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ties to permit increased minimum water releases from Lake Tahoe and restoration of the Pyramid Lake fishery. The cost of such facilities, including operation and maintenance, shall be nonreimbursable. The cost to the Federal Government of constructing these facilities shall not exceed \$2,000,000. This amount shall not include the cost of measures undertaken, pursuant to section 2 of the act of August 14, 1946 (60 Stat. 1080, 16 U. S. C. 661a), to mitigate damages to fish and wildlife resources occasioned by the Washoe project as authorized by section 1 of this act.

Sec. 5. There is hereby authorized to be appropriated for construction of the Washoe reclamation project the sum of \$43,700,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the project: *Provided*, That the appropriation of funds for the construction, operation, or maintenance of facilities authorized by section 4 of this act shall not be from the reclamation fund.

Mr. ENGLE (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with and that the bill be open to amendment at any point.

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

There was no objection.

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask 1 or 2 questions of the chairman: I notice the report from the Bureau of the Budget mentions the fact that no commitment can be made at this time as to when any estimate of appropriation would be submitted for construction of the project, if authorized by the Congress. This means that the Bureau of the Budget does not have any idea that any money is going to be available for this project in the near future. Is that what that means?

Mr. ENGLE. This is customary language, unless as, in some cases, the Budget has already cleared money for appropriation. For instance, on the upper Colorado Basin project this year when it came up it carried I think \$10 million or some such sum to initiate that project. What I understand it is saying here is that this project is all right, but they are not going to say when they will approve appropriations to construct it. In other words, they are not committing themselves with reference to that.

Mr. JONES of Missouri. I did not read this bill until today and have just read hurriedly this report from the Bureau of the Budget. I does not seem like a very enthusiastic report. I notice here they state:

The Bureau of the Budget also believes that where proposed recreational facilities are not of national significance, as in the case of the Washoe project, they should not be included in the project report unless States and local governments agree to repay the costs.

They have agreed to do that, have they?

Mr. ENGLE. No, they have not. The \$2 million which is in here for fish and wildlife was put in here because a project

built some 50 years ago, called the Newlands project, killed off the fish propagation in Pyramid Lake, which was one of the great recreation areas of that section of the country and of great value to the Indians of that area. Consequently, this is taking care of something that should have been taken care of a long, long time ago.

Mr. JONES of Missouri. I have another question: In the last proviso of the bill on page 7 it is provided:

That the appropriation of funds for the construction, operation, or maintenance of facilities authorized by section 4 of this act shall not be from the reclamation fund.

That is the fish and wildlife section there for the \$2 million that the Federal Government is going to appropriate for the construction of those facilities. Is that right?

Mr. ENGLE. That is correct. That is the usual way of handling it. The reclamation fund is the amount paid in from these projects coming from the oil and gas leases and what not. That constitutes about half the money appropriated for these western reclamation projects.

Mr. JONES of Missouri. Where is the \$2 million going to come from? The gentleman said this is a self-liquidating project. Where is that going to be liquidated from?

Mr. ENGLE. It comes out of the general funds of the Treasury.

Mr. JONES of Missouri. It is not going to be liquidated then?

Mr. ENGLE. That is correct. I was very careful to say that the two items which would not be paid back would be flood control and the part allotted for fish and wildlife, which is this \$2 million.

Mr. JONES of Missouri. I want to refer to another thing. Things were going kind of fast for me and I could not keep up with it. You said all of this land which was going to be put into production was not going to produce anything which was now in surplus; did I understand that?

Mr. ENGLE. I cannot think of anything that is going to be produced there that has accumulated any surplus. The gentleman from Nevada says less than 1 percent of the agricultural production of the State of Nevada is under price support; is that correct?

Mr. YOUNG. That is correct.

Mr. JONES of Missouri. One thing that I am hesitant about is bringing any more land into production that would produce any crops that are in surplus. I might ask the gentleman from Nevada, Is this land which could be brought into the production of cotton if the water is made available?

Mr. YOUNG. No, the land that will probably be brought into cultivation is at an altitude, I suppose, of five, six, or seven thousand feet. There is a very short growing season at that altitude and the land would probably be adaptable only or chiefly to grazing and various dairy products.

Mr. JONES of Missouri. Will it raise wheat?

Mr. YOUNG. I doubt if it will raise very much wheat in that area.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. GROSS. Are dairy products under price support?

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. SHEPPARD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 10643) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California, pursuant to House Resolution 581, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

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

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

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. HALEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Mr. HALEY. Mr. Speaker, I withdraw the point of order.

The SPEAKER. The point of order is withdrawn.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. ENGLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 497) to authorize the Secretary of the Interior to construct, operate, and maintain the Washoe reclamation project, Nevada and California.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That, for the purposes of furnishing water for the irrigation of approximately 50,000 acres of land in the Carson and Truckee River Basins, Nevada and California, providing drainage service to approximately 31,000 acres of land therein, firming the existing water supplies of lands under the Truckee River storage project and the Newlands project, controlling floods, and providing hydroelectric power, development of fish and wildlife resources, and for other beneficial purposes, the Secretary of the Interior is authorized to construct, operate, and maintain the Washoe reclamation project consisting of two principal reservoirs at the Stampede and Watasheamu site, together with other necessary works for the impounding, diversion, and delivery of water, the generation and transmission of hydroelectric power, and the drainage of lands. The dam at the Stampede site shall be so constructed as to permit its ultimate enlargement to a height at which the reservoir will have a capacity of approximately 175,000 acre-feet.

*Missing Persons Act*

*Inside*

SEC. 2. (a) In constructing, operating, and maintaining the works authorized in section 1 of this act, the Secretary shall be governed by the Federal reclamation laws (act of June 17, 1902, 32 Stat. 389, and acts amendatory thereof or supplementary thereto) except as is otherwise provided in this act.

(b) Any contract entered into under section 9, subsection (d), of the Reclamation Project Act of 1939 (53 Stat. 1187, 1193; 43 U. S. C., 1952 edition, sec. 485h) for payment of those portions of the costs of constructing, operating, and maintaining the Washoe reclamation project which are properly allocable to irrigation and drainage and which are assigned to be paid by the contracting organization may provide for the repayment of the portion of the construction cost of the project assigned to any project contract unit or, if the contract unit be divided into two or more irrigation or drainage blocks, to any such block over a period of not more than 50 years, exclusive of any permissible development period, or as near thereto as is consistent with the adoption and operation of a variable payment formula which, being based on full repayment within the period stated under normal conditions, permits variance in the required annual payments in the light of economic factors pertinent to the ability of the organization to pay: *Provided*, That neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649), nor any other similar provision of the Federal reclamation laws shall be applicable to lands receiving supplemental water under the Washoe project.

