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CONGRESSIONAL RECORD — SENATE

September 9

Mr. JOHNSTON of South Carolina. Mr. President, the Civil Service Retirement Act extends coverage to U.S. Commissioners whose fees total \$3,000 in each of 3 consecutive years.

Prior to July 1, 1945, the Government was on a 6-day week. U.S. Commissioners who have no fixed hours or days of duty were required to work 313 days to obtain 1 year of credit for retirement purposes—365 days minus 52 Sundays equals 313.

H.R. 163 provides that since July 1, 1945 U.S. Commissioners will receive credit at the rate of 1 year for each 260 days of service—52 weeks times 5 days each equals 260.

The effect of this change in law is to place the few U.S. Commissioners who qualify for credit on essentially the same basis as other Federal employees who since 1945 have been on a basic 5-day week or a 260-day year.

ABSENCE FROM DUTY BY CIVILIAN OFFICERS AND EMPLOYEES ON CERTAIN DAYS

The bill (H.R. 5752) to provide for absence from duty by civilian officers and employees of the Government on certain days, and for other purposes, was announced as next in order.

Mr. PROUTY. Mr. President, I wonder if we may have an explanation of the bill by the distinguished Senator from South Carolina [Mr. JOHNSTON].

Mr. JOHNSTON of South Carolina. Mr. President, this legislation does not establish any new or additional legal holidays. It does not give any Federal employee any right, privilege, or benefit not clearly intended under existing law. It will cause no interference or delay in the operations or services of any Government department or agency. The bill merely closes a gap in the law which has continued largely due to oversight and has been brought to special attention because, under existing law, hundreds of thousands of Federal employees would have received, except for a Presidential executive order, only 6 days off to observe legal holidays in 1959 instead of the eight legal holidays which they had a right to expect and which many other Federal workers received because of variations in their workweeks and without the Presidential executive order. Similar loss of holiday time off will recur in later years from time to time, by reason of the calendar days on which certain holidays happen to fall in such years. In short, the loss of holidays may be said to be due to accident of the calendar which was not taken into consideration when the Congress laid down the policy of eight legal holidays each year for Federal employees.

This legislation is recommended by the committee with full recognition that certain essential Government services must be provided for the workdays on which employees will be excused to observe legal holidays. Service to business and the public by the postal establishment, for instance, must be maintained, not only as a matter of public convenience and necessity but, also, to prevent the disruption of orderly and expeditious movement of the mails and overloading

of storage facilities which would result were post offices and other facilities to be closed down on such days. These and similar necessary Government functions will not be interrupted as a result of this legislation. Management, of course, will take all possible measures to provide adequate service at a minimum cost through appropriate assignment of employees, the granting of compensatory time off where suitable, and careful planning of work schedules.

Mr. PROUTY. In other words, this measure would place in the law what the President already has authority to do?

Mr. JOHNSTON of South Carolina. Yes. He did it this year. There will not be another such instance for about 2 years.

Mr. PROUTY. I have no objection.

The PRESIDING OFFICER. Is there objection to present consideration of House bill 5752?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

INCREASE IN LIMITATION ON BASIC COMPENSATION OF CIVILIAN KEEPERS OF LIGHTHOUSES

The bill (H.R. 2245) to amend subsection 432(g) of title 14, United States Code, to increase the limitation on basic compensation of civilian keepers of lighthouses was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2612) to amend the Small Business Act was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 8599) to amend the Small Business Act, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2611) to amend the Small Business Investment Act of 1958, and for other purposes, was announced as next in order.

Mr. KEATING. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

APPLICATION OF MERCHANT MARINE ACT OF 1936 TO CERTAIN FUNCTIONS RELATING TO FISHING VESSELS

The bill (S. 2481) to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to permit the efficient execution of functions relating to the issuance of Federal ship mortgage insurance on fishing vessels, pursuant to the Merchant Marine Act of June 29, 1936, as amended (49 Stat. 1985; 46 U.S.C., 1952

edition, sec. 1271 and the following), which functions relating to fishing vessels have been transferred to the Secretary of the Interior pursuant to the Fish and Wildlife Act of 1956, the Secretary of the Interior hereafter may exercise authority comparable to the authority of the Secretary of Commerce under the said Merchant Marine Act of 1936, including, but not limited to, the authority contained in the amendment to such Act of July 15, 1958 (72 Stat. 358).

