act or under authority of section 20, for the education, instruction, or training of personnel of the Government, and (2) the respective rights and liabilities (including seniority, status, pay, leave, and other rights of personnel of the Government) with respect to the Government in connection with any such education, instruction, and training or in connection with any such contract, agreement, or arrangement.

ABSORPTION OF COSTS WITHIN FUNDS AVAILABLE

SEC. 23. (a) The Director of the Bureau of the Budget is authorized and directed to provide by regulation for the absorption by the respective departments, from the respective applicable appropriations or funds available for the fiscal year in which this act is enacted and for each succeeding fiscal year, to such extent as the Director deems practicable, of the costs of the training programs and plans provided for by this act.

(b) Nothing contained in subsection (a) of this section shall be held or considered to require (1) the separation from the service of any individual by reduction in force or other personnel action or (2) the placing of any individual in a leave-without-pay status.

Amend the title so as to read: "An act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties."

The SPEAKER. Is a second demanded?

Mr. REES of Kansas. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I yield such time as he may desire to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Speaker, this legislation passed out of the Committee on Post Office and Civil Service unanimously. It originated in the other body. The bill, S. 385, as it passed the other body and came to the House, gave certain authority to the President of the United States.

Its purpose was and is to carry out a long needed program for the training of Government employees not only within the facilities of the Government and not only within the agencies and departments themselves, but outside of the agencies by and with the coordination of other departments. In addition, the purpose of this legislation is to allow for the training of Government employees in facilities which are not Government facilities. This program has been under study for many years. Among the witnesses who appeared before the committee when the bill was being considered was the distinguished and able former chairman of the House Committee on Post Office and Civil Service, the gentleman from Kansas [Mr. REES] and a distinguished and able former member of the House Committee on Post Office and Civil Service, the gentlewoman from New York [Mrs. St. GEORGE], representatives of the Civil Service Commission, representatives of the General Accounting Office and the Bureau of the Budget and various related agencies.

In general, this bill provides for basic general legislative training, intra-agency and interagency, and for out-of-service training for Federal employees.

The committee was especially concerned with the cost of the legislation. We have printed in the report not only a statement on the cost of the legislation, but a statement by the Director of the Bureau of the Budget that any cost involved in this legislation or any cost to be expected could be absorbed by the departments themselves. When the bill came over from the other body, it vested certain authority in the President of the United States. The House committee felt it was not only necessary but proper that the authority be vested in and under the control of the Civil Service Commission. Therefore, the House bill amends the Senate bill to that effect. Not only was that the purpose and intent of the House amendments, but in order to set forth the clear intent of the Congress of the United States, the House committee amended it in such a way as to set out a policy, which policy is put in the legislation. The purpose of the proposed amendments in the text of the bill is, first, to establish a clear and positive Congressional policy for the promotion of efficiency and economy in all Government activities by providing for the training of Government employees to perform official duties more effectively.

Second. It provides guidelines and designates the United States Civil Service

Commission as the central agency of responsibility and accountability, to insure that such Congressional policy is carried out.

And, third, to require that expenditures for the training of employees are made from available funds, without additional appropriations, to the maximum practicable extent.

This training authority is granted to most departments and agencies in the executive branch, including the General Accounting Office, the Library of Congress, the Government Printing Office and the District of Columbia government. Authority is placed in the bill to allow the President of the United States to exempt agencies, or parts thereof, or employees from any or all provisions of the bill. However, the President does not have authority to extend the coverage of this legislation.

We felt it was necessary to set forth in the bill itself the guidelines for the Civil Service Commission and for the agencies themselves to follow. Therefore, within this bill are those guidelines.

In addition, we have directed by mandatory wording, that the Civil Service Commission promote, coordinate, and assist agencies with training; issue training standards and regulations; review and report on agency training programs and activities to the President and the Congress, and enforce compliance with law, regulations, and standards governing out-service training. We limited to 1 percent of any agency's authorized personnel strength the number that could receive this training, which would be about 24,000 people at any one time. In addition to that, we attempted in this legislation to set forth the necessary guidelines as to the length of time a person may receive such training and to limit it to 1 year of training for every 10 years of Government service. We also felt it necessary in this legislation to provide that under no circumstances could this particular program be used purely for the purpose of academic degrees and other degrees from different colleges.

I might call attention to the fact that this bill will eliminate the need for re-enactment of out-service training authority now granted the following five agencies through appropriation language: Civil Aeronautics Board; Food and Drug Administration; Health, Education, and Welfare; Department of Defense; Internal Revenue Service; Treasury Department, and Post Office Department. Also in this legislation we eliminate the need for enactment of certain legislation which has been enacted on a yearly basis on the appropriation bills, the Civil Aeronautics Board, the Food and Drug Administration, Department of Defense, Internal Revenue Service, Treasury Department, and Post Office Department. We felt it only proper to exempt the President and Vice President of the United States. We exempted the Foreign Service and the State Department because that training program is already under way, and I understand is most successful. We also eliminated certain officers of corporations supervised by the Farm Credit Administration, and persons appointed by the

President unless specifically designated by him for training, and the Tennessee Valley Authority, because of certain authorizations in the legislation affecting those agencies.

Our subcommittee was appointed to consider H. R. 6001, H. R. 1989, and S. 385, bills to provide generally for a governmentwide program for the training of Federal employees. The subcommittee members are Mrs. GRANAHAN, Mr. YOUNG, Mr. SCOTT, Mr. BROYHILL, Mr. JOHANSEN, and Mr. DENNISON, and I was designated chairman.

The subcommittee held complete hearings on this legislation and received testimony from the ranking minority member of this committee, Mr. REES, who is the author of H. R. 6001; Mrs. St. GEORGE, the author of H. R. 1989; the Director of the Bureau of the Budget; the Executive Director of the Civil Service Commission; representatives of the General Accounting Office; Lt. Gen. Willard S. Paul, United States Army, retired, president of Gettysburg College, representing the Citizens Committee for the Hoover reports; and witnesses on behalf of major organizations of Federal employees. The subcommittee also had under consideration the information developed by the full committee at its hearing of May 15, 1958, when Mr. John D. Rockefeller 3d and his associates presented their views on the need for Federal employee training legislation.

Every witness before the committee and the subcommittee urged approval of legislation to provide for improved training of Federal employees. There is no opposition, to my knowledge.

At the outset, it should be emphasized that the subcommittee investigated very thoroughly the matter of additional costs which might result from approval of this legislation. The subcommittee members unanimously agreed that there should be no inference, from enactment of this legislation, that it contains authority for the creation of any new or additional board, commission, bureau or similar authority to carry out its provisions, and that the authorities and responsibilities set forth therein are to be performed by the Civil Service Commission subject, of course, to the usual supervision and control by the Chief Executive and review by the Congress.

The subcommittee received a commitment from the Director of the Bureau of the Budget and from the witnesses for the Civil Service Commission that the training programs authorized by this legislation were to be established and maintained within the limits of their regular appropriations or other available funds, to the maximum practicable extent, and that the assignment of additional personnel for this purpose would be kept at a minimum. For example, it was stated that the Civil Service Commission anticipated the assignment of its duties and responsibilities to an existing organizational group with the probable addition of only two employees. We feel that these and similar commitments, together with the carefully worked out limitations, restrictions, and guidelines in the subcommittee bill, there is ample guaranty that there will be little or no additional

direct cost to the Government and that the improved training resulting from this legislation will bring savings to the Government many times greater than any such cost.

I have touched on this important matter of cost before proceeding to discuss the provisions and the effect of this legislation in recognition of the importance of considering costs whenever approving new programs—a matter in which this committee always is concerned.

The bill represents the final refined product of many years of work and study by this committee, in cooperation with agencies in the executive branch and authorities outside of the Government, on the problem of improving the training of Federal employees. I think there is general agreement that the Government is not making full use of the potential of its personnel, largely due to the lack of a modern and effective program for training its employees. The subcommittee deliberations confirmed earlier committee findings that the Federal Government lags far behind private industry in this important field, and that experience in private enterprise—as well as in those Federal agencies which do have present training authority—demonstrates overwhelmingly that great benefits will accrue to the Government and to the public from a governmentwide Federal employees training program.

In the first place, better training means better performance, and better performance means savings to the taxpayers. A second serious problem caused by the lack of a sound training program relates to the recruiting and retaining of top-flight scientific, engineering, professional, and technical skills required in our critical defense effort and other essential Government functions. Opportunity to continue and broaden knowledge and qualifications is one of the major objectives of personnel in these fields of endeavor. Shortcomings in the Government's training policies in this respect have destroyed one of the finest incentives for outstanding scientists and professional people to devote their careers to the public service. This legislation will fulfill the need for this incentive and help restore the prestige which is desirable in scientific and professional assignments under our great Government programs. It will enable the Government to develop the full potential of present employees and be a material aid in the recruitment of high-caliber new personnel.

Each of the three bills before the subcommittee had a common objective, that is, to provide a comprehensive program for improved training of Federal employees on a governmentwide basis. They differ greatly, however, in methods of accomplishing this objective. The subcommittee determined, as a matter of policy, that legislation of such broad scope and importance necessarily should include a clear and firm statement of Congressional policy coupled with the spelling out of standards, principles, and guidelines for the administration of this new grant of authority to insure that it follows Congressional policy. The subcommittee finds that H. R. 6001 fulfills

these requirements in every respect, subject to certain minor changes and additions which have been developed since the bill was introduced and in the course of the subcommittee hearings.

The purpose of this bill is, first, to improve performance and productivity in essential Government programs by providing for training of employees both in and outside the Government where it is in the public interest; second, to offer incentives for recruiting and retaining qualified employees; and third, to stimulate and encourage employee self-development directed toward a higher level of performance. This legislation will provide a governmentwide policy of employee training as a management tool, better coordination of various training programs, a centralized point of training responsibility, and a system of control and review of the administration of training programs.

The bill provides basic and general legislative authority for interagency, intra-agency, and out-service training of Federal employees when such training will promote efficiency, economy, and better service.

Government payment of the expenses of such training is authorized, with special controls on expenditures for out-service training, that is, training outside of the Government.

This training authority is granted to departments and agencies in the executive branch—with several necessary exceptions—the General Accounting Office, the Library of Congress, the Government Printing Office, and the District of Columbia government.

The President is authorized to exempt any department or agency—or any part thereof—or employees from any or all training provisions of the bill, but he may not extend its coverage.

Agencies are directed to, first, review their training needs within 90 days after enactment and at least every 3 years thereafter; second, establish and maintain training programs to meet those needs; third, operate these programs in accordance with law and regulations; fourth, utilize their own resources, and other Government resources, so far as practicable; and, fifth, encourage and recognize employee self-training and self-development.

General responsibility for coordinating training programs and assisting the agencies is imposed on the Civil Service Commission, subject to the supervision and control of the President. The Commission is directed to, first, promote, coordinate, and assist in agency training programs; second, issue necessary standards and regulations after consultation with the agencies as to their needs; third, review agency training programs and activities and report thereon to the President and the Congress; and, fourth, enforce compliance with the law, regulations, and standards governing out-service training. It should be noted that certain items to be covered by the regulations are spelled out in the bill.

The bill provides an appropriate measure of legislative controls on out-service

training, including provisions to the following effect:

First. Every trainee must agree, in advance, to remain with his agency for at least three times the length of his training period or repay the costs;

Second. Employees with less than 1 year of continuous service may not be assigned to out-service training;

Third. An individual may not receive more than 1 year of out-service training per 10 years of total service;

Fourth. Out-service training time by each agency may not exceed 1 percent of its authorized personnel strength;

Fifth. Out-service training may not be authorized for the sole purpose of an individual obtaining an academic degree; and

Sixth. No agency may authorize out-service training by an institution or individual advocating overthrow of our Government by force or violence or by an individual found to be of doubtful loyalty.

The bill consolidates into one comprehensive law most of the special training authorities now in existence. It makes unnecessary, and will repeal, 10 separate laws which now authorize out-service training of employees. Also, it eliminates any need for yearly reenactment of out-service training authority presently granted five agencies and the District of Columbia government through appropriation language. It will eliminate the need for additional special legislation—11 pending bills—now being sought by other departments and agencies.

The bill does not apply to the Foreign Service, members of the uniformed services, the President and the Vice President, persons appointed by the President—unless specifically designated by him—the Tennessee Valley Authority, and certain officers of corporations supervised by the Farm Credit Administration.

Particular attention is directed to certain additional limitations contained in this legislation. Section 6 (b), paragraphs (2) and (3), will permit employee training outside of the Government only after the department head determines that adequate training is not available within the Government and prohibits such outside training for the purpose of filling a position by promotion if there is in the department an employee qualified to fill such position.

Section 15 requires the Civil Service Commission to conduct a continuous review of training activities to assure that they are in compliance with the law and regulations. If noncompliance is found, the Commission will certify to the department head its recommendations for corrective action. If, after a reasonable time for placing such recommendations in effect, the Commission finds that noncompliance continues, it will report such noncompliance to the President for appropriate action.

Section 18 (a) requires each department to submit to the Civil Service Commission reports of its training activities, including names of employees receiving over 120 days training a year and additional detailed information on such

training. Under subsection (b) the Commission is required to include in its annual report a statement with respect to the training of employees under this legislation, including a summary of information relating to departmental training operations and such other matters as are appropriate. Also, subsection (c) requires the Commission annually to submit a separate report including the information submitted to the Commission by the departments on their employees who have received more than 120 days of training in a year.

Section 23 contains provision for the absorption of costs of this training program within funds available to the departments and agencies. This has substantially the same provision written into the recent postal pay and classified bills by this committee.

These are the major limitations and restrictions needed to assure effective and economical training operations.

The bill contains provisions carrying out joint recommendations of the General Accounting Office, the Bureau of the Budget, and the Civil Service Commission with respect to contributions and awards which may be accepted by Federal employees who are assigned to training in non-Government facilities under this legislation. It provides that, to the extent authorized by Presidential regulations, such contributions and awards may be accepted from non-profit educational and similar organizations which meet the standards specified for tax exemption of such organizations in section 501 (c) (3) of the Internal Revenue Code of 1954. It also makes regular travel expense appropriations available for expenses of authorized attendance of employees at meetings concerned with the functions for which the appropriations are made. Subsection (c) of this section prohibits use of appropriated funds to pay travel, subsistence, per diem, or other expenses of an employee who receives outside training or attends a meeting under authority of this section except to the extent that the cost of such travel, subsistence, per diem, or other expenses is not covered by any contribution or award made by the source furnishing the training. Subsection (d) prohibits training of an employee under this legislation by any facility or organization which has as a substantial part of its activities the carrying on of propaganda, or otherwise attempting to influence legislation or the participation or intervention in any political campaign.

The reports submitted under the reporting provisions of this bill must include information on an annual basis with respect to contributions and awards accepted under the provisions of section 19.

It is to be noted that certain categories of exclusions from all provisions of this act are provided for in section 4 of the reported bill. These exclusions are consistent with the longtime policy of this committee. For example, personnel matters relating to the Foreign Service in the State Department—which would include training activities—are in the jurisdiction of another committee, as are such

matters relating to the uniformed services. The exclusion of these categories in section 4 applies, therefore, to the authority to accept contributions and awards under section 19 of the bill to the same extent as it applies to all other parts of the bill. As a matter of fact, it is understood that the Foreign Service already has authority to have its employees attend meetings, and that a request for similar authority for the uniformed services will be submitted to the Congress for reference to an appropriate committee in the near future.

The subcommittee on this legislation was appointed on June 5, 1958. Each member has contributed time, effort, and interest to this legislation, and I am satisfied that we could not have held the hearings, marked up the bill, and presented it here today, just 21 days after our appointment, had it not been for the personal application of each member of the subcommittee and the diligent work of the wonderful staff we on the House Post Office and Civil Service Committee are privileged to work with. In particular, I would commend the gentleman from Ohio [Mr. DENNISON] for his magnificent efforts on this legislation. He worked hard and faithfully, and made many outstanding contributions and suggestions. I want to personally thank him for the fine work that he has done, and commend his dedication to the good works and high purposes this legislation represents and will accomplish.

The Bureau of the Budget has informed us they will approve the legislation as presented to the House of Representatives today.

I want to also thank the distinguished Chairman of the Post Office and Civil Service Committee of the House of Representatives for his magnificent aid in considering this legislation. In each discussion we had with him concerning the bill, he had every facet at his finger tips, and he is a great chairman to work with and under.

I strongly recommend passage of this legislation.

Mr. REES of Kansas. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. DENNISON].

Mr. DENNISON. Mr. Speaker, I rise in support of this legislation.

First I want to congratulate the gentleman from Kansas [Mr. REES], for his authorship of this splendid bill, which provides for an orderly program for training Federal civil employees. This is a bill that I know the gentleman from Kansas has worked on long and hard. It has been about 10 years in the process of coming to the floor of the House. I again congratulate him for bringing this to the attention of our committee.

May I also, Mr. Speaker, compliment the gentlewoman from New York [Mrs. St. GEORGE], whose efforts in the interest of sound training legislation have had great impact on the course of the deliberations of the committee and the House. We are proud of her great contribution in this field. Her companion bill has provided us with many of the guidelines used in the bill before us today.

I also want to pay my compliments and respects to the chairman of the subcommittee, the gentleman from South Carolina [Mr. HEMPHILL], for his diligent and effective leadership as chairman of the subcommittee which brought this bill to the floor today.

This legislation is needed and has been for some time. The bill is designed to develop the full capabilities of the Federal employees who are under civil service. It is designed to give greater utilization of personnel in Government service. It is designed to encourage better people to get into the Government and solve some of the problems that have been besetting Federal agencies by employees who resign to take jobs in outside places of employment.

The bill is designed to encourage Federal employees to remain in the Federal service. It is designed to increase the morale of the Federal civil service. This is a device that has been used, by the way, by many private corporations with great success and with considerable advantage to the corporations themselves.

This is not an open-end bill. As the gentleman from South Carolina has pointed out, we have, we believe, effectively put into this bill guidelines which will provide the agencies of the Federal Government in the executive department with sufficient flexibility so that they can operate, yet at the same time keep within the control of this body certain aspects of Federal employment.

For example, we have provided in the bill that the benefits thereof will be limited to 1 percent of the total man-hours involved in Federal service. We have provided further for control by Congress in that reports are to be submitted annually to Congress as to the progress of this program.

We have also provided what I consider to be a very important aspect of the bill, found in section 19, providing that no employee in the Federal service will be permitted to accept awards or contributions from private sources other than those which have been generally described as charitable corporations under section 501 (c) (3) of the Internal Revenue Code.

The cost, as the gentleman from South Carolina has pointed out, will amount to an estimated \$1 million over and above the cost of training programs now in effect. It was testified by the Director of the Budget at the hearings that the cost generally could be absorbed by the agencies with the appropriations now accorded to them.