(c) Notwithstanding any other provision of law to the contrary, all net revenues derived from the sale of commercial power from the Washoe reclamation project shall be applied, first, to the amortization of that portion of the cost of constructing the project which is allocated to commercial power with interest on the unamortized balance thereof at the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this act, and, thereafter, to the amortization of that portion of the cost of constructing the project which is allocated to irrigation and drainage but which is beyond the ability of the contracting irrigation and drainage organizations to repay as provided above: *Provided*, That the Secretary, prior to the delivery of project water supplies, shall have entered into a contract or contracts with an organization or organizations as defined in paragraph 2 (g) of the Reclamation Project Act of 1939 (53 Stat. 1187) which have the capacity to levy assessments upon all taxable real property located within their boundaries to assist in making repayments.

(d) Water users in Alpine County, Calif., shall have the opportunity to contract for project water made available by the Wataseamu Reservoir before such project water is offered for the development of any new land in Nevada. Should any such project water be contracted for by Alpine County water users, then in that event, such users shall be permitted to exchange such water for existing rights to natural flow or stored water of the West Carson River.

(e) The use of water of the Little Truckee River solely for the generation of electric power by the Washoe project shall not impair or preclude the appropriation of such waters in the future for beneficial consumptive use within the Little Truckee River watershed in California to the same extent as such waters may be presently available for such appropriation in the State of California: *Provided*, That if and when an interstate compact covering the distribution and use of the waters of the Truckee and Carson Rivers is approved by the legislatures of the States of California and Ne-

vada and is consented to by Congress, the operation of the Washoe reclamation project shall be in conformance with such compact, and the foregoing restriction shall not apply.

SEC. 3. The Secretary is authorized to investigate, plan, construct, operate, and maintain minimum basic facilities for access to, and for the maintenance of public health and safety and the protection of public property on, lands withdrawn or acquired for the development of the Washoe project, to conserve the scenery and natural, historic, and archeologic objects, and to provide for public use and enjoyment of the same and of the water areas created by this project by such means as are consistent with its primary purposes. The Secretary is authorized to withdraw from entry or other disposition under the public-land laws such public lands as are necessary for the construction, operation, and maintenance of said minimum basic facilities and for the other purposes specified in this section and to dispose of such lands to Federal, State, and local governmental agencies by lease, transfer, exchange, or conveyance upon such terms and conditions as will best promote their development and operation in the public interest. The Secretary is further authorized to investigate the need for acquiring other lands for said purposes and to report thereon to the Committees on Interior and Insular Affairs of the Senate and House of Representatives, but no lands shall be acquired solely for any of these purposes other than access to project lands and the maintenance of public health and safety and the protection of public property thereon without further authorization by the Congress. All costs incurred pursuant to this section shall be nonreimbursable and nonreturnable.

SEC. 4. Facilities shall be provided for the development of the fish and wildlife resources of the project area including facilities to permit increased minimum water releases from Lake Tahoe and restoration of the Pyramid Lake fishery. The cost of such facilities, including operation and maintenance, shall be nonreimbursable. The cost to the Federal Government of constructing these facilities shall not exceed \$2 million. This amount shall not include the cost of measures undertaken, pursuant to section 2 of the act of August 14, 1946 (60 Stat. 1080, 16 U. S. C., sec. 661a), to mitigate damages to fish and wildlife resources occasioned by the Washoe project as authorized by section 1 of this act.

SEC. 5. There is hereby authorized to be appropriated for construction of the Washoe reclamation project the sum of \$43,700,000 plus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required to operate and maintain the project.

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

The Clerk read as follows:

Amendment offered by Mr. ENGLE: Strike out all after the enacting clause and insert the provisions of House bill, H. R. 10643, as passed.

The SPEAKER. The question is on the amendment offered by the gentleman from California.

The amendment was agreed to.

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

On the motion of Mr. ENGLE, the proceedings whereby the bill, H. R. 10643, was passed were vacated and that bill was laid on the table.

#### VERENDRYE NATIONAL MONUMENT

Mr. ENGLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1774) to abolish the Verendrye National Monument, and to provide for its continued public use by the State of North Dakota for a State historic site, and for other purposes, with a Senate amendment thereto, disagree to the amendment of the Senate and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none and appoints the following conferees: Mr. ASPINALL, Mrs. FOST, and Messrs. UDALL, BERRY, and OSMERS.

#### AMENDING MISSING PERSONS ACT, AS AMENDED

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11787) to amend further and make permanent the Missing Persons Act, as amended.

The Clerk read the title of the bill.

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

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, the purpose of H. R. 11787 is to revise and make permanent the Missing Persons Act. This is the law which provides for authority for heads of military and other Government departments to continue payment of pay and allowances of military and civilian personnel during periods of absence from their posts of duty while in a missing status. It also provides authority to initiate and discontinue allowances to dependents of such personnel and to make judicial findings of death and other determinations under appropriate circumstances.

Congress first enacted the Missing Persons Act in 1942 because it was recognized that such authority was needed, inasmuch as the executive departments could not, under existing law, make appropriate and expeditious payments to dependents of persons in a missing status or settle the accounts of such missing personnel. The original act would have expired on July 25, 1947. However, mounting tensions throughout the world and the increased number of incidents which had involved mysterious disappearances and detention of individuals, military and civilian, indicated that there was a continued need for legislation of this type. In addition, commitments of the United States Government required that both military and civilian personnel continue to serve within or in the near vicinity of troubled areas. Consequently, on June 24, 1948, the Congress extended the temporary Missing Persons Act by section 4 (e) in the Selective Service Act of 1948. Since that time the Missing Persons Act has been extended from time to time.

The demands of the international situation indicate that legislation of this type is necessary, not only to meet the current needs but to meet the needs for

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years of future service. In the event of war, legislation of this type would be even more essential. Under the circumstances, I believe that this type of legislation should be of a permanent nature. It should not be necessary for us to have to renew or reenact this type of legislation on an annual basis.

Consequently, since 1942 this is the first complete revision of the Missing Persons Act. A great deal of the original act is retained, and I will, at this time, point out the substantive revisions.

In the first place, part-time, hourly, or intermittent employees are covered. I believe that provision of equitable treatment to Federal employees employed on a part-time, intermittent, or hourly basis is essential. It should not make any difference how an employee is paid if he becomes missing while in the employment of the United States Government.

Secondly, employees who enter a missing status within the continental limits of the United States will now be covered when the head of the department concerned determines that the missing status is the proximate result of their employment. This extension of coverage, under the bill, to Federal employees in the United States is extremely important because of the possibility that such employees may enter a missing status, while performing their duties, as the result of aircraft accident or while engaged in security missions.

Third, the bill will extend limited coverage to members of the Reserve components while performing training duty or inactive duty for training. If these reservists enter a missing status while performing that duty they will receive, or have credited to their pay accounts, the same pay and allowances that they would receive if they were performing full-time active duty. This coverage provides benefits to members of the Reserve components comparable to those provided for Regular personnel.