Mr. LAUSCHE subsequently said: Mr. President, I ask unanimous consent that the Senate return to a discussion of Calendar No. 852, S. 2481.

The PRESIDING OFFICER. Without objection, the Senate will return to the consideration of Calendar No. 852, S. 2481.

Mr. LAUSCHE. Mr. President, is this the bill in which it is intended to give to the fishing industry subsidies provided by the Merchant Marine Act?

Mr. ENGLE. Mr. President, that is not the purpose of this bill. Another bill on the calendar has that purpose, and that bill was passed over.

Mr. LAUSCHE. I thank the Senator from California.

Mr. KEATING. Mr. President, I suggest, since the Senate has returned to the consideration of Calendar No. 852, S. 2481, that I did not object to its consideration. But I do have a request from the Senator that it go over for the purpose of being taken up on motion, on the ground that it is not calendar business. So I ask unanimous consent that the vote by which the bill was passed be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be placed on the calendar.

BILLS PASSED OVER

The bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works and for other purposes, was announced as next in order.

Mr. KEATING. Over, not Consent Calendar business.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 155) to amend the Federal Property and Administrative Service Act of 1949, so as to permit donations of surplus property to libraries which are tax supported or publicly owned and operated, was announced as next in order.

Mr. KEATING. Over, not Consent Calendar business.

The PRESIDING OFFICER. The bill will be passed over.

ADJUSTMENTS IN ANNUITIES UNDER THE FOREIGN SERVICE RETIREMENT SYSTEM

The Senate proceeded to consider the bill (S. 1502) to provide for adjustments in the annuities under the Foreign Service retirement and disability system, which had been reported from the Committee on Foreign Relations, with an amendment, to strike out all after the enacting clause and insert:

That (a) The annuity of each retired officer who, on August 1, 1959, is receiving or

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entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or before July 31, 1959, shall be increased by 10 per centum.

(b) The annuity otherwise payable from the Foreign Service Retirement and Disability Fund to each survivor annuitant who, on August 1, 1959, is receiving or entitled to receive an annuity based on service which terminated on or before July 31, 1959, shall be increased by 10 per centum.

(c) The increases provided by subsections (a) and (b) of this section shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act.

Sec. 2. The annuity of each retired officer who, on or after August 1, 1959, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or after August 1, 1959, shall be increased on the first day of the first month which begins more than thirty days after the date of enactment of this Act or on the commencing date of annuity, whichever is later, in accordance with the following schedule:

Annuity shall be increased by—

If annuity commences between:	
September 1, 1959 and June 30, 1960	6 per centum
July 1, 1960 and June 30, 1961	4 per centum
July 1, 1961 and June 30, 1962	2 per centum

Sec. 3. The annuity of any survivor annuitant who, on or after August 1, 1959, is receiving or entitled to receive an annuity from the Foreign Service Retirement and Disability Fund, based on service which terminated on or after August 1, 1959, shall be increased on the first day of the first month which begins more than thirty days after the date of enactment of this Act or on the commencing date of annuity, whichever is later, in accordance with the following schedule:

Annuity shall be increased by—

If annuity commences between:	
September 1, 1959 and June 30, 1960	6 per centum
July 1, 1960 and June 30, 1961	4 per centum
July 1, 1961 and June 30, 1962	2 per centum

Sec. 4. No increase provided by the foregoing provisions of this Act shall be computed on any additional annuity purchased with voluntary contributions pursuant to the provisions of section 881 of the Foreign Service Act of 1946, as amended.

Sec. 5. Nothing contained in Public Law 85-882 shall operate to increase any annuity which commences on or after September 1, 1959.