It is interesting to observe that this bill creates no new boards. There will be no increase in cost of the civil service, which will administer this bill; and I might point out that this bill incorporates one of the principal recommendations of the Hoover Commission. It repeals 10 substantive laws providing for the training of about 13,000 Federal employees, and also it will render unnecessary certain phases of appropriations after fiscal 1959.

Again, Mr. Speaker, I desire to congratulate the gentleman from Kansas [Mr. REES] and the gentlewoman from New York [Mrs. ST. GEORGE] for their great work in this field and the gentle-

man from South Carolina [Mr. HEMPHILL] for his very distinguished leadership in the conduct of this legislation through the subcommittee, the full committee, and on the floor of the House today.

I urge the passage of this bill.

Mr. MURRAY. Mr. Speaker, this legislation has the unanimous approval of the Committee on the Post Office and Civil Service.

I wish to compliment the members of the subcommittee who handled this legislation and recommended it to the full committee. This subcommittee was in charge of the gentleman from South Carolina [Mr. HEMPHILL], who has done an excellent job on this legislation.

I now yield such time as he may desire to the gentleman from Texas [Mr. YOUNG] also a member of the subcommittee.

Mr. YOUNG. Mr. Speaker, I rise in support of the pending measure and I likewise desire to commend the gentleman from New York [Mrs. ST. GEORGE], the gentleman from Kansas [Mr. REES], and our distinguished chairman and the chairman of the subcommittee and the other members of the subcommittee on a most excellent piece of work in presenting this matter to the House today.

It is difficult for me to conceive of any legislation that might be of more importance to an operation of the magnitude of our Government than that which tends to unify and to make more practical and workable the training programs of the various departments of this Government.

I want to say again that I commend all of those who had anything to do with bringing this matter to the floor and I sincerely and earnestly urge its passage.

Mr. REES of Kansas. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I rise in support of this legislation. I was privileged to serve as a member of the subcommittee although not able to attend all of the meetings. I am especially gratified with the provision in the legislation which spells out clearly and emphatically the responsibility of the Civil Service Commission for its administration.

I join with my colleagues on the committee and subcommittee in commending the gentleman from Kansas [Mr. REES] and the gentlewoman from New York [Mrs. ST. GEORGE], for having pioneered this legislation.

Mr. REES of Kansas. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I want, at this time, to commend the gentleman from South Carolina and the gentleman from Ohio [Mr. DENNISON] for the splendid statements they have made in explaining the provisions of this bill as well as the intent and purpose of this legislation. The legislative intent is well presented by both of these Members.

Mr. Speaker, in my opinion, this is one of the highly significant measures recommended by the House Post Office Committee during the present Congress.

I believe that a brief review of the history of our committee activity in respect to the training of Federal employees will be helpful. As chairman of the committee in the 80th Congress, over 10 years ago, I first had my attention drawn to the need for an improved system of training Federal civilian employees so that they could perform their duties more effectively. Both the first and second Hoover Commissions, appointed in 1949 and 1953, placed the training of Federal employees high in their lists of recommendations for strengthening Federal personnel, management, and operating functions. Incidentally, just recently former President Hoover, Chairman of those Commissions, is reported to have said that if he had to select a single recommendation of his Commission as first in importance to the Government and the public he would select the recommendation for improved personnel policies.

Again, as committee chairman in the 83d Congress I instituted a study directed toward a strong, governmentwide program for the training of Federal civilian employees. Our committee study at that time disclosed very clear information and evidence that the lack of a coordinated training program was one of the major weaknesses in Federal personnel and management policies and that the Government was lagging far behind private enterprise in this field.

We found, for example, that there was no general training legislation or central executive authority dealing with the problem. There were 19 separate laws or parts of laws authorizing 17 departments and agencies—and sometimes special bureaus within departments—to train their employees. Five of these were in appropriation acts, and the remainder originated with separate Congressional committees having jurisdiction of substantive legislation for various departments and establishments. This left most Federal agencies with no positive legislative authority for training their employees. Moreover, among those which had such authority there was no semblance of uniformity or coordination. Some had almost blanket authority, while others were so restricted as to be impeded in accomplishing their objectives.

The Congress had no adequate information (and certainly no control) on a governmentwide basis because of this hodgepodge of laws resulting from piecemeal legislation reported by committees other than those having jurisdiction of civil service legislation.

Now, 4 years later, we find that the situation has not improved. If anything, the problem has become more acute. I asked the Civil Service Commission to prepare a current list of existing special training authorities that have been granted the various departments and agencies. It shows such special authorities contained in 6 appropriation acts—including the District of Columbia—and 14 basic laws. There are also pending before the Congress 11 new bills granting special training authority to individual departments and agencies.

I think there is general agreement on the overruling necessity for early enactment of legislation to provide a comprehensive, governmentwide program for training Federal civilian employees, to be applied uniformly to all departments and agencies to the extent that uniformity is consistent with individual needs and requirements and is in the public interest. This bill will provide for such a program to be placed in effect with a minimum of delay. This legislation was developed on the basis of the results of our committee studies over the past years and my personal consultation with administrative officials concerned.

One of the most serious problems resulting from the lack of a sound training program is that of recruiting and retaining topflight scientific, engineering, professional, and technical skills required in our critical defense effort and other essential Government functions. It is a fact that opportunity to continue and broaden knowledge and qualifications is one of the major objectives of professional personnel. Shortcomings in the Government's program in this respect have destroyed one of the finest incentives for outstanding scientists and other professional people to devote their careers to the public service. This bill will provide this incentive and help restore the high prestige which is desirable in professional assignments under our great Government programs. It represents a forward step that can be placed in effect promptly, with immediate benefits through development of the full potential of present employees as well as recruitment of high-caliber replacements. The added incentives of advanced professional training and opportunity for accomplishment will be a major factor in attracting and retaining qualified personnel.

My bill also emphasizes and reaffirms the desirability of aiding and encouraging self-training of employees and giving proper recognition to those who develop greater skill on their own initiative. Our studies show that this is an area that has been overlooked to a considerable extent.

Our national interest depends on maintaining our preeminence in scientific, technological, research, and professional fields in the face of tremendous strides by other nations. Scientific and professional excellence is a must in the development of complex instruments—the atomic reactors, electronic brains, thermonuclear devices, missiles, and other defensive arms we need—as well as in the conduct of the economic, agricultural, cultural, and social programs of our Government.

Briefly, the purpose of my Government employees training bill is, first, to improve performance and productivity in essential Government programs by providing for training of employees both in and outside the Government where it is in the public interest; second, to offer incentives for recruiting and retaining qualified employees; and third, to stimulate and encourage employee self-development directed toward a higher level of performance. This legislation will provide a governmentwide policy of

employee training as a management tool, better coordination of various training programs, a centralized point of training responsibility, and a system of control and review of the administration of training programs.

The bill provides basic and general legislative authority for interagency, intra-agency, and outservice training of Federal employees when such training will promote efficiency, economy, and better service.

Government payment of all or any part of the expenses of such training is authorized, with special controls on expenditures for outservice training, that is, training outside of the Government.

This training authority is granted to departments and agencies in the executive branch—with several necessary exceptions—the General Accounting Office, the Library of Congress, the Government Printing Office, and the District of Columbia government.

The President is authorized to exempt any department or agency—or any part thereof—or employees from any or all provisions of the bill, but he may not extend its coverage.

Agencies are directed to, first, review their training needs within 90 days after enactment and at least every 3 years thereafter; second, establish and maintain training programs to meet those needs; third, operate these programs in accordance with law and regulations; fourth, utilize their own resources, and other Government resources, so far as practicable; and, fifth, encourage and recognize employee self-training and self-development.

General responsibility for coordinating training programs and assisting the agencies is imposed on the Civil Service Commission. The Commission is directed to, first, promote, coordinate, and assist in agency training programs; second, issue necessary standards and regulations after consultation with the agencies as to their needs; third, review agency training programs and activities and report thereon to the President and the Congress; and fourth, enforce compliance with the law, regulations, and standards governing outservice training. It should be noted that certain items to be covered by the regulations are spelled out in the bill.

The bill provides an appropriate measure of legislative controls on outservice training, including provisions to the following effect:

First. Every trainee must agree, in advance, to remain with his agency for at least three times the length of his training period or repay the costs;

Second. Employees with less than 1 year of continuous service may not be assigned to outservice training;

Third. An individual may not receive more than 1 year of outservice training per 10 years of total service;

Fourth. Outservice training time by each agency may not exceed 1 percent of its authorized personnel strength;

Fifth. Outservice training may not be authorized for the sole purpose of an individual obtaining an academic degree; and

Sixth. No agency may authorize outservice training by an institution or individual advocating overthrow of our Government by force or violence or by an individual found to be of doubtful loyalty.

Provision is made for the Civil Service Commission to grant exceptions to the first four of these limitations when in the public interest.

The bill consolidates into one comprehensive law most of the special training authorities now in existence. It makes unnecessary, and will repeal, 10 separate laws which now authorize outservice training of employees. Also, it eliminates any need for yearly re-enactment of outservice training authority presently granted five agencies and the District of Columbia government through appropriation language. It will eliminate the need for additional special legislation—the 11 pending bills which I mentioned—now being sought by other departments and agencies.

The bill does not apply to the Foreign Service, members of the uniformed forces, the President and the Vice President, persons appointed by the President—unless specifically designated by him—the Tennessee Valley Authority, and certain officers of corporations supervised by the Farm Credit Administration.

This legislation provides for a well-rounded and comprehensive Federal employee training program which will serve fully the present and foreseeable training needs of our Government.

Mr. Speaker, the fact that we have before the House today such a complete and well rounded training bill is a tribute to the outstanding work of the subcommittee, headed by the gentleman from South Carolina [Mr. HEMPHILL], which was assigned the responsible task of holding hearings and developing a suitable bill. The members of the subcommittee are Mrs. GRANAHAN, Mr. YOUNG, Mr. SCOTT, Mr. BROYHILL, Mr. JOHANSEN, and Mr. DENNISON. Their thorough and comprehensive study of training needs is reflected in their presentation to the committee and to the House. I should like to express appreciation for the fine work of the subcommittee, both personally and on behalf of the departments and agencies and the many Federal employees who will benefit through training which will enable them to perform their duties more efficiently. In my judgment, this legislation will receive overwhelming public endorsement.

I strongly recommend the enactment of S. 385 as amended by the committee.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks at this point in the RECORD on the bill just passed.

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

There was no objection.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 640) making temporary appropriations for the fiscal year 1959, providing for increased pay costs for the fiscal year 1958, and for other purposes.

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

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HAYDEN. Mr. President, the joint resolution is of the usual type, in order to make provision for continuing in operation the functions of Government for which annual appropriations for 1959 have not yet been enacted. The joint resolution will continue these functions until July 31, 1958. It covers the following appropriation accounts:

Legislative Branch Appropriation Act; Department of Defense Appropriation Act; Department of Labor, and Health, Education, and Welfare Appropriation Act; Independent Offices Appropriation Act; District of Columbia Appropriation Act; and the Public Works Appropriation Act. It also provides funds for the agencies which will be included in the Supplemental Act, 1959, and for mutual security.

Title II of the joint resolution provides for increased pay costs. Congress enacted Public Laws 85-422, 85-426, and 85-462, the military pay bill, the postal pay bill, and the general classified pay bill, increasing compensation of officers and employees, and, in some cases, making the increases retroactive to January 1958.

Title II provides authority for transfers between accounts, and also makes indefinite appropriations of such additional amounts as may be necessary to meet the provisions of these retroactive pay costs. The language in title II is identical with the language of 3 years ago, when a retroactive pay increase was granted by the Congress.

The PRESIDING OFFICER (Mr. JORDAN in the chair). The joint resolution is open to amendment.

If there be no amendment to be proposed, the question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 640) was ordered to a third reading, read the third time, and passed.

TRAINING OF FEDERAL EMPLOYEES AT PUBLIC OR PRIVATE FACILITIES

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 385) to authorize the training of Federal employees at public or private facilities, and for other purposes, which were to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This act may be cited as the "Government Employees Training Act".

DECLARATION OF POLICY

SEC. 2. It is hereby declared to be the policy of the Congress—

(1) that, in order to promote efficiency and economy in the operation of the Government and provide means for the development of maximum proficiency in the performance of official duties by employees thereof, to establish and maintain the highest standards of performance in the transaction of the public business, and to install and utilize effectively the best modern practices and techniques which have been developed, tested, and proved within or outside of the Government, it is necessary and desirable in the public interest that self-education, self-improvement, and self-training by such employees be supplemented and extended by Government-sponsored programs, provided for by this act, for the training of such employees in the performance of official duties and for the development of skills, knowledge, and abilities which will best qualify them for performance of official duties;

(2) that such programs shall be continuous in nature, shall be subject to supervision and control by the President and review by the Congress, and shall be so established as to be readily expandable in time of national emergency;

(3) that such programs shall be designed to lead to (A) improved public service, (B) dollar savings, (C) the building and retention of a permanent cadre of skilled and efficient Government employees, well abreast of scientific, professional, technical, and management developments both in and out of Government, (D) lower turnover of personnel, (E) reasonably uniform administration of training, consistent with the missions of the Government departments and agencies, and (F) fair and equitable treatment of Government employees with respect to training; and

(4) that the United States Civil Service Commission shall be responsible and have authority, subject to supervision and control by the President, for the effective promotion and coordination of such programs and of training operations thereunder.

DEFINITIONS

SEC. 3. For the purposes of this act—

(1) the term "Government" means the Government of the United States of America and the municipal government of the District of Columbia;

(2) the term "department", subject to the exceptions contained in section 4, means (A) each executive department, (B) each independent establishment or agency in the executive branch, (C) each Government-owned or controlled corporation subject to title I or title II of the Government Corporation Control Act, (D) the General Accounting Office, (E) the Library of Congress, (F) the Government Printing Office, and (G) the municipal government of the District of Columbia;

(3) the term "employee", subject to the exceptions contained in section 4, means any civilian officer or employee in or under a department, including officers of the Coast and Geodetic Survey in the Department of Commerce;

(4) the term "Commission" means the United States Civil Service Commission;

(5) the term "training" means the process of providing for and making available to an employee in, a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields which are or will be directly related to the performance by such employee of official duties for the Government, in order to increase the knowledge, proficiency, ability, skill, and qualifications of such employee in the performance of official duties;

(6) the term "Government facility" means any property owned or substantially con-

trolled by the Government and the services of any civilian and military personnel of the Government; and

(7) the term "non-Government facility" means (A) the government of any State, Territory, or possession of the United States, the government of the Commonwealth of Puerto Rico, and any interstate governmental organization, or any unit, subdivision, or instrumentality of any of the foregoing, (B) any foreign government or international organization, or instrumentality of either, which is designated by the President as eligible to provide training under this act, (C) any medical, scientific, technical, educational, research, or professional institution, foundation, agency, or organization, (D) any business, commercial, or industrial firm, corporation, partnership, proprietorship, or any other organization, and (E) any individual not a civilian or military officer or employee of the Government of the United States or of the municipal government of the District of Columbia. For the purposes of furnishing training by, in, or through any of the foregoing, the term "non-Government facility" also shall include the services and property of any of the foregoing furnishing such training.

EXCLUSIONS

SEC. 4. (a) This act shall not apply to—

(1) the President or Vice President of the United States,

(2) the Foreign Service of the United States under the Department of State,

(3) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests,

(4) the Tennessee Valley Authority,

(5) any individual appointed by the President by and with the advice and consent of the Senate or by the President alone, unless such individual is specifically designated by the President for training under this act, and

(6) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102 (a) of the Career Compensation Act of 1949, as amended, during any period in which he is receiving compensation under title II of such act.

(b) The President is authorized—

(1) to designate at any time in the public interest any department or part thereof, or any employee or employees therein (either individually or by groups or classes), as excepted from this act or any provision of this act (other than this section, section 21, and section 22), and

(2) to designate at any time in the public interest any such department or part thereof, or any such employee or employees therein, so excepted, as again subject to this act or any such provision of this act.

Such authority of the President shall not include the authority to except the Commission from any provision of this act which vests in or imposes upon the Commission any function, duty, or responsibility with respect to any matter other than the establishment, operation, and maintenance by the Commission, in the same capacity as any other department, of programs of and plans of training for employees of the Commission.

DEPARTMENTAL REVIEWS OF TRAINING NEEDS

SEC. 5. Within 90 days after the date of enactment of this act and at least once every 3 years after the expiration of such 90-day period, the head of each department shall conduct and complete a review of the needs and requirements of such department for the training of employees under its jurisdiction. Upon request of a department, the Commission is authorized, in its discretion, to assist such department in connection with

such review of needs and requirements. Information obtained or developed in any such review shall be made available to the Commission at its request.

TRAINING REGULATIONS OF COMMISSION

SEC. 6. (a) The Commission after consideration of the needs and requirements of each department for training of its employees and after consultation with those departments principally concerned, shall prescribe regulations containing the principles, standards, and related requirements for the programs, and plans thereunder, for the training of employees of the departments under authority of this act (including requirements for appropriate coordination of and reasonable uniformity in such training programs and plans of the departments). Such regulations, when promulgated, shall provide for the maintenance of necessary information with respect to the general conduct of the training activities of each department, and such other information as may be necessary to enable the President and the Congress to discharge effectively their respective duties and responsibilities for supervision, control, and review of training programs authorized by this act. Such regulations also shall cover with respect to training by, in, and through Government facilities and non-Government facilities—

(1) requirements with respect to the determination and continuing review by each department of its needs and requirements in connection with such training;

(2) the scope and conduct of the programs and plans of each department for such training;

(3) the selection and assignment for such training of employees of each department;

(4) the utilization in each department of the services of employees who have undergone any such training;

(5) the evaluation of the results and effects of programs and plans for such training;

(6) the interchange among the departments of information concerning such training;

(7) the submission by the departments of reports on the results and effects of programs and plans of such training and economies resulting therefrom, including estimates of costs of training by, in, and through non-Government facilities;

(8) such requirements and limitations as may be necessary with respect to payments and reimbursements in accordance with section 10; and

(9) such other matters as the Commission deems appropriate or necessary to carry out the provisions of this act.

(b) In addition to matters set forth in subsection (a) of this section, the regulations of the Commission shall, with respect to the training of employees by, in, or through non-Government facilities—

(1) prescribe general policies governing the selection of a non-Government facility to provide such training;

(2) authorize training of employees by, in, or through a non-Government facility only after determination by the head of the department concerned that adequate training for such employees by, in, or through a Government facility is not reasonably available and that appropriate consideration has been given to the then existing or reasonably foreseeable availability and utilization of fully trained employees; and

(3) prohibit the training of an employee by, in, or through a non-Government facility for the purpose of filling a position by promotion if there is in the department concerned another employee of equal ability and suitability who is fully qualified to fill such position and is available at, or within a reasonable distance from, the place or places where the duties of such position are to be performed.