Fourth, the bill provides authority to make a determination of death for dependents of personnel covered by this act. This determination will be conclusive on all agencies of the Federal Government. There have been situations where dependents of military and civilian personnel have been directed to accompany the principal as a routine requirement. With no authority to declare a dependent in a missing status, other dependents have suffered undue hardships when judicial determinations have been required prior to the payment of various benefits by the Federal Government.

Fifth, the bill provides authority to move household and personal effects to the official residence of record or residence of the dependents or next of kin of a person who is in a missing status for a period of more than 30 days, with or without the application of the next of kin or other persons having a substantial interest in the return of such effects. One of the difficulties under the law has been that it provides only for shipment to a dependent upon application and the military services have encountered serious difficulties in locating dependents to whom the household or personal effects

can be shipped. This often results in unnecessary storage costs and excessive correspondence.

Sixth, The bill provides, in emergency circumstances, for the sale of privately owned vehicles and other bulky items, the proceeds to be forwarded to the owners or their dependents. This will assist in reducing unnecessary claims and excessive administration.

The committee amended the bill in three substantive instances:

First, A committee amendment provides that this bill will only be applicable to individuals who are citizens of the United States, or who are aliens who have been admitted to the United States for permanent residence. Originally the bill would have included all indigenous employees of the United States, and I believe that inasmuch as the United States Government is employing thousands of nationals at various locations around the world where it has military bases and installations, we should not include all of these employees within the provisions of the law.

Second, we have amended the bill so as to clarify the type of pay and allowances which would be received after a person is declared in a missing status. Originally the bill would have authorized the payment of per diem for any person who was in a per diem status when he became missing. It was brought to our attention that actual cases resulted during World War II whereby a serviceman, traveling under orders authorizing per diem pay, was captured by the enemy, and as a result of being in that status when captured, was entitled to draw per diem, in addition to his pay and allowances, for each day he was a prisoner of war. We do not favor this type of payment. We believe that a missing person should have his account credited with the actual pay and allowances he was receiving when he entered a missing status.

Third, the bill as originally introduced would have provided no benefits for any person who entered a missing status while officially on active duty training without pay. We have many interested and patriotic reservists who participate in Reserve training without pay, such as Reserve aviators who fly on weekends. If one of these reservists, serving in that status, should become missing, we do not believe he should be excluded from this legislation. Consequently, we included a provision whereby if a reservist is lost and declared to be in a missing status when he is officially participating in Reserve training without pay, he, or his survivors, will be entitled to the provisions of the legislation, and his pay account will be credited with the pay of his rank or grade, just as if he had been in a pay status when he became missing.

The bill also provides that entitlement to pay and allowances shall not be denied in the case of a Philippine Scout who was captured in the Philippine Islands during World War II, solely on the grounds that such member was paroled or permitted to return to his home prior to the termination of the occupation by the Japanese of the Philippine Islands.

I would like to tell you something of the Philippine Scouts. These soldiers were natives of the Philippines who were actually members of the United States Army. Now, they should not be confused with the members of the Army of the Philippines.

Early in this century the Congress authorized a military component of the United States Army to be made up of qualified Filipinos and to be known as the Philippine Scouts. This new organization became a part of the Regular Army of the United States. Throughout its proud history the personnel of the Philippine Scouts was virtually hand-picked, thus representing the cream of the Philippine citizenry. As a result the prestige of the Philippine Scouts rose, and this career unit became one of great distinction.

At the beginning of World War II and upon the surrender of the Philippines, Americans and Filipinos alike were taken prisoners of war and diverted to prison camps. Thereafter, the Japanese, wanting to relieve themselves of the large number of prisoners, evolved a plan of parole for the Filipinos. There was no alternative to this parole unless it was to choose to stay in prison camps and most likely die from disease, wounds or starvation. Consequently, the members of the Philippine Scouts were paroled, and most returned to their home villages, but while there, they were under constant surveillance and were required to report to the Japanese authorities so often that they were virtually in the hands of the enemy.

As a matter of fact, the official United States history of World War II states in effect that parolees were just as effectively prisoners of war as if they had been confined to prison camps, and for violations, or suspected violations, of parole men were hauled back to prison camps for long periods of unreasonable questioning or periodical beatings, and some were executed.

When parole violators could not be found the Japanese inflicted cruel penalties upon their families or upon entire communities.

When the Philippine Islands were recaptured and the members of the Philippine Scouts returned to military control the United States Army refused to pay them their pay and allowances for the time they were on parole.

Now, I would like to point out some of the legal authorities concerning paroled prisoners. For instance, Bouvier's Law Dictionary defines a prisoner-of-war as follows:

A prisoner of war is one who has been captured while fighting under the banner of some state. He is prisoner of war even though never confined in prison.

And let us see what the opinions of the Judge Advocate General of the United States Army have to say concerning paroled prisoners of war:

A paroled prisoner of war is simply a soldier who has been placed under a disability to engage in active operations against the enemy. He remains a part of the army and as much subject to military control as he was before his capture. If he absents himself from a post or station to which as a paroled

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prisoner of war he has been assigned by the military authorities, he is absent without leave or in desertion according to the intent with which he absented himself.

Now, in addition to these quotations which I have just read, permit me to call your attention to an official Army order addressed as follows:

Message to all Filipino officers and men and signed by Roger Hillsman, Colonel, Infantry, United States Army, Commanding.

In this order Philippine Scouts are told to surrender to the Japanese, and I quote paragraph 5 verbatim:

5. By surrendering you will draw full pay until you are mustered out of the service and you will be entitled to all bonus and insurance privileges from USAFFE (U. S. Army Forces Far East). You will also be recognized as an honorable prisoner of war by the Philippine Government, USAFFE and by the Imperial Japanese Army and treated as such.

I have taken your time to call these matters to your attention because it seems almost inconceivable that the United States Army has refused to pay the members of the Philippine Scouts who were paroled. Furthermore, I wish to call to your attention the fact that Department of the Navy holds the exact opposite view, for it has paid all of its Insular Forces, which forces were made up of Filipinos and were enlisted in the United States Navy exactly as were the Philippine Scouts in the Army.

So we have the unpleasant spectacle of one branch of the military service paying its Filipino servicemen, while prisoners of war, while another branch of the service refuses to honor a similar debt.

We believe that the time has come when our Government's obligation to the remaining members of the Philippine Scouts should be met. There are approximately 6,000 remaining members of this organization, and if all now make claims, under the provisions of this bill, the total cost will not exceed \$2,640,000.

In our opinion there is undoubtedly a contractual obligation between the United States Government and the Philippine Scouts who were members of the Regular Army, and that obligation until now has not been honored, insofar as the 6,000 remaining members of the Scouts are concerned. It is high time that the Congress take steps to see that this is done. And I can think of no more fitting time than during the month of July 1956, when the Government of the Philippines is celebrating the 10th anniversary of their independence. It would seem only fitting that the Congress take this action, which is so justly due and which would be so well received in the Philippines.