Sec. 6. Section 5 of Public Law 503, Eighty-fourth Congress, is amended to read as follows:

"Sec. 5. In any case where a participant under the Foreign Service retirement and disability system died before August 29, 1954, leaving a widow who is not entitled to receive an annuity under the system and who is not receiving benefits under the Federal Employees' Compensation Act, the Secretary of State is authorized and directed to grant such widow an annuity of not to exceed \$2,400 per annum."

The amendment was agreed to.

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

Mr. SPARKMAN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of

my remarks a brief statement in support of the bill.

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

STATEMENT BY SENATOR SPARKMAN

S. 1502 seeks to do two things. First, it would provide a 10-percent increase in the annuities of retired Foreign Service officers and their survivors. Second, it would increase from \$1,200 to \$2,400 per year the amount of a gratuity which the Secretary of State is authorized to pay to widows of Foreign Service officers who have died leaving such widows without annuities under the Foreign Service retirement system, provided such widows are not receiving benefits under the Federal Employment Compensation Act.

Mr. President, this bill is very much needed. We are all aware of the adverse effect which inflation has upon retired people generally. Retired Government employees are no exception. Several cost-of-living increases in annuities of retired Government personnel have been made during the last few years. Retired Foreign Service officers have sometimes shared in these cost-of-living increases and sometimes not. At the moment retired Foreign Service personnel lag some 10 percent behind other civilian retired people in the receipt of these cost-of-living increases. S. 1502 will place retired Foreign Service personnel and their survivors in the same relative position as retired civil service employees. Mr. President, I regret that this bill will not fully carry out the intent of Congress when it enacted the Foreign Service retirement and disability system. That system aimed at providing comfortable pensions for retired Foreign Service personnel. Inflation has frustrated that legislation objective and the 10-percent increase obtained in this bill will not fully undo the damage.

The original version of this 1502 would have gone a long way toward meeting the objective of the Foreign Service retirement system because it would have tied annuities of persons who have already retired to the annuities of those retiring now. There was objection to this and we have had to settle for less. The 10-percent across-the-board increase is fully supported by the administration.

I shall conclude, Mr. President, in quoting from the recommendation from the Committee on Foreign Relations on S. 1502.

"The Committee on Foreign Relations recommends that the Senate move to repair some of the damage done by inflation to the orderly and adequate retirement system previously established by law for Foreign Service personnel. Upward adjustment of 10 percent in Foreign Service annuities will place retired Foreign Service officers on a par with retired civil service employees. The committee accordingly recommends that the Senate approve S. 1502, as amended."

WONG SUE CHEE

The bill (S. 1696) for the relief of Wong Sue Chee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Strike out all after the enacting clause and insert: "That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, Wong Sue Chee shall be held and considered to be the minor alien child of Eddie Huie, a citizen of the United States."

The amendment was agreed to.

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

HIRSH MARINSKI

The bill (S. 1822) for the relief of Hirsh Marinski was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Hirsh Marinski shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

MILEVA LOVRIC

The bill (S. 2129) for the relief of Mileva Lovric was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mileva Lovric shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

SERGIUSZ RUDCZENKO

The Senate proceeded to consider the bill (S. 2319) for the relief of Sergiusz Rudczenko.

Mr. MORSE. Mr. President, I should like to have the attention of my junior colleague. I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Oregon will be stated.

The LEGISLATIVE CLERK. On the first page, line 3, strike out "section 212 (a) (6)" and insert in lieu thereof "sections 212(a) (6) and 212(a) (15)".

On page 2, lines 3 and 4, strike out "this exemption shall apply only to a ground" and insert in lieu thereof the following: "these exemptions shall apply only to grounds".

At the end of the bill add the following new section:

"Sec. 2. Notwithstanding any other provisions of law, any condition or control which the Attorney General may deem necessary to impose pursuant to the provisions of the first section of this Act shall not be grounds for precluding the classification of Sergiusz Rudczenko as an immigrant under section 203(a) (1) of the Immigration and Nationality Act.

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

Mr. MORSE. I yield.

Mr. EASTLAND. The amendment is acceptable, but the Immigration Service informs me that the bill is adequate as it is, and that the amendment would serve no purpose.