(c) From time to time and in accordance with this act, the Commission may revise, supplement, or abolish its regulations prescribed under this section and may prescribe additional regulations.

(d) Nothing contained in this section shall be construed to authorize the Commission to prescribe the types and methods of intradepartmental training or to regulate the details of intradepartmental training programs.

ESTABLISHMENT OF PROGRAMS OF TRAINING THROUGH GOVERNMENT AND NON-GOVERNMENT FACILITIES

SEC. 7. Within 270 days after the date of enactment of this act, the head of each department shall prepare, establish, and place in effect a program or programs, and a plan or plans thereunder, in conformity with this act, for the training of employees in or under such department by, in, and through Government facilities and non-Government facilities in order to increase economy and efficiency in the operations of the department and to raise the standard of performance by employees of their official duties to the maximum possible level of proficiency. Each such program, and plan or plans thereunder, shall conform, on and after the effective date of the regulations prescribed by the Commission under section 6 of this act, to the principles, standards, and related requirements contained in such regulations then current, shall be operated and maintained in accordance with the provisions of this act, and shall provide for adequate administrative control by appropriate authority. Two or more departments jointly may operate under any such training program. Each such program shall provide for the encouragement of self-training by employees by means of appropriate recognition of resultant increases in proficiency, skill, and capability.

GENERAL PROVISIONS OF PROGRAMS OF TRAINING THROUGH GOVERNMENT FACILITIES

SEC. 8. The program or programs of each department for the training of employees by, in, and through Government facilities under authority of this act—

(1) shall provide for training, insofar as practicable, by, in, and through those Government facilities which are under the jurisdiction or control of such department, and

(2) shall provide for the making by such department to the extent necessary and appropriate, of agreements with other departments, and with other agencies in any branch of the Government, on a reimbursable basis if so requested by such other departments and agencies, (A) for the utilization in such program or programs of those Government facilities under the jurisdiction or control of such other departments and agencies and (B) for extension to employees of such department of training programs of such other departments.

GENERAL PROVISIONS OF PROGRAMS OF TRAINING THROUGH NON-GOVERNMENT FACILITIES

SEC. 9. (a) The head of each department is authorized to enter into agreements or make other appropriate arrangements for the training of employees of such department by, in, or through non-Government facilities in accordance with this act, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5).

(b) The program or programs of each department for the training of employees by, in, and through non-Government facilities under authority of this act shall—

(1) provide for information to be made available to employees of such department with respect to the selection and assignment of such employees for training by, in, and through non-Government facilities and the limitations and restrictions applicable to such training in accordance with this act, and

(2) give appropriate consideration to the needs and requirements of such department in recruiting and retaining scientific, professional, technical, and administrative employees.

(c) Each department shall issue such regulations as the department deems necessary to implement the regulations of the commission issued under section 6 (a) (8) in order to protect the Government with respect to payment and reimbursement of training expenses.

EXPENSES OF TRAINING THROUGH GOVERNMENT FACILITIES AND NON-GOVERNMENT FACILITIES

SEC. 10. The head of each department in accordance with regulations issued by the commission under authority of section 6 (a) (8) is authorized, from funds appropriated or otherwise available to such department (1) to pay all or any part of the salary, pay, or compensation (excluding overtime, holiday, and night differential pay) of each employee of such department who is selected and assigned for training by, in, or through Government facilities or non-Government facilities under authority of this act, for each period of such training of such employee, and (2) to pay, or reimburse such employee for, all or any part of the necessary expenses of such training, without regard to section 3648 of the Revised Statutes (31 U. S. C. 529), including among such expenses the necessary costs of (A) travel and per diem in lieu of subsistence in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations, or, in the case of commissioned officers of the Coast and Geodetic Survey in the Department of Commerce, section 303 of the Career Compensation Act of 1949, as amended, and the Joint Travel Regulations for the Uniformed Services; (B) transportation of immediate family, household goods and personal effects, packing, crating, temporary storage, drayage, and unpacking in accordance with the first section of the Administrative Expenses Act of 1946, as amended, and Executive Order No. 9805, as amended (except that in the case of commissioned officers of the Coast and Geodetic Survey in the Department of Commerce, such expenses shall be paid under section 303 of the Career Compensation Act of 1949, as amended, and the Joint Travel Regulations for the Uniformed Services), whenever the estimated costs of such transportation and related services are less than the estimated aggregate per diem payments for the period of training, (C) tuition and matriculation fees, (D) library and laboratory services, (E) purchase or rental of books, materials, and supplies, and (F) other services or facilities directly related to the training of such employee. Such expenses of training shall not be deemed to include membership fees except to the extent that such fees are a necessary cost directly related to the training itself or that payment thereof is a condition precedent to undergoing such training.

AGREEMENTS OF EMPLOYEES RECEIVING TRAINING THROUGH NON-GOVERNMENT FACILITIES TO CONTINUE IN GOVERNMENT SERVICE FOR CERTAIN PERIODS

SEC. 11. (a) Each employee who is selected for training by, in, or through a non-Government facility under authority of this act shall, prior to his actual assignment for such training, enter into a written agreement with the Government to the effect that (1) after the expiration of the period of his training, he will continue in the service of his department for a period at least equal to three times the length of the period of such training unless he is involuntarily separated from the service of his department, and (2) if he is voluntarily separated from the service of his department prior to the expiration of the period for which he has agreed to

continue in the service of his department after such period of training, he will pay to the Government the amount of the additional expenses incurred by the Government in connection with his training. No employee selected for such training shall be assigned thereto unless he has entered into such agreement.

(b) An employee who, by reason of his entrance into the service of another department or of any other agency in any branch of the Government, fails to continue, after his training, in the service of his department for the period specified in such agreement, shall not be required to pay to the Government the amount of the additional expenses incurred by the Government in connection with his training unless the head of the department which has authorized such training notifies the employee prior to the effective date of his entrance into the service of such other department or agency that such payment will be required under authority of this section.

(c) If any employee (other than an employee relieved of liability under subsection (b) of this section or under subsection (b) of section 4) fails to fulfill his agreement to pay to the Government the additional expenses incurred by the Government in connection with his training, a sum equal to the amount of such additional expenses of training shall be recoverable by the Government from such employee or his estate (1) by setoff of accrued salary, pay, compensation, amount of retirement credit, or other amount due such employee from the Government and (2) by such other method as may be provided by law for the recovery of amounts owing to the Government. The head of the department concerned may, in accordance with regulations of the Commission, waive in whole or in part any right of recovery under this subsection, if it is shown that such recovery would be against equity and good conscience or against the public interest.

LIMITATIONS ON TRAINING OF EMPLOYEES THROUGH NON-GOVERNMENT FACILITIES

Sec. 12. (a) The training of employees by, in, and through non-Government facilities under authority of this act shall be subject to the following provisions:

(1) The number of man-years of such training by, in, and through non-Government facilities for each department in any fiscal year shall not exceed 1 percent of the total number of man-years of civilian employment for such department in the same fiscal year as disclosed by the budget estimates for such department for such year.

(2) No employee having less than 1 year of current, continuous civilian service in the Government shall be eligible for such training unless the head of his department determines, in accordance with regulations of the Commission, that such training for such employee is in the public interest.

(3) In the first 10-year period of his continuous or noncontinuous civilian service in the Government following the date of his initial entry into the civilian service of the Government, and in each 10-year period of such service occurring thereafter, the time spent by an employee in such training shall not exceed 1 year.

(4) The Commission is authorized, in its discretion, to prescribe such other limitations, in accordance with the provisions and purposes of this act, with respect to the time which may be spent by an employee in such training, as the Commission deems appropriate.

(b) The Commission is authorized, in its discretion, to waive, with respect to any department or part thereof or any employee or employees therein, any or all of the restrictions covered by subsection (a) of this section, upon recommendation of the head of the department concerned, if the Commission determines that the application of any

or all of such restrictions to any department or part thereof or employee or employees therein is contrary to the public interest. The Commission is further authorized, in its discretion, to reimpose in the public interest, with respect to any such department or part thereof, or any such employee or employees therein, any or all of the restrictions so waived.

PROHIBITION ON TRAINING THROUGH NON-GOVERNMENT FACILITIES FOR SOLE PURPOSE OF OBTAINING ACADEMIC DEGREES

Sec. 13. Nothing contained in this act shall be construed to authorize the selection and assignment of any employee for training by, in, or through any non-Government facility under authority of this act, or the payment or reimbursement by the Government of the costs of such training, either (1) for the purpose of providing an opportunity to such employee to obtain an academic degree in order to qualify for appointment to a particular position for which such academic degree is a basic requirement or (2) solely for the purpose of providing an opportunity to such employee to obtain one or more academic degrees.

PROHIBITION ON TRAINING THROUGH FACILITIES ADVOCATING OVERTHROW OF THE GOVERNMENT BY FORCE OR VIOLENCE

Sec. 14. No part of any appropriation of, or of any funds available for expenditure by, any department shall be available for payment for the training of any employee by, in, or through any non-Government facility teaching or advocating the overthrow of the Government of the United States by force or violence, or by or through any individual with respect to whom determination has been made by a proper Government administrative or investigatory authority that, on the basis of information or evidence developed in investigations and procedures authorized by law or Executive orders of the President, there exists a reasonable doubt of his loyalty to the United States.

REVIEW BY COMMISSION OF PROGRAMS OF TRAINING THROUGH NON-GOVERNMENT FACILITIES

Sec. 15. The Commission shall review, at such times and to such extent as it deems necessary, the operations, activities, and related transactions of each department in connection with the program or programs, and the plan or plans thereunder, of such department for the training of its employees by, in, and through non-Government facilities under authority of this act in order to determine whether such operations, activities, and related transactions are in compliance with such programs and plans, with the provisions and purposes of this act, and with the principles, standards, and related requirements contained in the regulations of the Commission prescribed thereunder. Upon request of the Commission, each department shall cooperate with and assist the Commission in such review. If the Commission finds that noncompliance exists in any department, the Commission, after consultation with such departments, shall certify to the head of such department its recommendations for modification or change of actions and procedures of such department thereafter in connection with such training programs and plans. If after a reasonable time for placing such recommendations in effect the Commission finds that noncompliance continues to exist in such department, the Commission shall report such noncompliance to the President for such action as he deems appropriate.

COLLECTION OF TRAINING INFORMATION BY COMMISSION

Sec. 16. The Commission is authorized, to the extent it deems appropriate in the public interest, to collect information, from time to time, with respect to training programs, plans, and methods in and outside the Government. Upon appropriate request, the

Commission may make such information available to any department and to the Congress.

ASSISTANCE BY COMMISSION WITH RESPECT TO TRAINING PROGRAMS

Sec. 17. Upon request of any department, the Commission, to the extent of its facilities and personnel available for such purpose, shall provide advice and assistance in the establishment, operation, and maintenance of the programs and plans of such department for training under authority of this act.

REPORTS

Sec. 18. (a) Each department annually shall prepare and submit to the Commission, at such times and in such form as the Commission shall prescribe, reports on the programs and plans of such department for the training of employees by, in, and through Government facilities and non-Government facilities under authority of this Act. Each such report shall contain—

(1) such information as the Commission deems appropriate with respect to the expenditures of such department in connection with such training.

(2) the name of each employee of such department (other than students participating in any cooperative educational program) who, during the period covered by the report, received training by, in, or through a non-Government facility for more than 120 days; the grade, title, and primary duties of the position held by such employee; the name of the non-Government facility from which such training was received; the nature, length, and cost to the Government of such training; and the relationship of such training to official Government duties.

(3) the name of each employee of such department who, during the period covered by the report, received a contribution or award in the manner provided by section 19 (a) of this act.

(4) a statement of the department with respect to the value of such training to the department.

(5) estimates of the extent to which economies and improved operations have resulted from such training, and

(6) such other information as the department or the Commission deems appropriate.

(b) The Commission shall include in its annual report a statement, in such form as shall be determined by the Commission with the approval of the President, with respect to the training of employees of the Government under authority of this act. Each such statement shall include—

(1) a summary of information with respect to the operation and results of the programs and plans of the departments.

(2) a summary of information received by the Commission from the departments in accordance with subsection (a) of this section, and

(3) such recommendations and other matters as the President or the Commission may deem appropriate or which may be required by the Congress.

(c) The Commission annually shall submit to the President for his approval and for transmittal to the Congress a report including the information received by the Commission from the departments under paragraphs (2) and (3) of subsection (a) of this section.

regulation of the President, contributions and awards incident to training in non-Government facilities may be made to and accepted by employees, and payment of travel, subsistence, and other expenses incident to attendance may be made to and accepted by employees without regard to the provisions of section 1914

of title 18 of the United States Code: *Provided*, That such contributions, awards, and payments are made by an organization determined by the Secretary of the Treasury to be an organization described in section 501 (c) (3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501 (a) of such Code.

(b) Hereafter any appropriation available to any department for expenses of travel shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

(c) Whenever, under the authority of subsection (a), a contribution, award, or payment, in cash or in kind, is made to an employee for travel, subsistence, or other expenses, an appropriate reduction in accordance with regulations of the Director of the Bureau of the Budget shall be made from any payment by the Government to such employee for travel, subsistence, or other expenses incident to training in a non-Government facility or incident to attendance at a meeting.

(d) Nothing in this act shall be construed to authorize the training of any employee by, in, or through any non-Government facility any substantial part of the activities of which is (1) the carrying on of propaganda, or otherwise attempting, to influence legislation or (2) the participation or intervention in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office.

(e) The functions, duties, and responsibilities of the Commission under this act shall be exercised subject to supervision and control by the President and review by the Congress.

TRANSITION FROM EXISTING GOVERNMENT TRAINING PROGRAMS

SEC. 20. In order to facilitate the transition from existing Government training programs and notwithstanding any provision of this act to the contrary or the repeal or amendment of any provision of law thereby, the education, instruction, and training, either within or outside the Government, of employees of any department, under any program in effect immediately prior to the date of enactment of this act, may be initiated, continued, and completed until the expiration of the day immediately preceding (1) the day on which such department shall have placed in effect, in accordance with section 7 of this act, a program or programs of training or (2) the first day following the date of expiration of the period of two hundred and seventy days following enactment of this act specified in such section 7, whichever day first occurs. All such education, instruction, and training initiated or uncompleted prior to the day specified in clause (1) or the day specified in clause (2) of this section, whichever day first occurs, may be continued and completed under such program on and after such day.

REPEAL AND AMENDMENT OF EXISTING EMPLOYEE TRAINING LAWS

SEC. 21. (a) The respective provisions of law specified in subsections (b) and (c) of this section are each repealed or amended, as the case may be, as provided in such subsections, each such repeal and amendment to be effective (1) on and after the day on which the department listed with respect to such provision of law shall have placed in effect, in accordance with section 7 of this act, a program or programs of training or (2) on and after the first day following the date of expiration of the period of 270 days following enactment of this act specified in such section 7, whichever day first occurs.

(b) The following provisions of law with respect to the following departments are re-

pealed and amended, effective in the manner provided in subsection (a) of this section:

(1) Atomic Energy Commission: Paragraph n of section 161 of the Atomic Energy Act of 1954 (68 Stat. 950; 42 U. S. C. 2201 (n)) is repealed. Paragraph o, p, q, r, and s of such section 161 are redesignated as paragraphs n, o, p, q, and r, respectively, of such section.

(2) Central Intelligence Agency: Section 4 of the Central Intelligence Agency Act of 1949 (63 Stat. 208; 50 U. S. C. 403d) is repealed. Sections 5, 6, 7, 8, 10, 11, and 12 of such act are redesignated as section 4, 5, 6, 7, 8, 9, and 10, respectively, of such act.

(3) Civil Aeronautics Administration, Department of Commerce: Section 307 (b) and (c) of the Civil Aeronautics Act of 1938, as amended (64 Stat. 417; 49 U. S. C. 457 (b) and (c)), is repealed. Section 307 (a) of such act is amended by striking out "(a)".

(4) Federal Maritime Board and the Maritime Administration, Department of Commerce: The last sentence in section 201 (e) of the Merchant Marine Act, 1936, as amended (53 Stat. 1182; 46 U. S. C. 1111 (e)), is repealed.

(5) National Advisory Committee for Aeronautics: The act entitled "An act to promote the national defense and to contribute to more effective aeronautical research by authorizing professional personnel of the National Advisory Committee for Aeronautics to attend accredited graduate schools for research and study," approved April 11, 1950, as amended (64 Stat. 43; 68 Stat. 78; 50 U. S. C. 160a-160f), is repealed.

(6) Bureau of Public Roads, Department of Commerce: Section 16 of the Defense Highway Act of 1941 (55 Stat. 770; 23 U. S. C. 116) is repealed.

(7) Veterans' Administration: Section 235 of the Veterans' Benefits Act of 1957 (71 Stat. 94; Public Law 85-56), subsections (b) and (c) of section 1413 of the Veterans' Benefits Act of 1957 (71 Stat. 134 and 135; Public Law 85-56), and that part of the first sentence of paragraph 9 of part VII of Veterans Regulation No. 1 (a) (57 Stat. 45; 38 U. S. C., ch. 12A) which follows the words "The Administrator shall have the power" and ends with a semicolon and the words "and also", are repealed.

(c) Section 803 of the Civil Aeronautics Act of 1938, as amended (60 Stat. 945; 49 U. S. C. 603), is amended—

(1) by inserting "and" immediately following the semicolon at the end of clause (6) of such section,

(2) by striking out the semicolon at the end of clause (7) of such section, and

(3) by striking out "and (8) detail annually, within the limits of available appropriations made by Congress, members of the Weather Bureau personnel for training at Government expense, either at civilian institutions or otherwise, in advanced methods of meteorological science: *Provided*, That no such member shall lose his individual status or seniority rating in the Bureau merely by reason of absence due to such training."

EXISTING RIGHTS AND OBLIGATIONS

SEC. 22. Nothing contained in this act shall affect (1) any contract, agreement, or arrangement entered into by the Government, either prior to the date of enactment of this act or under authority of section 20, for the education, instruction, or training of personnel of the Government, and (2) the respective rights and liabilities (including seniority, status, pay, leave, and other rights of personnel of the Government) with respect to the Government in connection with any such education, instruction, and training or in connection with any such contract, agreement, or arrangement.

ABSORPTION OF COSTS WITHIN FUNDS AVAILABLE

SEC. 23. (a) The Director of the Bureau of the Budget is authorized and directed to

provide by regulation for the absorption by the respective departments, from the respective applicable appropriations or funds available for the fiscal year in which this act is enacted and for each succeeding fiscal year, to such extent as the Director deems practicable, of the costs of the training programs and plans provided for by this act.

(b) Nothing contained in subsection (a) of this section shall be held or considered to require (1) the separation from the service of any individual by reduction in force or other personnel action or (2) the placing of any individual in a leave-without-pay status.

And to amend the title so as to read: "An act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties."