So I urge the support of the Members for this bill. It will make the Missing Persons Act permanent, together with the necessary revisions which have resulted in our 14 years' experience with the act, and it will authorize the payment of the just claims of the Philippine Scouts.

Mr. Speaker, I reproduce a letter just received from national headquarters of the American Legion.

THE AMERICAN LEGION,  
NATIONAL LEGISLATIVE COMMISSION,  
Washington, D. C., July 13, 1956.

Hon. OVERTON BROOKS,  
House of Representatives,  
House Office Building,  
Washington, D. C.

DEAR CONGRESSMAN BROOKS: As you know, the national organization of the American Legion is deeply interested in the provisions of H. R. 11787, a bill to amend the Missing Persons Act, reported by the House Armed Services Committee on June 29, 1956, and which is about to come up for consideration on the floor of the House.

Our organization is especially concerned with the provisions authorizing benefits for the Philippine Scouts. The bill provides that entitlement to pay and allowances shall not be denied in the case of any member of the Philippine Scouts who was captured in the Philippine Islands by the enemy during World War II, solely on the ground such member was paroled or permitted to return to his home during parole.

The Philippine Scouts were members of the United States Army. They should not be confused with members of the Army of the Philippines. On or about February 2, 1901, Congress authorized the formation of the Philippine Scouts and this organization became a part of the Regular Army of the United States. As was testified to during the hearings before Subcommittee No. 1 of the House Armed Services Committee, by Rev. Father John E. Duffy, a past national chaplain of the American Legion and a former chaplain of the United States Army, who worked closely with the Philippine Scouts during his service in the Philippines from 1933 to 1937 and again from 1940 until December 13, 1944, the Philippine Scouts were virtually handicapped and represented the cream of the Philippine citizenry. As a result the prestige of the Philippine Scouts rose and their organization became one of great distinction.

As is indicated in Report No. 2535 which accompanied H. R. 11787, dated June 29, 1956, upon the surrender of the Philippines, Americans and Filipinos alike were taken to prisoner-of-war camps. Later on, desiring to be relieved of the expense and trouble of taking care of such large numbers of prisoners, thousands of Philippine Scouts were granted so-called paroles. As is set forth on page 4 of Report No. 2535:

"If there was an alternative to parole it could scarcely have been more than death through disease or wounds or starvation. Consequently, the members of the Philippine Scouts were paroled but were kept under constant surveillance and were required to report to the Japanese authorities so often that they were virtually in the hands of the enemy. As a matter of fact, the official United States history of World War II states in effect that parolees were just as effectively prisoners of war as if they had been confined to prison camps. For violations or suspected violations of parole men were hauled back to prison camps for long periods of unreasonable questioning or periodical beatings, and some were executed. When parole violators could not be found the Japanese inflicted cruel penalties upon their families or upon entire communities.

"When the Philippine Islands were recaptured and the members of the Philippine Scouts returned to military control the United States Army refused to pay them for the time they were on parole."

The reason for legislation as set forth in H. R. 11787 is that the Army refused to pay the Philippine Scouts on the alleged ground that they are not in a so-called casualty status. In this connection I invite

your attention to the fact that under identical circumstances the Department of the Navy held the opposite view and paid the Filipinos engaged under its direction in the so-called insular forces. Thus we find one branch of the service (the Navy) paid its Filipino servicemen for the exact type of duty which another service (the Army) refused to honor.

The House Armed Services Committee reported there are approximately 6,000 remaining members of the organization and if all of them were to file claims under the bill, the total cost would not exceed \$2,640,000.

This legislation seeks relief for the Philippine Scouts only and not for those who served in the Philippine Army. It should be borne in mind that members of the Philippine Army were not members of the United States Army, as were the Philippine Scouts.

Anything you can do to further the passage of H. R. 11787 by the House of Representatives would be deeply appreciated.

Sincerely yours,

MILES D. KENNEDY,  
Director.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Missing Persons Act (56 Stat. 143), as amended, is further amended as follows:

(a) Section 1 (a) (3) is amended to read:

"(3) Civilian officers and employees of the departments except that the following categories of civilian officers and employees shall be covered only upon a determination by the head of the department concerned that such status is the proximate result of employment by the department;

"(1) Persons who enter any status listed in section 2 of this act within the continental limits of the United States; and

"(ii) Persons who enter any status listed in section 2 of this act who are residents at or in the vicinity of their places of employment in the Territories and possessions or in foreign countries and who were not living there solely as a result of their employment."

(b) Section 2 is amended to read:

"Sec. 2. Any person who is in the active service, or is performing full-time training duty, other full-time duty, or inactive duty training and who is officially determined to be absent in a status of missing, missing in action, interned in a foreign country, captured by a hostile force, beleaguered by a hostile force, or besieged by a hostile force shall, for the period he is officially carried or determined to be in any such status, be entitled to receive or to have credited to his account the same pay and allowances to which he was entitled at the beginning of such period of absence or may become entitled thereafter, and entitlement to pay and allowances shall terminate upon the date of receipt by the department concerned of evidence that the person is dead or upon the date of death prescribed or determined under provisions of section 5 of this act. Such entitlement to pay and allowances shall not terminate upon the expiration of a term of service during absence and, in case of death during absence, shall not terminate earlier than the dates herein prescribed. There shall be no entitlement to pay and allowances for any period during which such person may be officially determined absent from his post of duty without authority and he shall be indebted to the Government for any payments from amounts credited to his amount for such period. Persons performing full-time training duty, or inactive duty training shall be entitled to the benefits of this section only when such persons are officially determined to be absent in a status of missing, missing in action, interned in a for-

foreign country, captured by a hostile force, beleaguered by a hostile force, or besieged by a hostile force as a result of the performance of prescribed duty ordered by competent authority: *Provided*, That notwithstanding any other provision of law, such entitlement to pay and allowances shall not be denied, in the case of any member of the Philippine Scouts who was captured in the Philippine Islands by the enemy during World War II, solely on the ground that such member was paroled and permitted to return to his home and engage in civilian pursuits prior to the termination of the Japanese occupation of such islands. Claims of members of the Philippine Scouts for pay and allowances under this section (whether or not such claims have been presented and rejected or disallowed) may, until 3 years after the date of enactment of this act, be presented for consideration or reconsideration and payment under this section."

(c) Section 9 is amended by the addition of a subsection (a) to read:

"Sec. 9. (a) A dependent of any person in active service, as defined by this act, is a 'person' under this act for the sole purpose of determining status as provided in sections 5 and 9, and any determination under those sections by the head of the department concerned shall be conclusive on all other departments of the Government: *Provided*, That nothing in this section shall be construed as conferring upon any dependent any right to pay allowances, or other compensation to which not otherwise entitled."