Mr. JOHNSTON of South Carolina. Mr. President, the House made some minor amendments in S. 385. I have discussed them with the ranking minority member and several other members of the committee. All have agreed that it would be best at this time to concur in the House amendments. Therefore I move that the Senate concur in the amendments of the House.

Mr. CARLSON. Mr. President, I concur in the statement made by the Senator from South Carolina, the chairman of the Committee on Post Office and Civil Service. The proposed action has the approval of the members of the committee. I am happy to join the chairman in asking that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

Mr. STENNIS. Mr. President, some inquiries have come from Members whose service in the Senate has not extended over a great number of years, and there have also been other inquiries, about the historic situation which resulted in the inclusion of section 10 in the pending bill.

I believe we have documentary evidence which conclusively proves that the President and others who are concerned with the military defense of the Nation not only interposed objections to the previous Alaskan statehood bill but actually stopped the progress of that bill, and that section 10 has been included in the pending bill in an attempt to answer those objections.

I shall refer only briefly to this point. Yesterday, I read from an article in the New York Times which quoted a statement by former Secretary of Defense Wilson, under date of February 15, 1955. In that official letter he stated that he believed it would be in the interest of national security for Alaska to remain a Territory "for the present." In the same letter he said that the great size of Alaska, its sparse population, its limited communications facilities, and its stra-

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 3342) to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in schools.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 11424) to extend the authority of the Secretary of Agriculture to extend special livestock loans, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 385) to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties, and it was signed by the President pro tempore.

STATEHOOD FOR ALASKA

The Senate resumed the consideration of the bill (H. R. 7999) to provide for the admission of the State of Alaska into the Union.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Chair, under the precedents, submits to the Senate the question: Is the point of order No. 2, submitted by the Senator from Mississippi [Mr. EASTLAND], that section 8 of the Alaskan constitution is in direct violation of the Constitution of the United States in providing the manner and terms for the election of United States Senators well taken?

Mr. EASTLAND. Mr. President, I make the point of order that section 8 of the Alaskan constitution is in direct violation of the Constitution of the United States in providing the manner and terms for the election of United States Senators.

The last clause of section 1 of S. 49 and H. R. 7999 confirms, ratifies, and accepts a constitution previously approved by the residents of the Territory of Alaska. One of the provisions of this constitution directly violates a provision of the United States Constitution.

This is section 8 of article XV which attempts to provide for the election of 1 United States Senator for a short term and the election of 1 United States Senator for a long term.

The exact language of this section 8 of the proposed constitution of the proposed State of Alaska is as follows:

Sec. 8. The officers to be elected at the first general election shall include 2 Senators and 1 Representative to serve in the Congress of the United States, unless Senators and a Representative have been previously elected and seated. One Senator shall be elected for the long term and one Senator for the short term, each term to expire on the 3d day of January in an odd-numbered year to be determined by authority of the United States. The term of the Representative shall expire on the 3d day of January in the odd-numbered year immediately following his assuming office. If the first Representative is

elected in an even-numbered year to take office in that year, a Representative shall be elected at the same time to fill the full term commencing on the 3d day of January of the following year, and the same person may be elected for both terms.

The Constitution of the United States provides in the first article of the Constitution that the Senate of the United States shall be composed of Senators chosen for 6 years.

I shall read a part of article 1, section 3 of the Constitution:

The Senate of the United States shall be composed of 2 Senators from each State, chosen by the legislature thereof, for 6 years; and each Senator shall have 1 vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year.

That is the method the Constitution of the United States provides for the election of Senators. I submit that when we say that we ratify, approve, and confirm the constitution of the proposed State of Alaska, we are ratifying, approving, and confirming an unconstitutional act, because the Legislature of Alaska cannot provide either the manner or the means for the election of United States Senators.

Any attempt to elect a Senator for what is called a short term is clearly in direct violation of the Constitution of the United States. This is no idle matter.

Even if it is considered to be only an attempt by the Alaska constitutional convention to designate that 1 Senator from the proposed new State of Alaska shall belong to 1 class and the other Senator shall belong to another class of Senators, it is equally beyond the authority of any State to make such a designation.

Mr. President, no one of my colleagues needs to do any more to satisfy himself on this point than to pick up the admirable new volume, entitled "Senate Procedure: Precedents and Practices" by our distinguished Parliamentarian and Assistant Parliamentarian, Charles L. Watkins and Floyd M. Riddick, and turn to page 553 of that work, to the section captioned "Senators," and examine the paragraph on Senators—Classification of, and read the simple, direct, and unequivocal statement as follows:

The legislature of a new State has no authority to designate the particular class to which Senators first elected shall be assigned.

This statement, as all may be sure, is amply supported by the precedents.

Indeed, there are, as all of us are aware, not 2, but 3 classes of Senators, and the terms of one-third of this body expire at 2 year intervals.

It cannot be said until the classification of new Senators is accomplished, whether, indeed, a new Senator is to be assigned to class 1, class 2, or class 3.

In any event, any attempt to elect a Senator for a short term is in direct

violation of the Constitution of the United States; and any attempt on the part of a proposed new State to determine in advance the classifications to be assigned to its two new Senators is in direct violation of the practice which has been followed without exception in regard to the classification of Senators from new States from the time of the organization of this Republic.

There have been at least two previous instances in which an attempt has been made to designate the classification of Senators. In both of those instances, however, no attempt was made to designate that classification by a proposed constitutional provision or even by legislation. As a matter of fact, it was done by resolutions accompanying the certificates of election. In both cases, the Senators themselves were actually elected for a 6-year term.

The first instance to which I refer occurred when the new State of Minnesota was admitted to the Union. In the Journal of the Senate for Wednesday, May 12, 1858—Journal, page 441—there appears the following:

Mr. Toombs presented a resolution of the Legislature of the State of Minnesota, in joint convention, in favor of the Honorable Henry M. Rice, representing that State in the Senate of the United States for the long term; which was referred to the Committee on the Judiciary.

At that time, Mr. Toombs remarked, as reported in the Congressional Globe:

Mr. TOOMBS. The Legislature of the State of Minnesota in the joint convention which elected Senators passed a resolution on the subject of their tenure. It is a question of some trouble and difficulty, and I move that it be referred to the Committee on the Judiciary.

Let me digress at this point to call the attention of the Senate to the fact that in the Minnesota case the matter of tenure of Senators was recognized as the business and jurisdiction of the Committee on the Judiciary. I think it still is and that any legislation, proposed Constitution, or resolution dealing with the tenure and classification of Senators, should be referred to the Committee on the Judiciary of the United States Senate.

Continuing with the procedure in regard to Minnesota, 2 days later, Mr. Bayard, from the Committee on the Judiciary, to whom was referred the resolution of the State of Minnesota, filed the committee's report to the Senate. The Committee on the Judiciary reported a resolution setting forth the procedure for classifying the two new Senators from Minnesota in precisely the same manner in which the Senators from new States had been classified by the Senate of the United States, without exception, from the 1st session of the 1st Congress.

The Committee on the Judiciary in that instance recommended as follows:

"Resolved, That the Senate proceed to ascertain the classes in which the Senators from the State of Minnesota shall be inserted, in conformity with the resolution of the 14th of May 1789, and as the Constitution requires."

The resolution was considered by unanimous consent, and agreed to.

rules, the intent of Congress, and the Constitution of the United States:

(a) Hammond had inadequate time to prepare for his hearing. He received the summary of information (presumably the charges) on December 16, and had to go to hearing on December 19. He was thus deprived of witnesses (fellow prisoners) he would otherwise have produced and will produce at a new hearing and he was unable fully and adequately to prepare himself and Conte for the hearing.

(b) The hearing was terminated* by Colish before Hammond and his representatives had presented all the testimony they would otherwise have presented at the hearing. Had Colish not told Hammond, Conte, Stevens, and Marsh that "there is enough in the record now," Conte would have presented Hammond's hardships in even greater detail than he did and Hammond would have gone into the details of his testimony at the Olson court-martial. The statement in the Chairman's letter of May 20, 1958, questioning whether Colish's remark was actually made, is shocking indeed in the light of the willingness of 4 others present to testify under oath that this remark was made and acted upon.

(c) Not a line of information adverse to Hammond was adduced at the hearing. The Commission's action could thus only have been taken upon the basis of information not adduced at the hearing and not subject to cross-examination or adequate rebuttal.

(d) The Commission decided the case, in violation of its own rules, without having the transcript of the hearing before it. It thus acted without knowing what Hammond and Conte had testified under oath; it preferred derogatory information, not subject to cross-examination or adequate rebuttal, to the sworn testimony of Hammond and Conte which they failed to read.

Thus, the so-called hearing given Hammond was (i) a hearing without adequate notice (ii) which was terminated prematurely by the examiner and resulted in a decision (iii) based on derogatory information not adduced at the hearing (iv) without the Commission having before it a transcript of the favorable testimony actually adduced at the hearing. It would not appear unfair to say that the Commission acted blindly—and in a case involving the honor and loyalty of a decorated veteran.

2. The Commission's action since its initial denial of December 23, 1955, evidences a hostility to Hammond. The Commission denied the initial petition for rehearing on the illegal ground of a nonexistent 1-year statute of limitations. It denied the second

petition for rehearing on the equally illegal ground that the Commission's rules do not provide for rehearings; the rules do not prevent rehearings which are a generally accepted administrative proceeding. It denied the third rehearing, contrary to the Chairman's oral intimation to counsel, in a letter reeking with hostility.

3. Every independent examiner of the facts has sided with Hammond. The two representatives of the American Legion are prepared to testify that a terrible injustice has been done here. The staff of the Senate Subcommittee on Constitutional Rights took the same position. Congressman ASHLEY did too. But above all, a distinguished writer, Mr. William Peters, with no preconceived notions of any kind, has investigated the facts completely and written an article condemning the heartless injustice of the Commission. The fair thing for the Commission to do is to appoint a new examiner, whose reputation for fairness is established, to settle this matter once and for all.

4. On the merits Hammond's case is too clear for serious argument. Mr. Charles W. Stevens, the assistant director of the American Legion Rehabilitation Commission, summarized a part of Hammond's case as follows:

"I would say he received much worse treatment than many hundreds of the prisoners of war. He did not receive medical care when he was captured. He had a bullet wound on his right wrist. His wrist was enormously swollen. He had beri beri so that both lower extremities were enormously swollen, contracted other disabilities. He was beaten severely across the back to the extent that permanent damage was done. The Veterans' Administration has awarded compensation, a compensation rating a 40 percent on the basis of the wounds received in action, of bronchitis and the residual disabilities to his back."

Add to this Hammond's loss of 80 or 90 pounds of weight, his solitary confinement under inhuman conditions, his being kept up at night and worked during the day, the terrible hardships in 40 below zero weather, and more and more. Add to this that this man, a Bronze Star winner, was captured only because he volunteered for a dangerous mission. One would think that a commission of Americans would want to help such a man, not deny him the procedural right of every American to a fair hearing.

III

We plead with this commission to put aside its hostility to Hammond and to give him a fair hearing either (a) before the full commission, (b) before a single commissioner or (c) before an outside hearing examiner of undisputed stature such as Supreme Court Justice Stanley Reed, Supreme Court Justice Sherman Minton, Court of Appeals Judge Learned Hand, or one of the many other men who would undoubtedly be willing to undertake the chore of such a hearing. You may say that this case is not important enough for men of his stature. We say that when any American hero who suffered what Joseph Hammond did for his country is branded as a traitor, men of this caliber would quickly rally to the cause of fair play and hear his case.

Respectfully submitted.

JOSEPH L. RAUH, Jr.

JUNE 27, 1958.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SHELLEY (at the request of Mr. DOYLE), for an indefinite period, on account of illness.

Mr. FOUNTAIN (at the request of Mr. DURHAM), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ROGERS, for 10 minutes, today, to revise and extend her remarks and include extraneous matter.

Mr. MEADER, for 30 minutes, today.

Mr. HOFFMAN, for 1 hour, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. SULLIVAN and include extraneous material.

Mr. LANE and to include extraneous matter.

Mrs. KEE in two instances.

Mr. ALGER.

Mr. PHILBIN and to include a statement.

Mr. BRAY and to include extraneous matter.

Mr. VAN ZANDT (at the request of Mr. SCHWENGEL) and to include extraneous matter.

Mr. RADWAN (at the request of Mr. SCHWENGEL) and to include extraneous matter.

Mr. ENGLE (at the request of Mr. LIBONATI) and to include extraneous matter.

Mr. KING (at the request of Mr. LIBONATI).

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

An act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties; and

S. 3342. An act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools.

BILL AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLERSON, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills of the House of the following titles:

On June 12, 1958:

H. J. Res. 624. A resolution making additional supplemental appropriations for the Department of Labor for carrying into effect the provisions of the Temporary Unemployment Compensation Act of 1958, and for other purposes.

On June 28, 1958:

H. J. Res. 640. A resolution making temporary appropriations for the fiscal year 1959, providing for increased pay costs for the fiscal year 1958, and for other purposes.

On June 30, 1958:

H. R. 12181. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

munist line has always been that the capitalist countries desire to keep underdeveloped nations in a colonial status, economically, if not politically. Thus, they say, the Western powers attempt to keep one-crop or one-mineral producing countries in a dependent relationship of supplying raw materials and buying manufactured products. Soviet leaders have made much of the current distress resulting from falling commodity prices. Inevitable depression in capitalist nations has always been a cardinal point of Marxism.

On the other hand, the genuineness of our own propaganda effort rests on the superiority of our economic system in bringing benefits to all our people. We must assure ourselves that the fact does not belie the claim.

NEED COMMODITY FACTS

The unevenness of American trade in particular, and of our economy in general, should not wreck the economies of our customers and friends. A way must be found to stabilize commodity prices through agreement, and to promote intelligent diversification of underdeveloped economies through enlightened practices in foreign aid.

We must assiduously devote ourselves to the felt needs of the new countries to develop, and accompany this with an information effort that leaves no doubt that this is what we are doing. The claimed interest of the Soviet Union in the uncommitted nations can be shown up. They say to the underdeveloped countries:

"We are better partners, we are natural allies, because our market is stable and is not subject to price rigging fluctuations. . . . There are no trade barriers and restrictions, and no regional closed markets or preferential tariffs. There are no customs acrobatics which violate normal trade relations."

We can prove that the Soviet interest is negative; that their policy toward their own bloc countries is truly colonial in keeping them dependent; that they feel impelled to dictate, as to Tito, the course of each nation's development; that they camouflage their real aims; that their appetite for influence is bigger than their capacity to aid; that their policies are to create tensions between the nations they assist and the rest of the world.

But if anything is now clear, it is that we cannot stumble along on a year-to-year patchwork program of reacting to individual threats as they become crises. Instead, we need to embark upon a long-term program of combined effort toward freedom, peace, and progress, in our own land as well as in our policies toward other nations. Domestic and foreign programs, to be effective, must be all tied together. No move can be made successfully unless it is combined with connected moves.

MUST LEAD FOR PEACE

We cannot exercise defensive military leadership in Europe unless we are also constantly standing forth as the leader in searching for peace and disarmament. We cannot hold up the flag of liberty in Peru or Venezuela when our economy is too weak to take the products on which they live. We cannot demand of Europe that it join us in making funds available for the peaceful growth of the Middle East when we cut off their trade with us. We cannot grow strong ourselves unless our efforts provide new markets for our food and fibers abroad. We cannot take action without an accompanying information effort to keep from being misrepresented. Unless we pursue this combined effort on all fronts, the failure on one will cripple the others.

Somehow we must act in a large, positive way to teach the new nations that improvement is a deliberate process, based upon goodwill and international responsibility. Our obligation to meet this Soviet challenge is moral, as well as economic and strategic.

CIV—797

I hope that we can still muster the leadership to respond adequately and in time.

Let us demonstrate to the world that we are mature, that we are capable of leadership. Let us demonstrate to the world that we understand the economic problems of others. Let us demonstrate to the world that we welcome competition.

Let us demonstrate to the world, by deed as well as word, that only through competitive enterprise and the building of enterprise, can you lift the standards of living—not only of ourselves but of the rest of the world as well.

PROBABLE CONSIDERATION OF CONFERENCE REPORT ON HOUSE BILL 11451

Mr. MANSFIELD. Mr. President, for the information of the Senate, I think I ought to say that there is a very strong possibility that H. R. 11451, providing for superliner construction and sale, now in conference, may be brought before the Senate some time during this week.

It is my understanding that the conference report is already at the table, and I make this announcement for the purpose of notifying the Senator from Delaware [Mr. WILLIAMS] especially, so that he may be ready to act accordingly. If it is at all possible, that conference report will be taken up tomorrow.

I hope that other conference reports can be brought before the Senate for consideration. As always, they will be given priority.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

ADDITIONAL BILLS INTRODUCED

The following additional bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as indicated:

By Mr. KNOWLAND:

S. 4081. A bill for the relief of Marianne (Sachiko) Fuller; to the Committee on the Judiciary.

By Mr. LANGER:

S. 4082. A bill for the relief of Bartolo Lubini; to the Committee on the Judiciary.

RELIEF OF CERTAIN ALIENS IN AZORES ISLANDS—ADDITIONAL COSPONSOR OF BILL

Mr. KENNEDY. Mr. President, on September 27, 1957, the first of several earthquakes and volcanic eruptions fractured the earth's brittle shell near the Island of Faial in the Azores. On November 4, November 6, November 18, and December 18, 1957, and March 18, 1958, there were additional eruptions. Everywhere within a 4-mile radius the lava and ash spread fear and destruction. This natural calamity can in many ways be compared to the havoc which would be caused by an atomic explosion, for the cloud of gases and boiling water shot 20,000 feet into the air and small rocks were thrown with such force that they landed miles away.

The people of the Azores are a hardy group. It was difficult at first for them

to realize that the volcanic ash had destroyed every means of livelihood. Following the initial eruption, they busied themselves cleaning the ash, repaving the roads, and restoring their homes. With each successive eruption, however, it became more and more obvious that they would have to be evacuated.

Some of the islanders are former residents of the United States. Almost all of them have been told about the opportunities here. It would be a simple, humanitarian gesture, in keeping with the traditions and ideals of our country, to offer them refuge here.

I therefore ask unanimous consent that my name may be added as a cosponsor of the bill (S. 3942) for the relief of certain aliens distressed as the result of natural calamity in the Azores Islands, and for other purposes, introduced by the distinguished junior Senator from Rhode Island [Mr. PASTORE] on June 4, 1958. The bill, if enacted, would authorize 1,500 special nonquota visas to be issued to Portuguese nationals who have lost their homes and their means of livelihood in the volcanic ash. The bill does not deprive any other nation of its regular quota and it retains the usual standards of eligibility for immigration into the United States.