(d) Section 12 is amended to read:

"Sec. 12. The dependents and household and personal effects of any person in active service (without regard to pay grade) who is officially reported as dead, injured, missing for a period of 30 days or more, interned in a foreign country, or captured by a hostile force, may be moved (including packing, crating, drayage temporary storage, and unpacking of household and personal effects) to the official residence of record for any such person or to the residence of his dependent, next of kin, or other person entitled to receive custody of the effects in accordance with regulations issued by the head of the department concerned; or, upon application by such dependent, next of kin, or other person, or upon the person's application if injured, to such other location as may be determined in advance or subsequently approved by the head of the department concerned or by such persons as he may designate. When the head of the department concerned determines that an emergency exists and that such sale would be in the best interests of the Government, he may provide for the disposition of the motor vehicles and other bulky items of such household and personal effects of the person by public or private sale. Prior to any such sale, and if practicable, a reasonable effort shall be made to determine the desires of the interested persons. The net proceeds received from such sale shall be transmitted to the owner or to other persons in accordance with regulations issued by head of the department concerned; but if there be no such persons or if such persons or their addresses are not ascertainable within 1 year from the date of sale, the net proceeds may be covered into the Treasury as miscellaneous receipts. Claims for net proceeds which are covered into the Treasury under the authority of this section may be filed with the General Accounting Office by the rightful owners, their heirs or next of kin, or their legal representatives at any time prior to the expiration of 5 years from the date the proceeds are covered into the Treasury; and, if so filed, the General Accounting Office shall allow or disallow the claim. If claims are not filed prior to the expiration of 5 years from the date the proceeds are covered into the Treasury, they shall be barred from being acted on by the courts or the General Ac-

counting Office. The provisions of this section shall not be construed as amending or repealing the act of March 29, 1918 (ch. 31, 40 Stat. 499); section 1, subchapter II of the act of June 4, 1920 (ch. 227, 41 Stat. 809), as amended; the act of February 21, 1931 (ch. 268, 46 Stat. 1203), as amended; the act of December 28, 1945 (ch. 597, 59 Stat. 662), as amended; the Federal Tort Claims Act (60 Stat. 842-847), as amended; the act of April 14, 1949 (ch. 50, 63 Stat. 44); or section 507, title 14, United States Code. The head of the department concerned is authorized to store the household and personal effects of the person until such time as proper disposition can be made. The cost of such storage and transportation, including packing, crating, drayage, temporary storage and unpacking of household and personal effects, shall be charged against appropriations currently available. In lieu of transportation authorized by this section for dependents, the head of the department concerned may authorize the payment in money of amounts equal to such commercial transportation costs or a monetary allowance in lieu of transportation as authorized by law for the whole or such part of travel for which transportation in kind is not furnished, when such travel shall have been completed. When the person is in an 'injured' status, the movement of dependents or household and personal effects provided for herein may be authorized only in cases where the anticipated period of hospitalization or treatment will be of prolonged duration. No transportation shall be authorized pursuant to this section upon application by dependents unless a reasonable relationship exists between the condition and circumstances of the dependents and the destination to which transportation is requested. Beginning June 25, 1950, and for the purposes of this section only, the terms 'household and personal effects' and 'household effects' may include, in addition to other authorized weight allowances, not to exceed one privately owned motor vehicle, shipment of which at Government expense is authorized in those cases where the vehicle is located outside the continental limits of the United States or in Alaska."

(e) Section 15 is amended to read:

"Sec. 15. This act, except sections 13, 16, and 17, is effective from September 8, 1939."

SEC. 2. The amendments made by this act shall be effective upon the date of enactment.

With the following committee amendments:

On page 1, line 7, following the word "departments", add:

"Who are citizens or nationals of the United States, or who are aliens who have been admitted to the United States for permanent residence."

On page 2, line 18, after the word "same", delete the words "pay and allowances" and insert "basic pay, special pay, incentive pay, basic allowance for quarters, and basic allowance for subsistence."

On page 2, line 24, after the word "act." add a new sentence as follows: "For the purposes of the benefits prescribed herein the person who is performing wartime training duty or other wartime duty without pay, or in active duty training with or without pay, shall be treated as though he had been entitled to receive the active duty pay and allowances of his grade at the beginning of and for the period in which he is carried or determined to be in a missing status."

On page 6, line 2, after the word "claim", add a new sentence as follows: "When such claim is allowed it shall be paid from the appropriation for refunding moneys erroneously received and covered."

The committee amendments were agreed to.

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

#### PROGRAM FOR WEEK OF JULY 16

(Mr. ARENDS asked and was given permission to proceed for 1 minute.)

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader about the program for next week and what is going to happen tomorrow.

#### ADJOURNMENT TO MONDAY

Mr. McCORMACK. With the gentleman's permission I will now ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

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

There was no objection.

#### CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next week may be dispensed with.

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

Mr. WILLIAMS of Mississippi. Mr. Speaker, I object.

#### COMMITTEE ON GOVERNMENT OPERATIONS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations may have until midnight Monday to file a report on the bill H. R. 11526.

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

There was no objection.

#### PROGRAM

Mr. McCORMACK. Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday:

Monday: Consent Calendar and the civil-rights bill. There will be 2 days of general debate on the civil-rights bill and consideration of that bill will proceed to final action with the exception that on Tuesday the Private Calendar will be called.

Wednesday, the Calendar of Committees will be called unless dispensed with before that time.

The following bills are programmed for the week:

H. R. 11709, increase authorization of appropriation for Atomic Energy Commission.

H. R. 7992, legislative authorization Defense Department—point of order bill.

H. R. 4050, marketing facilities, perishable commodities.

H. R. 8000, amend section 610 Civil Aeronautics Act of 1938.

H. R. 11708, amend Agriculture Trade Development and Assistance Act.

I cannot say that the bills will necessarily be called in the order I have given.

Any further program of course will be announced later.

Conference reports may be brought up at any time.

#### POLISH CITIZENS OF LOWELL, MASS.

The SPEAKER. Under the previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I received the following letter from the White House today:

THE WHITE HOUSE,  
Washington, July 13, 1956.  
The Honorable EDITH NOURSE ROGERS,  
House of Representatives,  
Washington, D. C.

MY DEAR MRS. ROGERS: On behalf of the President, I am pleased to acknowledge your July 10th letter and enclosure. I hope you will convey to the Polish citizens of Lowell, Mass., who signed the resolution the assurance that they are not alone in their concern over the treatment accorded those who took part in the Poznan uprising. Our Government's policies and actions have been aimed at being as helpful as they can to those who have suffered in this difficult situation, and the resolution has been brought to the attention of those in the executive branch most directly concerned. Your courtesy in bringing this important communication to the President's personal attention is much appreciated.

With kindest regard,  
Sincerely,

BRYCE N. HARLOW,  
Administrative Assistant to the  
President.

#### EXPRESSION OF APPRECIATION TO SECRETARY WILSON

Mrs. ROGERS of Massachusetts. Mr. Speaker, in the closing days or weeks of the Congress I would like to express my appreciation to Mr. Wilson, Secretary of National Defense, and to the Army and the Air Corps. To them I extend my very deep appreciation for their cooperation during this last year. I do not know what my district and I would have done without them.

#### HON. CARLOS P. ROMULO

(Mr. ROBSION of Kentucky asked and was given permission to address the House for 1 minute and to include an address by General Romulo.)

Mr. ROBSION of Kentucky. Mr. Speaker, Bellarmine College, one of our country's institutions of learning that is making its mark in our educational world, a few days ago awarded its second annual Bellarmine Medal to Gen. Carlos P. Romulo, Philippine Ambassador to the United States. In announcing the award of the medal, the president of Bellarmine College, Msgr. Alfred F. Horrigan, said in a press release:

The Bellarmine medal for 1956 will be presented to Carlos P. Romulo, Ambassador from the Philippines to the United States. The presentation ceremonies will take place on June 26, 1956, at a civic dinner scheduled for the Flag Room of the Kentucky Hotel.

The Bellarmine medal award was established by Bellarmine College last year. It

is named for St. Robert Bellarmine, patron of the college. Its purpose is to honor annually a person who, on the national or international scene, has exemplified in a special manner the qualities of justice, charity and temperance in dealing with difficult and controversial problems.

These qualities marked in an extraordinary degree the character of Robert Bellarmine. He lived in the turbulent and controversial 16th century. He was deeply involved in many of the central controversies of his day. His dispassionate devotion to truth, his mildness in debate, his fairness to opponents won for him universal acclaim.

The Bellarmine medal was awarded for the first time last spring. Its recipient was Jefferson Caffery, often referred to as the dean of the United States diplomatic corps. Shortly before receiving the Bellarmine medal last year, he concluded a 44-year career in the Foreign Service by resigning as American Ambassador to Egypt.

The presentation ceremony dinner honoring Ambassador Romulo on June 26, will be sponsored by the Bellarmine College Board of Overseers. The present officers of the board are Mr. B. J. Lenihan, Mr. William P. Kelly, and Mr. Bart A. Brown, Sr. Guests of honor at the dinner will include public officials of the State and local community and representatives of other institutions of higher learning.

Ambassador Romulo has enjoyed an extraordinary career as an editor, newspaperman, author, lecturer, soldier, and diplomat. He has received an almost unprecedented variety of awards from universities, foundations, and governments.

The great "cause" in his life has been the promotion of world peace and international understanding. For this cause he has fought with sword, pen, and the spoken word. His work and influence in the United Nations have been acclaimed throughout the world. He has been and remains one of the chief media of constructive contact and interpretation between East and West.

The moral and spiritual incentives of Ambassador Romulo's life were illuminated in a particular way in San Francisco in 1945, when he made a valiant effort to win agreement for the policy of opening United Nation's sessions with prayer.

Despite his outstanding accomplishment as a journalist and author, many observers feel that it is as an orator that Ambassador Romulo has made the greatest impact on our times. He is universally recognized as one of the most notable public speakers of this generation.

Having addressed 14,000 people at a convention in Cleveland, he received one of the greatest ovations accorded to a speaker in the history of that community. To tell the story of the fall of Bataan, he made a 99,000-mile speaking tour throughout the United States.

In the years before the outbreak of World War II, Mr. Romulo was engaged in editorial and publication work in Manila. In 1942 he won the Pulitzer prize in journalism for distinguished correspondence, a series of articles written on a trip through the Far East just before the war.

During the war, he served as General MacArthur's aide-de-camp on Bataan, Corregidor and Australia. He was promoted to brigadier general in September 1944. He also accompanied General MacArthur in the invasion of Leyte and in the recapture of Manila.

This year's Bellarmine medalist held posts in the cabinets of Philippine Presidents Quezon, Osmena, Roxas, and Quirino. Between 1945 and 1954, he was chief of the Philippine Mission to the United Nations. In 1949 and 1950, he was President of the Fourth General Assembly of the U. N.

#### APPOINTED AMBASSADOR

In February 1954 he was appointed special and personal envoy of the President of the Philippines to the United States. He resigned this position on September 23, 1955. The next day he was appointed Ambassador to the United States.

Ambassador Romulo has been awarded honorary degrees by 27 universities, including the University of Athens, Temple, Notre Dame, Manhattan College, Harvard, and Boston College. He was nominated for the Nobel peace prize in 1951 and 1953.

He is the author of seven widely acclaimed books written in English. Among them is his famous *I Saw the Fall of the Philippines, Crusade in Asia*, and his latest, *The Meaning of Bandung*.

Business and civic leaders of the community are being invited by the college board of overseers to serve as members of the committee of sponsors for the June 26 presentation dinner.

General Romulo delivered on that occasion the following address which I include as part of the RECORD. During the week when he received this medal from Bellarmine College, General Romulo was also honored by Denison University, in Granville, Ohio, and by the University of San Francisco, in California, when each university conferred on him the degree of doctor of laws, and by Bucknell University, in Lewisburg, Pa., which conferred on him the degree of doctor of civil law.

ADDRESS DELIVERED BY GEN. CARLOS P. ROMULO, PHILIPPINE AMBASSADOR TO THE UNITED STATES, UPON BEING AWARDED THE BELLARMINI MEDAL, BELLARMINI COLLEGE, LOUISVILLE, KY., TUESDAY, JUNE 26, 1956

I am thrice honored today. You have honored me by asking me here to speak in this great institution of learning where our true faith is taught. You have honored me by awarding me the Bellarmine medal, and Robert Bellarmine stood out in the sixteenth century as a great scholar, a profound philosopher, and a divinely inspired theologian. You have honored me by choosing me as the succeeding recipient of the medal last year awarded to Ambassador Jefferson Caffery, dean of American diplomats.

Diplomacy is an unusual, vital, and important art. And my good friend Ambassador Caffery is an artist of diplomacy of the first rank. The knowledge, astuteness and flexibility he possesses in such an unusual degree have served the cause of peace and freedom during his 44-year career in American foreign service.

Heart, sympathy, understanding. Without these no diplomat can serve his nation. Ambassador Caffery has all these in abundance and I feel that to be chosen the second recipient of the Bellarmine medal, after Ambassador Caffery, is an unusual tribute primarily to my country and secondarily to its servant.

The need for good diplomats and good diplomacy is greater than ever in these days of world turmoil.

The 20th century is essentially one of struggle for man's freedom. It is the century of millions seeking and attaining freedom from outworn imperialisms. It is the century of man already free beating back threats to freedom, justice, human dignity and the right to make his decision in a democratic society.

World War II marked the greatest physical struggle of man to defeat tyrannies that would make him a slave in spirit as well as in body.

The totalitarianism of fascism, of nazism, of Japanese militarism was finally broken only after the most horrible war in man's history. Since the end of World War II we

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Y

EXECUTIVE OFFICE OF THE PRESIDENT

BUREAU OF THE BUDGET

Washington 25, D. C.