The people of the Azores are proud and energetic. I know that the people of Portuguese descent now in the United States will welcome them. I urge the Congress to take prompt action to relieve the distress caused by the great natural calamity which has overtaken one of our neighbors.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Secretary of the Senate reported that on today, June 30, 1958, he presented to the President of the United States the following enrolled bills:

An act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties; and

S. 3342. An act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, under the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 17 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, July 1, 1958, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 30 (legislative day of June 24), 1958:

COMMISSIONER OF THE DISTRICT OF COLUMBIA

Robert E. McLaughlin, of the District of Columbia, to be a Commissioner of the District of Columbia for a term of 3 years and

SENATE

TUESDAY, JULY 8, 1958

(Legislative day of Monday, July 7, 1958)

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

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou divine shepherd of our souls, who in these fields of time hast prepared green pastures and still waters for the restoration of our jaded and spent strength, lead us this day, we pray Thee, into paths of righteousness for Thy name's sake.

May we toll in the sense of the eternal.

Allay the fever of our fretfulness and lift us above corroding care.

Even in these troublous times may our hearts be untroubled as we stay our minds on Thee.

We make our prayer in the name of Him who offers us the peace that passeth all understanding. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 7, 1958, was dispensed with.

MESSAGES FROM THE PRESIDENT—
APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on July 7, 1958, the President had approved and signed the following acts:

An act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties; and

S. 3500. An act to require the full and fair disclosure of certain information in connection with the distribution of new automobiles in commerce, and for other purposes.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committee.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

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

S. 602. An act to provide for the acquisition of additional land to be used in connection with the Cowpens National Battleground site;

S. 628. An act to direct the Secretary of the Army to convey certain property located at Boston Neck, Narragansett, Washington County, R. I., to the State of Rhode Island; S. 1901. An act to amend section 401 of the Federal Employees Pay Act of 1945, as amended;

S. 2108. An act to amend the Public Buildings Act of 1949, to authorize the Administrator of General Services to name, rename, or otherwise designate any building under the custody and control of the General Services Administration;

S. 2109. An act to amend an act extending the authorized taking area for public building construction under the Public Buildings Act of 1926, as amended, to exclude therefrom the area within E and F Streets and 19th Street and Virginia Avenue NW., in the District of Columbia;

S. 2318. An act to provide for the conveyance of certain land of the United States to the city of Salem, Ore.;

S. 2474. An act directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va.;

S. 2630. An act to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment, and to provide certain services to the Girl Scouts of the United States of America, and to permit use of certain lands of the Air Force Academy for use at the Girl Scout Senior Roundup Encampment, and for other purposes;

S. 3314. An act for the relief of the city of Fort Myers, Fla., and Lee County, Fla.;

S. 3431. An act to provide for the addition of certain excess Federal property in the village of Hatteras, N. C., to the Cape Hatteras National Seashore Recreational Area, and for other purposes; and

S. 3606. An act to authorize the transfer of naval vessels to friendly foreign countries.

The message also announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 692. An act to provide that the United States hold in trust for the Indians entitled to the use thereof the lands described in the Executive order of December 16, 1882, and for adjudicating the conflicting claims thereto of the Navaho and Hopi Indians, and for other purposes;

S. 1732. An act to readjust equitably the retirement benefits of certain individuals on the emergency officers' retired list, and for other purposes;

S. 2069. An act to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; and

S. 2752. An act to amend section 207 of the Federal Property and Administrative Services Act of 1949 so as to modify and improve the procedure for submission to the Attorney General of certain proposed surplus property disposals for his advice as to whether such disposals would be inconsistent with the antitrust laws.

The message further announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 65. An act to provide certain allowances and benefits to personnel of the Veterans' Administration who are United States citizens and are assigned to the Veterans' Administration office in the Republic of the Philippines;

H. R. 87. An act to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes;

H. R. 413. An act to provide a further period for presuming service-connection in the

case of veterans suffering from Hansen's disease (leprosy);

H. R. 471. An act relating to the retired pay of certain retired officers of the Armed Forces;

H. R. 781. An act to amend title 10, United States Code, to make retired pay for nonregular service available to certain persons who performed active duty during the Korean conflict;

H. R. 855. An act to designate the dam being constructed in connection with the Eagle Gorge Reservoir project on the Green River, Wash., as the "Howard A. Hanson Dam";

H. R. 2770. An act to provide that no application shall be required for the payment of statutory awards for certain conditions which, prior to August 1, 1952, have been determined by the Veterans' Administration to be service connected;

H. R. 3630. An act to amend the Veterans' Benefits Act of 1957 to provide that an aid and attendance allowance of \$200 per month shall be paid to certain paraplegic veterans during periods in which they are not hospitalized at Government expense;

H. R. 4214. An act to amend section 315 of the Veterans' Benefits Act of 1957 to provide additional compensation for veterans having the service-incurred disability of deafness of both ears;

H. R. 4503. An act to provide that all interests of the United States in a certain tract of land formerly conveyed to it by the Commonwealth of Kentucky, shall be quitclaimed and returned to the Commonwealth of Kentucky;

H. R. 4675. An act to provide that certain employees under the jurisdiction of the commissioner of public lands and those under the jurisdiction of the board of harbor commissioners of the Territory of Hawaii shall be subject to the civil-service laws of the Territory of Hawaii;

H. R. 5322. An act to extend certain veterans' benefits to or on behalf of dependent husbands and widowers of female veterans;

H. R. 5450. An act to authorize the enlargement of the administrative headquarters site for Isle Royale National Park, Houghton, Mich., and for other purposes;

H. R. 5949. An act to provide for the conveyance of certain real property of the United States located at the Veterans' Administration hospital near Amarillo, Tex., to Potter County, Tex.;

H. R. 6038. An act to change the boundary of the Kings Canyon National Park, in the State of California, and for other purposes;

H. R. 7225. An act to amend provisions of the Canal Zone Code relative to the handling of the excess funds of the Panama Canal Company, and for other purposes;

H. R. 7706. An act to entitle members of the Army, Navy, Air Force, or Marine Corps retired after 30 years' service to retired pay equal to 75 percent of the monthly basic pay authorized for the highest enlisted, warrant, or commissioned grade in which they served satisfactorily during World War I, and for other purposes;

H. R. 7902. An act to authorize travel and transportation allowances in the case of certain members of the uniformed services;

H. R. 8249. An act to provide for the adjustment by the Secretary of the Army of the legislative jurisdiction exercised by the United States over lands within the Fort Custer Military Reservations, Michigan;

H. R. 8252. An act to amend section 3237 of title 18 of the United States Code to define the place at which certain offenses against the income-tax laws take place;

H. R. 8478. An act to amend section 207 of the Hawaiian Homes Commission Act, 1920, to permit the establishment of a post office on Hawaiian homelands;

H. R. 8775. An act to amend section 709 of title 32, United States Code;

~~CONFIDENTIAL~~
See Legislative History, p. 2909

PUBLIC LAW 85-507; 72 STAT. 327

[S. 385]

An Act to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties.

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

SHORT TITLE

Section 1. This Act may be cited as the "Government Employees Training Act".

DECLARATION OF POLICY

Sec. 2. It is hereby declared to be the policy of the Congress—

(1) that, in order to promote efficiency and economy in the operation of the Government and provide means for the development of maximum proficiency in the performance of official duties by employees thereof, to establish and maintain the highest standards of performance in the transaction of the public business, and to install and utilize effectively the best modern practices and techniques which have been developed, tested, and proved within or outside of the Government, it is necessary and desirable in the public interest that self-education, self-improvement, and self-training by such employees be supplemented and extended by Government-sponsored programs, provided for by this Act, for the training of such employees in the performance of official duties and for the development of skills, knowledge, and abilities which will best qualify them for performance of official duties;

(2) that such programs shall be continuous in nature, shall be subject to supervision and control by the President and review by the Congress, and shall be so established as to be readily expansible in time of national emergency;

(3) that such programs shall be designed to lead to (A) improved public service, (B) dollar savings, (C) the building and retention of a permanent cadre of skilled and efficient Government employees, well abreast of scientific, professional, technical, and management developments both in and out of Government, (D) lower turnover of personnel, (E) reasonably uniform administration of training, consistent with the missions of the Government departments and agencies, and (F) fair and equitable treatment of Government employees with respect to training; and

(4) that the United States Civil Service Commission shall be responsible and have authority, subject to supervision and control by the President, for the effective promotion and coordination of such programs and of training operations thereunder.

DEFINITIONS

Sec. 3. For the purposes of this Act—

(1) the term "Government" means the Government of the United States of America and the municipal government of the District of Columbia;

(2) the term "department", subject to the exceptions contained in section 4, means (A) each executive department, (B) each independent establishment or agency in the executive branch, (C) each Government-owned or controlled corporation subject to title I or title II of the Government Corporation Control Act,³⁶ (D) the General Accounting Office, (E) the Library of Congress, (F) the Government Printing Office, and (G) the municipal government of the District of Columbia;

(3) the term "employee", subject to the exceptions contained in section 4, means any civilian officer or employee in or under a department, including officers of the Coast and Geodetic Survey in the Department of Commerce;

(4) the term "Commission" means the United States Civil Service Commission;

(5) the term "training" means the process of providing for and making available to an employee, and placing or enrolling such employee in, a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education, in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields which are or will be directly related to the performance by such employee of official duties for the Government, in order to increase the knowledge, proficiency, ability, skill, and qualifications of such employee in the performance of official duties;

(6) the term "Government facility" means any property owned or substantially controlled by the Government and the services of any civilian and military personnel of the Government; and

(7) the term "non-Government facility" means (A) the government of any State, Territory, or possession of the United States, the government of the Commonwealth of Puerto Rico, and any interstate governmental organization, or any unit, subdivision, or instrumentality of any of the foregoing, (B) any foreign government or international organization, or instrumentality of either, which is designated by the President as eligible to provide training under this Act, (C) any medical, scientific, technical, educational, research, or professional institution, foundation, agency, or organization, (D) any business, commercial, or industrial firm, corporation, partnership, proprietorship, or any other organization, and (E) any individual not a civilian or military officer or employee of the Government of the United States or of the municipal government of the District of Columbia. For the purposes of furnishing training by, in, or through any of the foregoing, the term "non-

36. 31 U.S.C.A. § 841 et seq.

July 7 GOVERNMENT EMPLOYEES TRAINING P.L. 85-507

Government facility" also shall include the services and property of any of the foregoing furnishing such training.

EXCLUSION

Sec. 4. (a) This Act shall not apply to—

- (1) the President or Vice President of the United States,
- (2) the Foreign Service of the United States under the Department of State,
- (3) any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests,
- (4) the Tennessee Valley Authority,
- (5) any individual appointed by the President by and with the advice and consent of the Senate or by the President alone, unless such individual is specifically designated by the President for training under this Act, and
- (6) any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended,³⁷ during any period in which he is receiving compensation under title II of such Act.

(b) The President is authorized—

- (1) to designate at any time in the public interest any department or part thereof, or any employee or employees therein (either individually or by groups or classes), as excepted from this Act or any provision of this Act (other than this section, section 21, and section 22), and
- (2) to designate at any time in the public interest any such department or part thereof, or any such employee or employees therein, so excepted, as again subject to this Act or any such provision of this Act.

Such authority of the President shall not include the authority to except the Commission from any provision of this Act which vests in or imposes upon the Commission any function, duty, or responsibility with respect to any matter other than the establishment, operation, and maintenance by the Commission, in the same capacity as any other department, of programs of and plans of training for employees of the Commission.

DEPARTMENTAL REVIEWS OF TRAINING NEEDS

Sec. 5. Within ninety days after the date of enactment of this Act and at least once every three years after the expiration of such ninety-day period, the head of each department shall conduct and complete a review of the needs and requirements of such department for the training of employees under its jurisdiction. Upon request of a department, the Commission is authorized, in its discretion, to assist such department in connection with such review of needs and requirements. Information obtained or developed in

37. 37 U.S.C.A. § 231.

any such review shall be made available to the Commission at its request.

TRAINING REGULATIONS OF COMMISSION

Sec. 6. (a) The Commission after consideration of the needs and requirements of each department for training of its employees and after consultation with those departments principally concerned, shall prescribe regulations containing the principles, standards, and related requirements for the programs, and plans thereunder, for the training of employees of the departments under authority of this Act (including requirements for appropriate coordination of and reasonable uniformity in such training programs and plans of the departments). Such regulations, when promulgated, shall provide for the maintenance of necessary information with respect to the general conduct of the training activities of each department, and such other information as may be necessary to enable the President and the Congress to discharge effectively their respective duties and responsibilities for supervision, control, and review of training programs authorized by this Act. Such regulations also shall cover with respect to training by, in, and through Government facilities and non-Government facilities—

(1) requirements with respect to the determination and continuing review by each department of its needs and requirements in connection with such training;

(2) the scope and conduct of the programs and plans of each department for such training;

(3) the selection and assignment for such training of employees of each department;

(4) the utilization in each department of the services of employees who have undergone any such training;

(5) the evaluation of the results and effects of programs and plans for such training;

(6) the interchange among the departments of information concerning such training;

(7) the submission by the departments of reports on the results and effects of programs and plans of such training and economies resulting therefrom, including estimates of costs of training by, in, and through non-Government facilities;

(8) such requirements and limitations as may be necessary with respect to payments and reimbursements in accordance with section 10; and

(9) such other matters as the Commission deems appropriate or necessary to carry out the provisions of this Act.

(b) In addition to matters set forth in subsection (a) of this section, the regulations of the Commission shall, with respect to the training of employees by, in, or through non-Government facilities—

(1) prescribe general policies governing the selection of a non-Government facility to provide such training;

(2) authorize training of employees by, in, or through a non-Government facility only after determination by the head of the department concerned that adequate training for such employees by, in, or through a Government facility is not reasonably available and that appropriate consideration has been given to the then existing or reasonably foreseeable availability and utilization of fully trained employees; and

(3) prohibit the training of an employee by, in, or through a non-Government facility for the purpose of filling a position by promotion if there is in the department concerned another employee of equal ability and suitability who is fully qualified to fill such position and is available at, or within a reasonable distance from, the place or places where the duties of such position are to be performed.

(c) From time to time and in accordance with this Act, the Commission may revise, supplement, or abolish its regulations prescribed under this section and may prescribe additional regulations.

(d) Nothing contained in this section shall be construed to authorize the Commission to prescribe the types and methods of intradepartmental training or to regulate the details of intradepartmental training programs.

ESTABLISHMENT OF PROGRAMS OF TRAINING THROUGH GOVERNMENT AND NON-GOVERNMENT FACILITIES

Sec. 7. Within two hundred and seventy days after the date of enactment of this Act, the head of each department shall prepare, establish, and place in effect a program or programs, and a plan or plans thereunder, in conformity with this Act, for the training of employees in or under such department by, in, and through Government facilities and non-Government facilities in order to increase economy and efficiency in the operations of the department and to raise the standard of performance by employees of their official duties to the maximum possible level of proficiency. Each such program, and plan or plans thereunder, shall conform, on and after the effective date of the regulations prescribed by the Commission under section 6 of this Act, to the principles, standards, and related requirements contained in such regulations then current, shall be operated and maintained in accordance with the provisions of this Act, and shall provide for adequate administrative control by appropriate authority. Two or more departments jointly may operate under any such training program. Each such program shall provide for the encouragement of self-training by employees by means of appropriate recognition of resultant increases in proficiency, skill, and capability.

GENERAL PROVISIONS OF PROGRAMS OF TRAINING THROUGH GOVERNMENT FACILITIES

Sec. 8. The program or programs of each department for the training of employees by, in, and through Government facilities under authority of this Act—

(1) shall provide for training, insofar as practicable, by, in, and through those Government facilities which are under the jurisdiction or control of such department, and

(2) shall provide for the making by such department to the extent necessary and appropriate, of agreements with other departments, and with other agencies in any branch of the Government, on a reimbursable basis if so requested by such other departments and agencies, (A) for the utilization in such program or programs of those Government facilities under the jurisdiction or control of such other departments and agencies and (B) for extension to employees of such department of training programs of such other departments.

GENERAL PROVISIONS OF PROGRAMS OF TRAINING THROUGH
NON-GOVERNMENT FACILITIES

Sec. 9. (a) The head of each department is authorized to enter into agreements or make other appropriate arrangements for the training of employees of such department by, in, or through non-Government facilities in accordance with this Act, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).³⁸

(b) The program or programs of each department for the training of employees by, in, and through non-Government facilities under authority of this Act shall—

(1) provide for information to be made available to employees of such department with respect to the selection and assignment of such employees for training by, in, and through non-Government facilities and the limitations and restrictions applicable to such training in accordance with this Act, and

(2) give appropriate consideration to the needs and requirements of such department in recruiting and retaining scientific, professional, technical, and administrative employees.

(c) Each department shall issue such regulations as the department deems necessary to implement the regulations of the Commission issued under section 6(a) (8) in order to protect the Government with respect to payment and reimbursement of training expenses.

EXPENSES OF TRAINING THROUGH GOVERNMENT FACILITIES
AND NON-GOVERNMENT FACILITIES

Sec. 10. The head of each department in accordance with regulations issued by the Commission under authority of section 6(a) (8) is authorized, from funds appropriated or otherwise available to such department, (1) to pay all or any part of the salary, pay, or compensation (excluding overtime, holiday, and night differential pay) of each employee of such department who is selected and assigned for training by, in, or through Government facilities or non-Government facilities under authority of this Act, for each period of such training of such employee, and (2) to pay, or reimburse such employee for, all or any part of the necessary expenses of such training, without regard to section 3648 of the Revised Statutes (31 U.S.C. 529),³⁹ including among such expenses the necessary costs of (A) travel and per diem in lieu of subsistence in accordance with the Travel Expense Act of 1949, as amended, and

38. 41 U.S.C.A. § 5.
39. 31 U.S.C.A. § 529.

the Standardized Government Travel Regulations, or, in the case of commissioned officers of the Coast and Geodetic Survey in the Department of Commerce, section 303 of the Career Compensation Act of 1949, as amended,⁴⁰ and the Joint Travel Regulations for the Uniformed Services; (B) transportation of immediate family, household goods and personal effects, packing, crating, temporary storage, drayage, and unpacking in accordance with the first section of the Administrative Expenses Act of 1946, as amended,⁴¹ and Executive Order Numbered 9805,⁴² as amended (except that in the case of commissioned officers of the Coast and Geodetic Survey in the Department of Commerce, such expenses shall be paid under section 303 of the Career Compensation Act of 1949, as amended, and the Joint Travel Regulations for the Uniformed Services), whenever the estimated costs of such transportation and related services are less than the estimated aggregate per diem payments for the period of training, (C) tuition and matriculation fees, (D) library and laboratory services, (E) purchase or rental of books, materials, and supplies, and (F) other services or facilities directly related to the training of such employee. Such expenses of training shall not be deemed to include membership fees except to the extent that such fees are a necessary cost directly related to the training itself or that payment thereof is a condition precedent to undergoing such training.