July 18, 1955

My dear Mr. Secretary:

This is in reference to an item in your 1955 legislative program entitled "To amend further the Missing Persons Act, as amended."

This proposal contains provisions with which we have previously concurred informally. However, upon further review and consideration of a proposal advanced by the Department of Commerce we have come to the conclusion that it would be desirable to provide coverage for civilian employees along lines which you originally recommended. This will have the effect of bringing them under the coverage of the Missing Persons Act whether serving in this country or overseas. Accordingly, it is recommended that the provisions of the proposed Section 1(a)(3) be revised to provide coverage for civilian employees wherever serving, except that persons employed in the United States and those employed outside the United States who are residents at or in the vicinity of the place of their employment and who are not living there solely as a result of their employment should be provided with coverage only while in the course of their employment. 7

Subject to the foregoing, you are advised that there would be no objection to the presentation of the measure for the consideration of the Congress.

Sincerely yours,

(Signed) Roger W. Jones

Assistant Director for  
Legislative Reference

The Honorable

The Secretary of Defense

Attention: Mr. Frank J. Sherlock  
3D960 Pentagon

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE  
Washington 25, D. C.

Legislative and Public Affairs

1955

Dear Mr. Hughes:

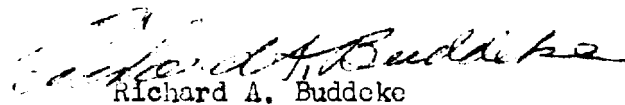
Inclosed herewith is a legislative proposal which is a part of this Department's Legislative Program for 1955.

The short title for this proposal is as follows:

Missing Persons Act, General Revision (DOD 84-125)

Advice is requested as to the relationship of this proposal to the program of the President.

Sincerely yours,



Richard A. Buddeke  
Director, Legislative Programs

4 Inclosures

1. Special Explanation to BOE
2. Ltr to Speaker of H. R.
3. Draft of bill
4. Sectional analysis

Honorable Rowland R. Hughes  
Director  
Bureau of the Budget



MISSING PERSONS ACT, GENERAL REVISION

(DOD 84-125)

MISSING PERSONS ACT, GENERAL REVISION  
(DOD 84-125)

A Bill, "To amend further the Missing Persons Act, as amended."

Special Explanation for the Bureau of the Budget

7 11  
The current authority under the Missing Persons Act, as amended, expires July 1, 1955. The attached legislative proposal which would amend and make permanent the Missing Persons Act is submitted as a part of the Department of Defense Legislative Program for 1955.

The purpose of this proposed Missing Persons legislation is to provide permanent authority for the heads of military or other Government departments to (1) continue the pay and allowances of military and civilian personnel during periods of absence from their posts of duty while in a missing status; (2) provide, at Government expense, for the movement of dependents and storage and transportation of the household and personal effects of an individual in a missing status; (3) initiate and discontinue allowances for the dependents of such missing personnel; and (4) make presumptive findings of death and other determinations under certain circumstances. In addition, the proposal would extend the benefits of the Missing Persons Act to include part-time, hourly, and intermittent employees of the Government during such time as they may be assigned to duties in Alaska or outside the continental United States. Native employees who are residents of the places of their employment also would be extended the benefits of the proposed act if the department head concerned determines that the missing status was the proximate result of employment by the department. The proposal also would extend to any military member while in a missing status, normal promotion opportunities. The proposed legislation would be retroactive to coincide with the effective date of the Selective Service Act of 1948 (June 24, 1948).

The Department of Defense on October 5, 1953, submitted to the Bureau of the Budget, proposed legislation similar to the attached proposal. The Bureau of the Budget, by letter dated June 1, 1954, and by further advices given in a conference on September 1, 1954, conditionally cleared the proposal of October 5, 1953, subject to adoption of a substitute draft of section 1(e) of the bill concerning transportation, storage, the sale of certain personal property of an individual in a missing status when an emergency exists, and extension of coverage under the proposed Act to include persons on training duty who enter a missing status as a result of performance of prescribed duty ordered by competent authority.

The attached draft of bill adopts the advices of the Bureau of the Budget of June 1, 1954, and September 1, 1954. In addition to minor

technical changes, section 1(e) of the attached draft of bill would limit the discretionary authority granted the head of the department concerned, where the sale of personal property of an individual in a missing status is involved, by the requirement that, if practicable, a reasonable effort shall be made to determine the desires of the interested persons prior to any such sale. While your previous advices in regard to this proposal did not recommend such a limitation upon the discretionary authority of the head of the department concerned with the sale of personal property of a missing person, it is believed appropriate that such a limitation be included in the bill.

1 Attachment  
Draft of bill

DEPARTMENT OF THE ARMY  
Washington 25, D. C.

Dear Mr. Speaker:

There are forwarded herewith a draft of legislation and sectional analysis "To amend further the Missing Persons Act, as amended."

This proposal is a part of the Department of Defense Legislative Program for 1955, and it has been approved by the Bureau of the Budget. The Department of the Army has been designated as the representative of the Department of Defense for this legislation. It is recommended that this proposal be enacted by the Congress.

Purpose of the Legislation

This proposal would revise the Missing Persons Act (56 Stat. 143), as amended (50 U.S.C. App. 1001 et seq.), and would provide permanent authority for heads of military or other Government departments to continue payment of the pay and allowances of military and civilian personnel during periods of absence from their posts of duty while in a missing status, to initiate and discontinue allowances of dependents of such personnel, and to make presumptive findings of death and other determinations under appropriate circumstances. Under current provisions of law the Missing Persons Act will expire July 1, 1955.

Authority for the continuance of pay and allowances to the dependents of persons who are in a missing status and for the head of the department concerned to make prompt settlement of such missing person's account was initially provided during World War II. The Congress early in 1942 recognized the need for such authority because the Executive departments could not, under existing law, make appropriate and expeditious payment to dependents of persons in a missing status or settle the accounts of such missing personnel. As a result the Congress enacted the Missing Persons Act on March 7, 1942, which was a temporary measure. That Act would have expired on July 25, 1948, by the operation of section 3 of the Act of July 25, 1947 (61 Stat. 451). However, mounting tensions throughout the world and the increased number of incidents which have involved mysterious disappearance and detention of individuals, military and civilian, indicated that there was a continued need for legislation of this type. In addition, commitments of the United States Government required that both military and civilian personnel continue to serve within or in the near vicinity of troubled areas. Consequently, on June 24, 1943, the Congress extended the temporary Missing Persons legislation by section 4(c) in the Selective Service Act of 1948 (62 Stat. 608) and since then that authority has been extended from time to time. The demands of the international situation indicate that

legislation of this type is necessary, not only to meet the current needs but to meet the needs for years in the foreseeable future. In the event of war, legislation of this type would be immediately essential. Under these circumstances, it is believed that this type of legislation should be of a permanent nature and the attached proposal has been so drafted.