AGREEMENTS OF EMPLOYEES RECEIVING TRAINING THROUGH
NON-GOVERNMENT FACILITIES TO CONTINUE IN GOVERN-
MENT SERVICE FOR CERTAIN PERIODS

Sec. 11. (a) Each employee who is selected for training by, in, or through a non-Government facility under authority of this Act shall, prior to his actual assignment for such training, enter into a written agreement with the Government to the effect that (1) after the expiration of the period of his training, he will continue in the service of his department for a period at least equal to three times the length of the period of such training unless he is involuntarily separated from the service of his department, and (2) if he is voluntarily separated from the service of his department prior to the expiration of the period for which he has agreed to continue in the service of his department after such period of training, he will pay to the Government the amount of the additional expenses incurred by the Government in connection with his training. No employee selected for such training shall be assigned thereto unless he has entered into such agreement.

(b) An employee who, by reason of his entrance into the service of another department or of any other agency in any branch of the Government, fails to continue, after his training, in the service of his department for the period specified in such agreement, shall not be required to pay to the Government the amount of the additional expenses incurred by the Government in connection with his training unless the head of the department which has authorized such training notifies the employee prior to the effective date of his

40. 37 U.S.C.A. § 253.
41. 5 U.S.C.A. § 73b-1.

42. U.S. Code Cong. Service 1946, p. 1867.

entrance into the service of such other department or agency that such payment will be required under authority of this section.

(c) If any employee (other than an employee relieved of liability under subsection (b) of this section or under subsection (b) of section 4 fails to fulfill his agreement to pay to the Government the additional expenses incurred by the Government in connection with his training, a sum equal to the amount of such additional expenses of training shall be recoverable by the Government from such employee or his estate (1) by setoff of accrued salary, pay, compensation, amount of retirement credit, or other amount due such employee from the Government and (2) by such other method as may be provided by law for the recovery of amounts owing to the Government. The head of the department concerned may, in accordance with regulations of the Commission, waive in whole or in part any right of recovery under this subsection, if it is shown that such recovery would be against equity and good conscience or against the public interest.

LIMITATIONS ON TRAINING OF EMPLOYEES THROUGH NON-GOVERNMENT FACILITIES

Sec. 12. (a) The training of employees by, in, and through non-Government facilities under authority of this Act shall be subject to the following provisions:

(1) The number of man-years of such training by, in, and through non-Government facilities for each department in any fiscal year shall not exceed 1 per centum of the total number of man-years of civilian employment for such department in the same fiscal year as disclosed by the budget estimates for such department for such year.

(2) No employee having less than one year of current, continuous civilian service in the Government shall be eligible for such training unless the head of his department determines, in accordance with regulations of the Commission, that such training for such employee is in the public interest.

(3) In the first ten-year period of his continuous or non-continuous civilian service in the Government following the date of his initial entry into the civilian service of the Government, and in each ten-year period of such service occurring thereafter, the time spent by an employee in such training shall not exceed one year.

(4) The Commission is authorized, in its discretion, to prescribe such other limitations, in accordance with the provisions and purposes of this Act, with respect to the time which may be spent by an employee in such training, as the Commission deems appropriate.

(b) The Commission is authorized, in its discretion, to waive, with respect to any department or part thereof or any employee or employees therein, any or all of the restrictions covered by subsection (a) of this section, upon recommendation of the head of the department concerned, if the Commission determines that the application of any or all of such restrictions to any department or

July 7 GOVERNMENT EMPLOYEES TRAINING P.L. 85-507

part thereof or employee or employees therein is contrary to the public interest. The Commission is further authorized, in its discretion, to reimpose in the public interest, with respect to any such department or part thereof, or any such employee or employees therein, any or all of the restrictions so waived.

PROHIBITION ON TRAINING THROUGH NON-GOVERNMENT FACILITIES FOR SOLE PURPOSE OF OBTAINING ACADEMIC DEGREES

Sec. 13. Nothing contained in this Act shall be construed to authorize the selection and assignment of any employee for training by, in, or through any non-Government facility under authority of this Act, or the payment or reimbursement by the Government of the costs of such training, either (1) for the purpose of providing an opportunity to such employee to obtain an academic degree in order to qualify for appointment to a particular position for which such academic degree is a basic requirement or (2) solely for the purpose of providing an opportunity to such employee to obtain one or more academic degrees.

PROHIBITION ON TRAINING THROUGH FACILITIES ADVOCATING OVERTHROW OF THE GOVERNMENT BY FORCE OR VIOLENCE

Sec. 14. No part of any appropriation of, or of any funds available for expenditure by, any department shall be available for payment for the training of any employee by, in, or through any non-Government facility teaching or advocating the overthrow of the Government of the United States by force or violence, or by or through any individual with respect to whom determination has been made by a proper Government administrative or investigatory authority that, on the basis of information or evidence developed in investigations and procedures authorized by law or Executive orders of the President, there exists a reasonable doubt of his loyalty to the United States.

REVIEW BY COMMISSION OF PROGRAMS OF TRAINING THROUGH NON-GOVERNMENT FACILITIES

Sec. 15. The Commission shall review, at such times and to such extent as it deems necessary, the operations, activities, and related transactions of each department in connection with the program or programs, and the plan or plans thereunder, of such department for the training of its employees by, in, and through non-Government facilities under authority of this Act in order to determine whether such operations, activities, and related transactions are in compliance with such programs and plans, with the provisions and purposes of this Act, and with the principles, standards, and related requirements contained in the regulations of the Commission prescribed thereunder. Upon request of the Commission, each department shall cooperate with and assist the Commission in such review. If the Commission finds that noncompliance exists in any department, the Commission, after consultation with such department, shall certify to the head of such department its recommendations for modification or change of actions and procedures of such department thereafter in connection with such training programs and plans. If after a reasonable time for placing such recom-

mendations in effect the Commission finds that noncompliance continues to exist in such department, the Commission shall report such noncompliance to the President for such action as he deems appropriate.

COLLECTION OF TRAINING INFORMATION BY COMMISSION

Sec. 16. The Commission is authorized, to the extent it deems appropriate in the public interest, to collect information, from time to time, with respect to training programs, plans, and methods in and outside the Government. Upon appropriate request, the Commission may make such information available to any department and to the Congress.

ASSISTANCE BY COMMISSION WITH RESPECT TO TRAINING PROGRAMS

Sec. 17. Upon request of any department, the Commission, to the extent of its facilities and personnel available for such purpose, shall provide advice and assistance in the establishment, operation, and maintenance of the programs and plans of such department for training under authority of this Act.

REPORTS

Sec. 18. (a) Each department annually shall prepare and submit to the Commission, at such times and in such form as the Commission shall prescribe, reports on the programs and plans of such department for the training of employees by, in, and through Government facilities and non-Government facilities under authority of this Act. Each such report shall contain—

(1) such information as the Commission deems appropriate with respect to the expenditures of such department in connection with such training,

(2) the name of each employee of such department (other than students participating in any cooperative educational program) who, during the period covered by the report, received training by, in, or through a non-Government facility for more than one hundred and twenty days; the grade, title, and primary duties of the position held by such employee; the name of the non-Government facility from which such training was received; the nature, length, and cost to the Government of such training; and the relationship of such training to official Government duties,

(3) the name of each employee of such department who, during the period covered by the report, received a contribution or award in the manner provided by section 19(a) of this Act,

(4) a statement of the department with respect to the value of such training to the department,

(5) estimates of the extent to which economies and improved operations have resulted from such training, and

(6) such other information as the department or the Commission deems appropriate.

(b) The Commission shall include in its annual report a statement, in such form as shall be determined by the Commission with the approval of the President, with respect to the training of em-

ployees of the Government under authority of this Act. Each such statement shall include—

(1) a summary of information with respect to the operation and results of the programs and plans of the departments,

(2) a summary of information received by the Commission from the departments in accordance with subsection (a) of this section, and

(3) such recommendations and other matters as the President or the Commission may deem appropriate or which may be required by the Congress.

(c) The Commission annually shall submit to the President for his approval and for transmittal to the Congress a report including the information received by the Commission from the departments under paragraphs (2) and (3) of subsection (a) of this section.

9. (a) To the extent authorized by regulation of the President, contributions and awards incident to training in non-Government facilities may be made to and accepted by employees, and payment of travel, subsistence, and other expenses incident to meetings may be made to and accepted by employees, without regard to the provisions of section 1914 of title 18 of the United States Code: *provided*, That such contributions, awards, and payments are made by an organization determined by the Secretary of the Treasury to be an organization described in section 501(c) (3) of the Internal Revenue Code of 1954⁴³ which is exempt from taxation under section 501(a) of such Code.

(b) Hereafter any appropriation available to any department for expenses of travel shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

(c) Whenever, under the authority of subsection (a), a contribution, award, or payment, in cash or in kind, is made to an employee for travel, subsistence, or other expenses, an appropriate reduction in accordance with regulations of the Director of the Bureau of the Budget shall be made from any payment by the Government to such employee for travel, subsistence, or other expenses incident to training in a non-Government facility or incident to attendance at a meeting.

(d) Nothing in this Act shall be construed to authorize the training of any employee by, in, or through any non-Government facility any substantial part of the activities of which is (1) the carrying on of propaganda, or otherwise attempting, to influence legislation or (2) the participation or intervention in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office.

43. 26 U.S.C.A. (I.R.C.1954) § 501.

(e) The functions, duties, and responsibilities of the Commission under this Act shall be exercised subject to supervision and control by the President and review by the Congress.

TRANSITION FROM EXISTING GOVERNMENT TRAINING PROGRAMS

Sec. 20. In order to facilitate the transition from existing Government training programs and notwithstanding any provision of this Act to the contrary or the repeal or amendment of any provision of law thereby, the education, instruction, and training, either within or outside the Government, of employees of any department, under any program in effect immediately prior to the date of enactment of this Act, may be initiated, continued, and completed until the expiration of the day immediately preceding (1) the day on which such department shall have placed in effect, in accordance with section 7 of this Act, a program or programs of training or (2) the first day following the date of expiration of the period of two hundred and seventy days following enactment of this Act specified in such section 7, whichever day first occurs. All such education, instruction, and training initiated or uncompleted prior to the day specified in clause (1) or the day specified in clause (2) of this section, whichever day first occurs, may be continued and completed under such program on and after such day.

REPEAL AND AMENDMENT OF EXISTING EMPLOYEE TRAINING LAWS

Sec. 21. (a) The respective provisions of law specified in subsections (b) and (c) of this section are each repealed or amended, as the case may be, as provided in such subsections, each such repeal and amendment to be effective (1) on and after the day on which the department listed with respect to such provision of law shall have placed in effect, in accordance with section 7 of this Act, a program or programs of training or (2) on and after the first day following the date of expiration of the period of two hundred and seventy days following enactment of this Act specified in such section 7, whichever day first occurs.

(b) The following provisions of law with respect to the following departments are repealed and amended, effective in the manner provided in subsection (a) of this section:

(1) Atomic Energy Commission: Paragraph n of section 161 of the Atomic Energy Act of 1954 (68 Stat. 950; 42 U.S.C. 2201(n))⁴⁴ is repealed. Paragraphs o, p, q, r, and s of such section 161 are redesignated as paragraphs n, o, p, q, and r, respectively, of such section.

(2) Central Intelligence Agency: Section 4 of the Central Intelligence Agency Act of 1949 (63 Stat. 208; 50 U.S.C. 403d)⁴⁵ is repealed. Sections 5, 6, 7, 8, 10, 11, and 12 of such Act are redesignated as sections 4, 5, 6, 7, 8, 9, and 10, respectively, of such Act.

(3) Civil Aeronautics Administration, Department of Commerce: Section 307(b) and (c) of the Civil Aeronautics Act

44. 42 U.S.C.A. § 2201(n).

45. 50 U.S.C.A. § 403d.

of 1938, as amended (64 Stat. 417; 49 U.S.C. 457(b) and (c)),⁴⁶ is repealed. Section 307(a) of such Act is amended by striking out "(a)".

(4) Federal Maritime Board and the Maritime Administration, Department of Commerce: The last sentence in section 201(e) of the Merchant Marine Act, 1936, as amended (53 Stat. 1182; 46 U.S.C. 1111(e)),⁴⁷ is repealed.

(5) National Advisory Committee for Aeronautics: The Act entitled "An Act to promote the national defense and to contribute to more effective aeronautical research by authorizing professional personnel of the National Advisory Committee for Aeronautics to attend accredited graduate schools for research and study", approved April 11, 1950, as amended (64 Stat. 43; 68 Stat. 78; 50 U.S.C. 160a-160f),⁴⁸ is repealed.

(6) Bureau of Public Roads, Department of Commerce: Section 16 of the Defense Highway Act of 1941 (55 Stat. 770; 23 U.S.C. 116)⁴⁹ is repealed.

(7) Veterans' Administration: Section 235 of the Veterans' Benefits Act of 1957 (71 Stat. 94; Public Law 85-56),⁵⁰ subsections (b) and (c) of section 1413 of the Veterans' Benefits Act of 1957 (71 Stat. 134 and 135; Public Law 85-56),⁵¹ and that part of the first sentence of paragraph 9 of part VII of Veterans Regulation Numbered 1(a) (57 Stat. 45; 38 U.S.C., ch. 12A)⁵² which follows the words "The Administrator shall have the power" and ends with a semicolon and the words "and also", are repealed.

(c) Section 803 of the Civil Aeronautics Act of 1938, as amended (60 Stat. 945; 49 U.S.C. 603),⁵³ is amended—

(1) by inserting "and" immediately following the semicolon at the end of clause (6) of such section,

(2) by striking out the semicolon at the end of clause (7) of such section, and

(3) by striking out "and (8) detail annually, within the limits of available appropriations made by Congress, members of the Weather Bureau personnel for training at Government expense, either at civilian institutions or otherwise, in advanced methods of meteorological science: *provided*, That no such member shall lose his individual status or seniority rating in the Bureau merely by reason of absence due to such training".

EXISTING RIGHTS AND OBLIGATIONS

Sec. 22. Nothing contained in this Act shall affect (1) any contract, agreement, or arrangement entered into by the Government, either prior to the date of enactment of this Act or under authority of section 20, for the education, instruction, or training of personnel of the Government, and (2) the respective rights and liabilities

46. 49 U.S.C.A. § 457(b), (c).
47. 46 U.S.C.A. § 1111(e).
48. 50 U.S.C.A. §§ 160a-160f.
49. 23 U.S.C.A. § 116.
50. 38 U.S.C.A. § 2235.

51. 38 U.S.C.A. § 3413(b), (c).
52. 38 U.S.C.A. Ch. 12A, Vet.Reg. No. 1(a), Pt. VII, par. 9.
53. 49 U.S.C.A. § 603.

(including seniority, status, pay, leave, and other rights of personnel of the Government) with respect to the Government in connection with any such education, instruction, and training or in connection with any such contract, agreement, or arrangement.

ABSORPTION OF COSTS WITHIN FUNDS AVAILABLE

Sec. 23. (a) The Director of the Bureau of the Budget is authorized and directed to provide by regulation for the absorption by the respective departments, from the respective applicable appropriations or funds available for the fiscal year in which this Act is enacted and for each succeeding fiscal year, to such extent as the Director deems practicable, of the costs of the training programs and plans provided for by this Act.

(b) Nothing contained in subsection (a) of this section shall be held or considered to require (1) the separation from the service of any individual by reduction in force or other personnel action or (2) the placing of any individual in a leave-without-pay status.

Approved July 7, 1958.

ALASKA—ADMISSION INTO UNION

See Legislative History, p. 2933

PUBLIC LAW 85-508; 72 STAT. 339

[H. R. 7999]

An Act to provide for the admission of the State of Alaska into the Union.

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

Subject to the provisions of this Act, and upon issuance of the proclamation required by section 8(c) of this Act, the State of Alaska is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Alaska entitled, "An Act to provide for the holding of a constitutional convention to prepare a constitution for the State of Alaska; to submit the constitution to the people for adoption or rejection; to prepare for the admission of Alaska as a State; to make an appropriation; and setting an effective date", approved March 19, 1955 (Chapter 46, Session Laws of Alaska, 1955), and adopted by a vote of the people of Alaska in the election held on April 24, 1956, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

Sec. 2. The State of Alaska shall consist of all the territory, together with the territorial waters appurtenant thereto, now included in the Territory of Alaska.

Sec. 3. The constitution of the State of Alaska shall always be republican in form and shall not be repugnant to the Constitution

GOVERNMENT EMPLOYEES TRAINING

afford to buyers a better basis on which to judge the values offered them.

This is the opinion of the Department of Commerce and has not as yet been approved by the Bureau of the Budget. In view of the time element involved, we are simply sending it for the information it contains which may be helpful to the committee.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

GOVERNMENT EMPLOYEES TRAINING ACT

For text of Act see p. 379

Senate Report No. 213, Apr. 8, 1957 [To accompany S. 385]

House Report No. 1951, June 24, 1958 [To accompany S. 385]

The House Report is set out.

THE Committee on Post Office and Civil Service, to whom was referred the bill (S. 385) to authorize the training of Federal employees at public or private facilities, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

PURPOSES OF AMENDMENTS

The purposes of the proposed amendment to the text of the bill are—

(1) to establish a clear and positive congressional policy for the promotion of efficiency and economy in all Government activities by providing for the training of Government employees to perform official duties more effectively;

(2) to provide guidelines, and designate the United States Civil Service Commission as the central point of responsibility and accountability, to insure that such congressional policy is carried out; and

(3) to require that expenditures for the training of employees are made from available funds, without additional appropriations, to the maximum practicable extent.

The purposes and effect of the proposed amendment to the text of the bill are discussed more fully in the section-by-section analysis of the bill, as reported by the committee.

The purpose of the proposed amendment to the title of the bill is to indicate more precisely the intent, scope, and coverage of the bill as reported.

Cost

The Director of the Bureau of the Budget informed the committee that estimated additional expenditures resulting from the enactment of the bill as reported will not exceed \$1 million annually, that so far as practicable such additional expenditures will be absorbed within available funds, and that savings to the Government derived from improved employee training

LEGISLATIVE HISTORY

authorized by the bill will be many times greater than the amount of such additional expenditures.

ADMINISTRATIVE RECOMMENDATIONS

The Bureau of the Budget, the Civil Service Commission, and the General Accounting Office have approved the bill as reported, have urged early enactment thereof, and are in full agreement that the bill will provide the means for substantial improvements in efficiency and economy in Government activities. The reported bill contains amendments proposed by the Bureau of the Budget relating to the overall supervision and control by the President of training activities, methods and types of intra-department training, contributions and awards by nonprofit institutions furnishing training, expenses of attendance at meetings, and several minor technical points.

STATEMENT

NEED FOR THIS LEGISLATION

The committee's proposal to provide for training of employees on a governmentwide basis is based solely upon considerations of strengthening and improving the performance of essential Government functions. The bill will provide an effective new management tool to accomplish this objective. Early approval of the legislation is imperative to the full implementation of current legislation under which a new Space Agency is to be established to assure American leadership in the development and production of devices needed for space exploration as well as of missiles and other modern defense materiel. This legislation constitutes an immediate and important step toward acceleration of the space and missile program by providing for advanced training of scientists, mathematicians, engineers, and technical personnel who will constitute a reservoir of qualified personnel which can be drawn on as needed in the new space program.

The committee recommendation, as contained in the reported bill, rests upon the axiom that better employee training means better employee performance, and better employee performance means more successful and productive Federal programs. The paramount consideration, of course, is strengthening the operation of essential Government programs. There is to be no inference, however, that in recommending improved training to accomplish this purpose the matter of cost is overlooked. Improved performance and productivity will result, in turn, in substantial savings to the taxpayers. Accordingly, the reported bill authorizes training programs to achieve the primary objective, coupled with appropriate safeguards and controls relating to the cost and the conduct of such programs.

The committee held complete hearings to supplement its studies of Government training needs extending over the past several years. Every witness at the hearings confirmed the findings, developed in the earlier committee studies, that there are serious deficiencies in the existing authorities to train Government personnel—deficiencies largely due to the lack of a comprehensive, governmentwide policy laid down by the Congress. The Government lags far behind private enterprise in the training of its employees. The United States is not developing and utilizing the full potential of personnel who bear the responsibility for the success of Government

GOVERNMENT EMPLOYEES TRAINING

programs. Experience in private industry demonstrates overwhelmingly the value of superior training of employees and the benefits that will accrue from dynamic training programs designed to meet the tremendous competitive pressures and demands which prevail in both private business and public affairs.

One of the most serious problems caused by the lack of a sound Government employee training program relates to the recruiting and retaining of scientific, engineering, professional, and technical skills for space research and development and for the national defense. Opportunity to continue and broaden knowledge and qualification not only is in the public interest but, also, constitutes one of the major objectives of scientific and professional personnel. Shortcomings in the Government's training policies have impeded progress by the Government in these endeavors by destroying one of the finest possible incentives for outstanding scientists and professional people to devote their careers to the public service. This delegation will remove this impediment, restore incentive, and bring a desirable measure of prestige to scientific and professional assignments under essential Government programs. This legislation will enable the Government to develop the full potential of present employees and will materially aid in the recruitment and retention of high-caliber personnel.

SCOPE OF REPORTED BILL

The broad general effect of the reported bill is (1) to provide for the training of Government employees both within and outside of the Government where such training is in the public interest, (2) to offer incentives which will facilitate the recruitment and retention of qualified employees, (3) to stimulate and encourage employee self-education and self-development directed toward a higher level of performance, (4) to provide a necessary measure to administrative authority and discretion for the conduct of effective training programs, (5) to establish a central point of responsibility and accountability (in the Civil Service Commission) for the promotion and coordination of effective training programs in accordance with this bill, and (6) to provide for appropriate supervision by the President and review by the Congress of all training activities.

Basic and general legislative authority is provided for interdepartment, intradepartment, and outservice training (that is, training in non-Government facilities) of Government employees when such training will promote efficiency, economy, and better service.

Government payment of the expenses of such training is authorized, with special controls on expenditures for outservice training.

This training authority is granted to all departments and agencies in the executive branch (with several necessary exceptions), the General Accounting Office, the Library of Congress, the Government Printing Office, and the District of Columbia government.

The President is authorized to exempt any department or agency (or any part thereof) or employees from any or all provisions of the bill where he deems such exemption appropriate, but he may not extend its coverage. This authority does not extend to the relieving of the Civil Service Commission of any function, responsibility, or duty imposed on the Commission by the bill other than its responsibility for the training of its own employees.

LEGISLATIVE HISTORY

Each department and agency is directed to (1) review its training needs within 90 days after enactment and at least every 3 years thereafter, (2) establish and maintain training programs to meet those needs, (3) operate these programs in accordance with law and regulations, (4) utilize its own resources, and other available Government resources, so far as practicable, and (5) encourage and recognize employee self-training and self-development.

General responsibility for coordinating training programs and assisting the departments and agencies is imposed on the Civil Service Commission, subject to supervision and control of the President and review by the Congress. The Commission is directed to (1) promote, coordinate, and assist in department and agency training programs; (2) issue necessary standards and regulations after consultation with the departments and agencies as to their needs; (3) review department and agency training programs and activities and report thereon to the President and the Congress; and (4) enforce compliance with the law, regulations, and standards governing outservice training. It should be noted that a number of matters to be covered by the Civil Service Commission regulations are spelled out in the bill.

The bill consolidates into one comprehensive law most of the special training authorities now in existence. It makes unnecessary, and will repeal, existing legislation which now authorizes eight agencies to provide outservice training of employees. (See section-by-section analysis, p. 17.) Also, it eliminates any need for yearly reenactment of outservice training authority presently granted five departments or agencies and the District of Columbia government through appropriation language. It will eliminate the need for additional special legislation now being sought by other departments and agencies. (See appendix.)

The reported bill does not apply to the Foreign Service in the Department of State or to members of the uniformed services, which are within the jurisdiction of other committees, or to the President, the Vice President, persons appointed by the President (unless specifically designated by him), the Tennessee Valley Authority, and certain corporations supervised by the Farm Credit Administration.

LIMITATIONS AND CONTROLS ON TRAINING ACTIVITIES

The bill provides an appropriate measure of legislative controls on outservice training, including provisions to the following effect:

1. Every trainee must agree, in advance, to remain with his agency for at least three times the length of his training period or repay the training costs;
2. An employee with less than 1 year of continuous service may not be assigned to outservice training;
3. An employee may not receive more than 1 year of outservice training per 10 years of total service;
4. Outservice training time by each department or agency may not exceed 1 percent of its authorized personnel strength;
5. Outservice training may not be authorized for the sole purpose of an individual obtaining an academic degree; and
6. No department or agency may authorize outservice training by an institution or individual advocating overthrow of our Government by force or violence or by an individual found to be of doubtful loyalty.

GOVERNMENT EMPLOYEES TRAINING

Particular attention is directed to certain additional limitations contained in this legislation. Paragraphs (2) and (3) of section 6(b) will permit the assignment of an employee to training outside of the Government only after the department head has determined that adequate training is not available within the Government. These provisions also prohibit such outside training for the purpose of filling a position by promotion if there is in the department an employee qualified to fill such position.

Section 15 requires the Civil Service Commission to conduct a continuous review of training activities to assure that such activities are in compliance with the law and regulations. If noncompliance is found, the Commission will certify to the department head its recommendations for corrective action. If, after allowing a reasonable time for placing such recommendations in effect, the Commission finds that noncompliance continues, it will report such noncompliance to the President for appropriate action.

Subsection (a) of section 18 requires each department to submit to the Civil Service Commission reports of its training activities, including names of employees receiving over 120 days' training a year and additional detailed information on such training. Subsection (b) requires the Commission to include in each of its annual reports a statement with respect to the training of employees under this legislation, including a summary of information relating to departmental training operations and such other matters as are appropriate. Subsection (c) requires the Commission annually to report the information submitted by the departments with respect to employees who have received more than 120 days of outservice training in a year.

In connection with such reporting provisions, it is the intent of the committee that the Civil Service Commission include in its reports to be transmitted to the Congress under this legislation information with respect to each employee who, in accordance with the requirements of section 11(a), before being assigned to outservice training agrees to render service to the Government for a specified time after completing such training or repay the cost of the training but who voluntarily fails or refuses to complete the agreed period of service.

Section 23 of the reported bill contains provisions for the absorption of costs of this training program within funds available to the departments and agencies. These are to have substantially the same effect as the provisions for absorption of costs contained in the recently enacted Federal Employees Salary Increase Act of 1958 (Public Law 85-462).

The foregoing are the major limitations and controls which will assure effective and economical training operations.

GENERAL

Section 19 of the reported bill contains provisions carrying out joint recommendations of the General Accounting Office, the Bureau of the Budget, and the Civil Service Commission with respect to contributions and awards incident to training in non-Government facilities and payments for travel and subsistence expenses incident to attendance at meetings which may be accepted by Government employees. To the extent authorized by Presidential regulations, such contributions and awards and such payments may be accepted from nonprofit educational and similar organizations which meet the standards specified for tax exemption of

LEGISLATIVE HISTORY

such organizations in section 501 (c) (3) of the Internal Revenue Code of 1954. Regular travel expense appropriations are made available for travel and subsistence expenses of authorized attendance of employees at meetings concerned with the functions for which the appropriations are made. (Sec. 10 of the bill contains provisions to the same effect with respect to travel and subsistence expenses of an employee who receives outside training.) To the extent that travel, subsistence, and other expenses of an employee incident to outservice training or attendance at a meeting are covered by any contribution, award, or payment made by other than the Government, appropriated funds may not be used to pay such costs. This section also provides that the bill does not authorize any employee to be trained by any facility or organization which has as a substantial part of its activities the carrying on of propaganda, or otherwise attempting, to influence legislation or the participation or intervention in any political campaign. The reports submitted under the reporting provisions of the bill must include information on an annual basis with respect to contributions, awards, and payments accepted under section 19 of the bill.

EXPENDITURES FOR TRAINING ACTIVITIES

The committee thoroughly investigated the matter of additional expenditures which might result from approval of this legislation. The committee emphasizes that enactment of this legislation will not result in the creation of any new board, commission, bureau, or similar authority to carry out its provisions and that the central point of responsibility and accountability shall be the Civil Service Commission—subject to the usual supervision and control by the Chief Executive and review by the Congress.

The committee obtained a commitment from the Director of the Bureau of the Budget and from the witnesses for the Civil Service Commission that the training programs authorized by this legislation will be established and maintained within the limits of regular appropriations or other available funds, to the maximum practicable extent, and that the assignment of additional personnel for this purpose would be kept at a minimum. The following is a pertinent excerpt from the hearings:

MR. HEMPHILL. Thank you, Mr. Stans.

* * * Did I understand your testimony to be that you think the cost would be absorbed without additional appropriations?

MR. STANS. I think the costs should be absorbed without additional appropriations.

I recognize that there is always a time lapse between training somebody and getting the benefits of the training, but in most of the organizations the amounts involved in the first year's training should be so small relatively that they should be absorbed.

I would not propose that there be any separate appropriations or additional funds for the purpose of this program.

MR. HEMPHILL. In other words, if we pass legislation of this nature it would not be your recommendation—and certainly would not be with your approval—that any agency or the Civil Service Commission go to the Appropriations Committee for additional funds next year or in succeeding years?

MR. STANS. That is my point of view; yes, sir.

LEGISLATIVE HISTORY

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MR. STANS. That is my point of view; yes, sir.

GOVERNMENT EMPLOYEES TRAINING

It was stated, for example, that the Civil Service Commission anticipated the assignment of its functions and responsibilities to an existing organizational unit with the addition of only two employees. These and similar commitments, together with the carefully worked out limitations, controls, and guidelines in the reported bill, amply guarantee that there will be comparatively little additional direct cost to the Government and that the improved training resulting from this legislation will bring savings to the Government many times greater than any such cost.

The Director of the Bureau of the Budget also indicated that, as a general policy, the Bureau will not approve any new budget request for training authority to be included in appropriation acts in any year after the year in which this bill is enacted. This is in accordance with the purpose and intent of the bill and the policy of the committee.

The matter of cost was given primary consideration throughout the committee deliberations in recognition of the importance of preventing in advance any mushrooming of costs or expansion of payrolls whenever approving a new program—a matter in which the Congress always is directly concerned.

REPORTS OF EXECUTIVE AGENCIES

Reports submitted by several departments and agencies with respect to training legislation follow:

Subsequent to receipt of the following reports, the Director of the Bureau of the Budget and representatives of the United States Civil Service Commission and the General Accounting Office approved the reported bill.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 14, 1957.

Hon. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

MY DEAR MR. CHAIRMAN: This is in response to your requests for the views of the Bureau of the Budget on H.R. 1989 and H.R. 6001. The basic purpose of both of these bills is to increase efficiency and economy in the Federal Government by providing needed authority for employee training programs.

The Bureau of the Budget believes that general legislation authorizing intra-agency, interagency, and outservice training would contribute substantially to improved efficiency in governmental operations. Those departments and agencies having this type of authority in appropriation or other acts report such results. Other agencies have reported a need for such authority in their efforts to obtain more effective and efficient operations. However, we do not believe that the limitations which would be placed on such a general training authority by H.R. 1989 or H.R. 6001, or the detailed Civil Service Commission control of agency training plans or activities which would be provided in those measures, would be desirable.

The President should be fully accountable for the general management of the executive branch of the Government. Each department head, in turn, must be fully responsible to the President for the proper management of his agency. In connection with training, as well as in other areas of general management, issuance of regulations by an independent agency under direct authority from the Congress would mean that the President's and the department heads' general management accountability would be limited.

LEGISLATIVE HISTORY

We do believe that agency training activities should be subject to detailed restrictions incorporated in authorizing legislation or to detailed control or restrictions in rules issued by the Civil Service Commission. Decisions as to the general needs of an agency for specialized training, and such decisions with respect to any individual employee, are a function of agency management. Such decisions should be made in accordance with guides and limitations established by the President in the normal process of Presidential staff work.

You have also requested the views of the Bureau of the Budget with regard to S. 385, also presently under consideration by your committee. S. 385 would provide the needed basic training authorization in the manner we consider most appropriate. It would place in the President executive responsibility for employee training. Regulations for administration of the act would be issued under authority of the President. The President would report annually to Congress on operations under authority of the act. S. 385, with certain perfecting amendments recommended by the Civil Service Commission in its report on that measure, would provide appropriate executive branch employee training authority. We recommend enactment of that measure.

Enactment of either H.R. 1989 or H.R. 6001 would not be in accord with the program of the President.

Sincerely yours,

PERCIVAL BRUNDAGE, *Director.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 14, 1957.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Bureau of the Budget with respect to S. 385, a bill to authorize the training of Federal employees at public or private facilities, and for other purposes.

The Bureau of the Budget believes that general legislation enabling the President to authorize the heads of Federal agencies to provide employee training is urgently needed. It would contribute substantially to improved efficiency in governmental operations. Agencies having such authority in appropriation or other acts report such results. Other agencies report an urgent need for such authority to obtain more effective and efficient operations.

Responsibility for training employees is an essential part of management's responsibility for carrying out the functions of an agency as effectively as it can. Those who are responsible for the successful accomplishment of the work of an agency are naturally also responsible for maintaining the effectiveness of the personnel who do the work, and for the development of the competence needed for the successful accomplishment of the agency's functions. Within the limits of suitable, established policy, management should be authorized to provide whatever training is needed to achieve agency objectives.

S. 385 would provide the needed basic training authorization in the manner we consider most appropriate. The President could authorize agency heads to provide employee training in accordance with such guides or limitations as he might prescribe. Decisions as to the particular training needs of the agency, or of individual employees, would be made by agency management in accordance with those policies.

We strongly support enactment of S. 385 with the perfecting amendments recommended by the Civil Service Commission in its report to your committee on the measure. We are authorized to inform you that en-

GOVERNMENT EMPLOYEES TRAINING

actment of S. 385, amended in that manner, would be in accord with the program of the President.

Sincerely yours,

PERCIVAL BRUNDAGE, *Director.*

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., August 14, 1957.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives, United States Congress.*

DEAR MR. MURRAY: This letter is in further reply to your requests for our comments on S. 385 (Johnston and Neuberger), H.R. 6001 (Rees), and H.R. 1989 (St. George), all of which are employee training bills.

Each of these bills would authorize training of Federal employees within their own agencies, in other Government agencies, and in non-Federal facilities when justified by agency program needs. Each would consolidate into one basic, enabling act many of the 20 separate existing training laws—each one different from all the others. Each would eliminate the need for additional training laws, and each would make possible more effective surveillance of outside training. Each provides for reports to the President and the Congress. All are designed to achieve the same basic objective: strengthening employee training programs in order to build a better public service. There are, however, these major differences:

(1) H.R. 6001 and 1989 authorize heads of departments and agencies, subject to Civil Service Commission regulations, to establish, operate, and maintain programs and plans for training their employees in governmental and nongovernmental facilities. S. 385 authorizes them to train their employees in governmental facilities and enables the President, subject to such regulations as he may prescribe, to authorize them to obtain training for their employees in nongovernmental facilities.

(2) H.R. 6001 and 1989 write specific controls into law; S. 385 would leave most of these controls to Presidential regulations.

(3) H.R. 1989 provides for advance Commission approval of agency training plans, including plans for in-service training. Advance approval is not generally required by the other two bills.

We believe that S. 385, an administration measure already passed with amendments by the Senate, is preferable to the others from the standpoint of both principle and practice. It would accomplish the desired objectives with a minimum of delay, paperwork, and expense. It has much greater flexibility and simplicity, and we believe that it would provide all the safeguards necessary to protect the Government's interests. If it is passed, as we strongly recommend that it be, we suggest that the following changes be made in it:

(1) Substitute "involuntarily" for "voluntarily" in lines 2 and 3, page 4. We believe that the present language is the result of a printing error, as we understood that the intent was to waive reimbursement of training expenses in the case of trainees involuntarily separated.

(2) Add, immediately after the word "amended" on line 3, page 3, the following: "Provided, That the term 'employee' shall include commissioned officers of the Coast and Geodetic Survey."

The purpose of this suggested addition is to provide authority which may not otherwise be available for the training of commissioned officers of the Coast and Geodetic Survey, Department of Commerce. We are informing the Committee on Interstate and Foreign Commerce, in a separate report on H.R. 6247, that we believe training authority for the Department of Commerce, including Coast and Geodetic Survey officers, is needed but that we much prefer general legislation. This suggested

LEGISLATIVE HISTORY

amendment will, if S. 385 passes, remove the need for special legislation such as that proposed in H.R. 6247.

(3) Revise the reporting requirement, section 10, page 6, to read: "The head of each agency which provides training in non-Federal facilities for any of its employees shall report annually to the Congress the number of employees receiving such training during the period covered by the report and the nature, length, and cost of such training."

The effect of this suggested revision would be to eliminate necessity for reporting the names of individual trainees and, for each, the length of his total Government service; the grade, title, and primary functions of his position; the length of his service in that particular position; the relationship of the training to that position; and the name of the training facility. Each of the military departments trains several thousand employees a year in short (3 days to 2 weeks) technical courses, and reporting of all such specific, individualized information as now called for by S. 385 would, we believe, be unjustifiably burdensome and expensive.

It would also be possible, since the bill as now worded specifically authorizes inservice training, to repeal the whole of the existing authority for training of Veterans' Administration employees other than those of the Department of Medicine and Surgery. This could be accomplished by rewording section 9(f), pages 5 and 6, as shown in the enclosed copy of the bill on which all the suggested changes have been typed in for ease of reference.

The many detailed controls which H.R. 6001 and H.R. 1989 write into law would inevitably complicate operations and make administration of training more cumbersome than it need be. While we appreciate that these controls are intended to safeguard the Government's interests, we believe that they are far more complicated than required to accomplish that objective. The bills' length, their specificity, and their many cross-references and exceptions make it difficult to determine accurately and surely what they do and do not authorize, and under what conditions. It would not be possible to administer training with the ease, economy, and effectiveness possible under broader general legislation. For these reasons, we do not favor their enactment.

We hope very much that the Congress will take early and favorable action on employee training legislation. Our need for such legislation is very great, and the lack of general authority is forcing more and more agencies to seek special authority, thus aggravating already existing inconsistencies and inequities.

We are advised that the Budget Bureau has no objection to the submission of this report.

By direction of the Commission.

Sincerely yours,

HARRIS ELLSWORTH, *Chairman.*

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, May 2, 1957.

Mr. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

DEAR MR. CHAIRMAN: Your letters of April 17, 1957, acknowledged April 18, request our report on S. 385 and H.R. 6001, respectively, both of which would authorize the training of Federal civilian employees at public or private facilities.

We concur in the general objectives of the two bills. Statutory authorization for civilian employee training is considered desirable for two reasons. In the first place, it would provide a statutory basis for the furnishing of needed training to civilian employees of the Government; secondly, it would establish standards and conditions under which the

GOVERNMENT EMPLOYEES TRAINING

Congress approves of civilian employee training at Government expense. This is particularly important, where the training is furnished by or through private facilities.

In general, we prefer the language of H.R. 6001 to that of S. 385 since the House bill sets forth in greater detail the intention of Congress concerning the conditions and limitations under which training at Government expense would be authorized. The remainder of our comments, therefore, will be limited to a discussion of H.R. 6001.

We are somewhat concerned over the extent to which the Civil Service Commission might regulate in connection with wholly intradepartmental training programs. While we agree that the Commission should have general regulatory authority concerning the act, in our opinion it should be precluded from regulating with respect to the type, character, and details of wholly intradepartmental training. It is our view that each department is best able to determine its particular training needs, and, insofar as wholly intradepartmental training programs are concerned, is best able to determine how they should be conducted. We apprehend that placing on the Civil Service Commission the duty to prescribe or control the type or character of intradepartmental training programs, or to regulate the details of such programs, likely would create difficulties and delays in achieving the objectives of the bill. Accordingly, we suggest that consideration be given to amending section 6 by inclusion of additional language along the following lines: "Nothing contained in this section shall be construed to authorize the Civil Service Commission to prescribe the types and methods of intradepartmental training—other than to issue general rules requiring that the training be in fields reasonably associated with the work of the department—or to regulate the details of intradepartmental training programs. In these respects the Commission shall serve in an advisory capacity only."

In section 10, line 23, page 14, we recommend insertion of the words "and matriculation fees" immediately following the word "tuition." If this recommendation is adopted, an appropriate relettering of the expenses and costs enumerated in this section must be made.

Our decisions have held that the provisions in title 18, United States Code, section 1914, preclude the supplementing of an employee's compensation by contributions from private sources and that such restriction applies to amounts which might be payable under training grants offered by foundations or other private sources. (See 35 Comp. Gen. 639; 36 id. 155.) In accordance with an informal request from the staff of the Senate Committee on Post Office and Civil Service for language which might exempt training grant contributions from the code restriction, we suggested the language presently appearing in section 8 of S. 385. Since title 18, United States Code, section 1914, is fundamentally a criminal statute and of interest primarily to the Department of Justice, we offer no recommendation as to the desirability of creating an exception in the case of training grants. We assume the Department of Justice would have some comment on this phase of the bill. However, should your committee desire to include such an exception in H.R. 6001, we consider that the language appearing in section 8 of S. 385 is sufficient to accomplish such purpose.

It occurs to us also that, in the event your committee may wish to include such an exception, you also might desire to impose some type of limitation on the amount an employee may receive concurrently from both the employing agency and private sources. For instance, it may be that you would wish to preclude an employee who is receiving a private grant for travel in an amount in excess of the maximum amount legally authorized to be paid by the employing agency for that purpose from receiving any travel reimbursement whatsoever from the employing agency. If such is the case, language in section 8 of S. 385 might be supplemented to read as follows and inserted in H.R. 6001: "To the extent authorized by regulations of the President under the authority of this act, contributions may be made by private sources and accepted by

LEGISLATIVE HISTORY

employees receiving training in non-Federal facilities without regard to the provisions of section 1914 of title 18 of the United States Code. The amounts payable by any department to an employee for any particular purpose incident to his receiving training in or through private facilities shall be reduced by the amount such employee receives from private sources under the authority of this section for the same purpose."

This language would permit an employee receiving training in or through a private facility to accept contributions from private sources with no monetary limitation upon the amount he could receive from such sources. The limitation in the language quoted would apply solely to amounts payable by the Government in cases where an employee receives a contribution from a private source. The words "for the same purpose" have been included in the suggested language to prevent the reduction of an employee's salary on account of contributions received for another purpose—traveling expenses, for instance.

Section 107 of the Independent Offices Appropriation Act, 1957 (70 Stat. 352), imposes a limitation on the number of employees that may be engaged in personnel work. It further specifies that employees who spend one-half or more of their time in personnel administration consisting of "training" must be included in this limitation. It may be that the limitation should be made less restrictive since enactment of general training legislation may require additional training personnel in the individual agencies.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE,
Washington, D. C., September 11, 1957.

HON. TOM MURRAY,
*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request for comments on H.R. 6001, 85th Congress, a bill to increase efficiency and economy in the Government by providing for training programs for civilian officers and employees of the Government with respect to the performance of official duties.

The Department of Defense is in full agreement with the basic objectives of H.R. 6001. The Department of Defense for many years, under appropriation act authority, has conducted the training in government and nongovernment facilities that would be authorized by H.R. 6001. The present authority for such training in the Department of Defense is contained in section 603 of title VI, Public Law 639, 84th Congress.

The Department recognizes the value of extending the authority now existent in the Department of Defense to other Federal agencies which do not currently have authority to conduct training at nongovernmental facilities. This type of training has proven to be extremely useful to the Department of Defense in economically meeting its needs for a wide range of skills.

While the objective of H.R. 6001 in recognizing the desirability of training Federal employees is sound, it is not considered necessary or desirable to enact into law the very detailed regulations contained in H.R. 6001. It is believed that such regulations as are necessary to govern the use of training should be issued administratively by the President. When changes or adjustments are found to be needed in such regulations, they can be made promptly by administrative action rather than by the more difficult process of legislative enactment.

In addition, in the administration of current widespread governmental training activities, questions of interpretation are bound to arise concerning the many detailed provisions of H.R. 6001. There is danger that

GOVERNMENT EMPLOYEES TRAINING

overlegalistic interpretations of these provisions will build up over the years to impede department heads in carrying out their existing fundamental responsibility for the training of their own employees. Examples of some of the provisions of H.R. 6001 which might become the subject of rigid interpretations are sections 6(b) (2) and 6(b) (3). These sections provide for determination as to whether "adequate training for such employees by, in, or through a government facility is not reasonably available * * *" and for determination as to whether "another employee of equal ability and suitability who is fully qualified to fill such position is available at, or within a reasonable distance from, the place or places where the duties of such position are to be performed." Decisions on these matters currently are made as a regular administrative procedure, but the danger in placing detailed provisions of this type in law is that they will become the subject of a series of legal determinations within the Department, within the Civil Service Commission, and possibly by the Comptroller General and the courts.

Another example occurs in section 6(a). This section states that—"The Commission, after consideration of the needs and requirements of each department for training of its employees and after consultation with those departments principally concerned, shall prescribe regulations containing the principles, standards, and related requirements for the programs, and plans thereunder, for the training of employees of such department under authority of this Act * * *." [Emphasis added.]

This language appears to mean that the Civil Service Commission would issue regulations on training for each department individually. It is believed that this is not a proper role for the Commission. Such government wide regulations as are issued should contain general standards and the detailed implementation of these standards should be the responsibility of each department head.

Section 12(a) (3) would preclude programs of cooperative education as would lines 9-12 of section 13. These programs of alternating work and school assignments are currently of great value to the Department as a source of recruiting engineering and scientific talent. Under these programs, employee-students alternate periods of work and school leading to a degree. During the work periods the employee-students perform valuable subprofessional work in many shortage engineering and science occupations. After graduation, these cooperative students provide a valuable source to meet the Department's growing shortage of engineers and scientists.

In summary, while the Department of Defense endorses the basic objectives of H.R. 6001, it is believed that these objectives can be best obtained without the disadvantages that result from placing detailed administrative regulations in law.

It is considered that these objectives can be accomplished by substituting S. 385, 85th Congress, which has passed the Senate and is pending in your committee, for H.R. 6001 and by making two changes in S. 385, as follows:

1. Revise the reporting requirement in section 10 of S. 385 to provide for the reporting of the nature and total amount of training conducted in non-Federal facilities, rather than the reporting of individual cases. Based on fiscal year 1956 figures, expensive and voluminous annual descriptive reporting of the individual training arrangements made for each of over 21,000 employees in the Department of Defense would be necessary under section 10 of S. 385. In addition, this requirement would in a number of instances involve revelation of highly classified duties. Section 10 alone would involve a reporting expense for minor training activities of but a few days duration, or even for 1 day.

2. Change section 6 on the period of obligated service specified in the bill by adding after the word "including" on line 1, page 4, the phrase "as a minimum." This change would provide needed flexibility in establishing requirements for obligated service. It also is believed that the word "voluntarily" on line 2, page 4, is intended to be "involun-

LEGISLATIVE HISTORY

tarily" since it is the employee who leaves of his own volition who should be liable for the expenses incurred in his training.

It is also noted that section 8 of S. 385 contains a very desirable provision not contained in H.R. 6001, in that it would permit Federal employees to participate in fellowships and similar programs sponsored by private sources.

Accordingly, the Department of Defense recommends that S. 385, with the modifications suggested above, be enacted in lieu of H.R. 6001.

The Bureau of the Budget has advised that there is no objection to the submission of this report to the Congress and that enactment of H.R. 6001 would not be in accord with the program of the President.

Sincerely yours,

ROBERT DECHERT.

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., September 11, 1957.

Hon. TOM MURRAY,

*Chairman, Committee on Post Office and Civil Service,
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request for a report on H.R. 1989, a bill to provide for programs of inservice and out-service training for Government employees.

The Post Office Department has had training programs in effect for a number of years. Provision therefor is contained in the annual appropriation acts for the Post Office Department. Section 202 of the current appropriation act (Public Law 467, approved April 2, 1956; 70 Stat. 97) provides as follows:

"Sec. 202. During the current fiscal year, and under such regulations as may be prescribed by the Postmaster General, not to exceed an aggregate of \$100,000 shall be available from any funds available to the Post Office Department, as may be determined by him, for expenses necessary to enable the Department to participate in Federal or non-Federal training programs and for necessary expenses of training officers and employees (both departmental and field postal services) in such subjects or courses of instruction in either Federal or non-Federal facilities as will contribute to the improved performance of their official duties: *Provided*, That not more than forty-five of such officers and employees may participate in any training program in a non-Federal facility which is of more than ninety days duration."

A similar provision is contained in H.R. 4897 as passed by Congress on May 13, 1957.

Subject to departmental policy the administration of the training program has been decentralized to the regional management offices. Competent training staffs are located in the regional organizations. Training at the installation level is coordinated by the regions which, in turn, report functionally to the Department. Determination of needs, scope, and conduct of programs; the selection and assignment for training and utilization of employees who have undergone training; and the evaluation of results are all basic considerations which this Department has met in the development of its program. The program is consistent with the philosophy of administration currently practiced in the postal establishment—that of maximum decentralization of authority to operate.

The Post Office Department is opposed to H.R. 1989.

The legislation would superimpose unnecessary controls, established by the Civil Service Commission, on the training program of the postal service. Administrative authority properly vested in the Postmaster General to maintain a full, competent work force would be subject to the approval of an outside agency. The administrative requirements made mandatory by this legislation would increase the costs without a corresponding increase in training effectiveness.

GOVERNMENT EMPLOYEES TRAINING

The Post Office Department should be specifically exempted from enactment of any legislation of this nature.

It is estimated that the cost to the Department, resulting from the enactment of H.R. 1989, would be about \$420,000 for the first year and that this cost would reach a level of \$500,000 thereafter.

The Bureau of the Budget has advised that there would be no objection to the submission of this report to the committee.

Sincerely yours,

MAURICE H. STANS,
Acting Postmaster General.

SECTION-BY-SECTION ANALYSIS OF REPORTED BILL SHORT TITLE

Section 1 provides that the proposed law will have a short title—the "Government Employees Training Act."

DECLARATION OF POLICY

Section 2 sets forth four major elements of congressional policy on training matters as a guide for operations under the proposed law:

Training of Government civilian employees.—In section 2(1) it is declared to be the policy of the Congress that employee self-improvement efforts shall be supplemented by Government-sponsored training in the performance of official duties and in the development of skills, knowledge, and abilities which will qualify employees to perform official duties.

Control by the President and review by the Congress.—In section 2(2) it is declared to be the policy of the Congress that departmental training programs shall be continuous in peacetime and expansible in national emergencies and, at all times, shall be subject to supervision and control by the President and review by the Congress.

Promotion of economy and efficiency.—In section 2(3) it is declared to be the policy of the Congress that such training programs shall be designed to result in certain specified attainments, for example, improved public service, dollar savings, and fair and equitable treatment of Government employees.

Authority of Civil Service Commission subject to supervision and control by the President.—Paragraph (4) of section 2 provides that it is the policy of the Congress that the United States Civil Service Commission shall be responsible and have authority, subject to supervision and control by the President, for the effective promotion and coordination of training programs of the departments and of training operations under such programs.

In connection with paragraph (4) of section 2, mention should be made of the following:

First, section 19(e) of the bill provides that the functions, duties, and responsibilities assigned to the Commission by the bill shall be exercised subject to supervision and control by the President and review by the Congress.

Second, section 4(b) of the bill provides, in effect, that the President may not transfer to another department or agency those functions, duties, and responsibilities, with respect to the overall promotion and coordination of training programs and operations, which are placed upon the Commission by the bill nor may he remove such functions, duties, or responsibilities from the Commission.

LEGISLATIVE HISTORY

In this bill, the Congress, in effect, has authorized the United States Civil Service Commission to perform, without prior approval of the President, the tasks assigned to the Commission by this bill, such as the issuance of regulations, the publication of standards, the review of departmental and agency programs, and the certification of noncompliance by departments and agencies. At the same time, the bill retains in the President his traditional authority and responsibility with respect to the Civil Service Commission and other departments and agencies covered by the bill by providing specifically that training matters both in the Commission and in other departments and agencies covered by this bill shall be subject to supervision and control by the President.

DEFINITIONS

Section 3 contains definitions of certain terms for purposes of the bill.

Section 3(1) defines "Government" as the Government of the United States and the municipal government of the District of Columbia.

Section 3(2) defines "department" (subject to the exceptions listed in sec. 4) as each department, independent establishment, and agency in the executive branch of the Government, each Government-owned or controlled corporation subject to title I or title II of the Government Corporation Control Act, the General Accounting Office, the Library of Congress, the Government Printing Office, and the municipal government of the District of Columbia.

It may be noted that the terms "Government" and "department" each are defined specifically to include the municipal government of the District of Columbia in recognition of the fact that, in the operation of the provisions of the bill, the municipal government of the District of Columbia will be a "Government" for some purposes and a "department" for other purposes.

Section 3(3) defines "employee" as any civilian officer or employee in or under a department (subject to the exceptions contained in sec. 4), including officers of the Coast and Geodetic Survey in the Department of Commerce.

Section 3(4) defines "Commission" as the United States Civil Service Commission.

Section 3(5) defines "training," in effect, as the process of providing for and making available to an employee, and placing or enrolling him in, a planned, prepared, and coordinated program or similar routine of instruction or education in fields which are or will be directly related to the performance by the employee of official duties for the Government in order to improve the caliber of his performance of those duties.

Section 3(6) defines "Government facility" as any property owned or substantially controlled by the Government as well as the services of personnel of the Government, both civilian and military.

Section 3(7) defines "nongovernment facility" as the following:

(1) The Government of any State, Territory, or possession of the United States, the government of the Commonwealth of Puerto Rico, and any interstate governmental organization, or any unit, subdivision, or instrumentality of any of the foregoing;

(2) Any foreign government or international organization, or instrumentality of either, designated by the President as eligible to provide training under this bill;

GOVERNMENT EMPLOYEES TRAINING

(3) Any medical, scientific, technical, educational, research, or professional institution, foundation, agency, or organization;

(4) Any business, commercial, or industrial firm, corporation, partnership, proprietorship, or any other organization; and

(5) Any individual not a civilian or military officer or employee of the United States Government or of the municipal government of the District of Columbia.

In addition, section 3(7) provides that, for the purposes of furnishing training by, in, or through any of the above-listed facilities, the term "non-Government facility" also shall include the services and property of any such facilities furnishing such training.

EXCLUSIONS

Section 4 relates to exclusion of departments and employees from any or all of the provisions of the bill.

Section 4(a) excludes specifically from the bill the following:

(1) The President of the United States;

(2) The Vice President of the United States;

(3) The Foreign Service of the United States under the Department of State;

(4) Any corporation under the supervision of the Farm Credit Administration, of which corporation any member of the board of directors is elected or appointed by private interests;

(5) The Tennessee Valley Authority;

(6) Any individual appointed by the President, by and with the advice and consent of the Senate or by the President alone, unless the President specifically designates such individual for training under the bill; and

(7) Any individual (except an officer of the Coast and Geodetic Survey in the Department of Commerce) who is a member of the uniformed services as defined in section 102(a) of the Career Compensation Act of 1949, as amended (that is, any member of the Armed Forces of the United States), during any period in which he is receiving compensation under title II of such act.

Section 4(b) (1) authorizes the President to exclude, in the public interest, any department or part of a department (including the Civil Service Commission), or any employee or employees (either individually or by groups or classes), from any or all of the provisions of the bill except section 21 (relating to the repeal and amendment of existing employee training laws), section 22 (relating to existing rights and obligations), and section 4 itself.

Section 4(b) (2) is a specific provision to the effect that the President is authorized again to place any department or part thereof (including the Civil Service Commission), or employee or employees, so excepted, under the provisions of the bill.

In addition, section 4(b) contains a provision which clarifies the nature, extent, and operation of this authority of the President by providing that section 4(b) does not authorize the exception of the Civil Service Commission from the functions, duties, and responsibilities imposed upon the Commission by the bill for the promotion of training in other departments and for the coordination of training programs, plans, and operations in such departments.