The attached sectional analysis of the draft of bill contains a detailed explanation of the proposed amendments to the Missing Persons Act for use as supplemental justification for this legislation.

Cost and Budget Data

In the event this proposal is enacted into law, it is estimated that little, if any, additional cost will result for fiscal year 1956. Any additional cost that will result will be absorbed within the amounts requested for operation of the Department of Defense during fiscal year 1956.

Sincerely yours,

2 Inclosures

1. Draft of bill
2. Sectional analysis

Honorable Sam Rayburn

Speaker of the House of Representatives

A BILL

To amend further the Missing Persons Act, as amended.

1       Be it enacted by the Senate and House of Representatives  
2       of the United States of America in Congress assembled, That  
3       the Missing Persons Act (56 Stat. 143), as amended, is further  
4       amended as follows:

5       (a) Section 1(a)(3) is amended to read:

6               "(3) Civilian officers and employees of the  
7       departments (exclusive of part-time, hourly, or inter-  
8       mittent employees resident of the places of their  
9       employment) during such time as they may be assigned  
10       for duty or serving outside the continental limits  
11       of the United States or in Alaska, except that persons  
12       who are residents of their places of employment in the  
13       Territories and possessions or in foreign countries,  
14       shall be included only upon a determination by the  
15       head of the department concerned that the status of  
16       missing, missing in action, interned in a foreign country,  
17       captured by a hostile force, beleaguered by a hostile  
18       force, or besieged by a hostile force, within the meaning  
19       of section 2 of this Act, was the proximate result of  
20       employment by the department."

21       (b) Section 2 is amended to read:

1           "SEC. 2. Any person who is in the active  
2           service, or is performing full-time training duty,  
3           other full-time duty, or inactive duty training and  
4           who is officially determined to be absent in a status  
5           of missing, missing in action, interned in a foreign  
6           country, captured by a hostile force, beleaguered by a  
7           hostile force, or besieged by a hostile force shall,  
8           for the period he is officially carried or determined  
9           to be in any such status, be entitled to receive or to  
10          have credited to his account the same pay and allowances  
11          to which he was entitled at the beginning of such period  
12          of absence or may become entitled thereafter, and entitle-  
13          ment to pay and allowances shall terminate upon the date  
14          of receipt by the department concerned of evidence that  
15          the person is dead or upon the date of death prescribed  
16          or determined under provisions of section 5 of this Act.  
17          Such entitlement to pay and allowances shall not terminate  
18          upon the expiration of a term of service during absence  
19          and, in case of death during absence, shall not terminate  
20          earlier than the dates herein prescribed. There shall be  
21          no entitlement to pay and allowances for any period during  
22          which such person may be officially determined absent from  
23          his post of duty without authority and he shall be indebted  
24          to the Government for any payments from amounts credited  
25          to his account for such period. Persons performing full-time

1 training duty, or inactive duty training shall be  
2 entitled to the benefits of this section only when such  
3 persons are officially determined to be absent in a  
4 status of missing, missing in action, interned in a  
5 foreign country, captured by a hostile force, beleaguered  
6 by a hostile force, or besieged by a hostile force as a  
7 result of the performance of prescribed duty ordered by  
8 competent authority."

9 (c) Section 6 is amended to read:

10 "SEC. 6. When it is officially reported by the head  
11 of the department concerned that a person missing under  
12 the conditions specified in section 2 of this Act is alive  
13 and in the hands of a hostile force or is interned in a  
14 foreign country, the payments authorized by section 3 of  
15 this Act are, subject to the provisions of section 2 of  
16 this Act, authorized to be made for a period not to extend  
17 beyond the date of the receipt by the head of the depart-  
18 ment concerned of evidence that the missing person is dead  
19 or has returned to the controllable jurisdiction of the  
20 department concerned. When a person missing or missing in  
21 action is continued in a missing status under section 5 of  
22 this Act, such person shall continue to be entitled to have  
23 pay and allowances credited as provided in section 2 of  
24 this Act and payments of allotments, as provided in section  
25 3 of this Act, are authorized to be continued, increased,  
26 or initiated."



1 (d) The first proviso of section 9 is amended to read:

2 "Provided, That no such account shall be charged or  
3 debited with any amount that any person in the hands of  
4 a hostile force may receive or be entitled to receive  
5 from, or have placed to his credit by, such hostile  
6 force as pay, wages, allowances, or other compensation:"

7 (e) Section 12 is amended to read:

8 "SEC. 12. The dependents and household and personal  
9 effects of any person in active service (without regard to  
10 pay grade) who is officially reported as dead, injured,  
11 missing for a period of thirty days or more, interned in  
12 a foreign country, or captured by a hostile force, may be  
13 moved (including packing, crating, drayage, temporary  
14 storage, and unpacking of household effects) to the  
15 official residence of record for any such person or to  
16 the residence of his dependent, next of kin, or other per-  
17 son entitled to receive custody of the effects in accordance  
18 with regulations issued by the head of the department con-  
19 cerned; or, upon application by such dependent, next of  
20 kin, or other person, or upon the person's application if  
21 injured, to such other location as may be determined in  
22 advance or subsequently approved by the head of the depart-  
23 ment concerned or by such persons as he may designate. When  
24 the head of the department concerned determines that an  
25 emergency exists and that such sale would be in the best

1 interests of the Government, he may provide for the dis-  
2 position of the motor vehicles and other bulky items of  
3 such household and personal effects of the person by  
4 public or private sale. Prior to any such sale, and if  
5 practicable, a reasonable effort shall be made to determine  
6 the desires of the interested persons. The net proceeds re-  
7 ceived from such sale shall be transmitted to the owner or  
8 to other persons in accordance with regulations issued by  
9 head of the department concerned; but if there be no such  
10 persons or if such persons or their addresses are not ascer-  
11 tainable within one year from the date of sale, the net  
12 proceeds may be covered into the Treasury as miscellaneous  
13 receipts. Claims for net proceeds which are covered into  
14 the Treasury under the authority of this section may be  
15 filed with the General Accounting Office by the rightful  
16 owners, their heirs or next of kin, or their legal representa-  
17 tives at any time prior to the expiration of five years from  
18 the date the proceeds are covered into the Treasury; and, if  
19 so filed, the General Accounting Office shall allow or  
20 disallow the claim. If claims are not filed prior to the  
21 expiration of five years from the date the proceeds are  
22 covered into the Treasury, they shall be barred from being  
23 acted on by the courts or the General Accounting Office.  
24 The provisions of this section shall not be construed as  
25 amending or repealing the Act of March 29, 1913 (ch. 31,

1 40 Stat. 499); section 1, subchapter II of the Act of  
2 June 4, 1920 (ch. 227, 41 Stat. 809) as amended; the Act  
3 of February 21, 1931 (ch. 268, 46 Stat. 1203) as amended;  
4 the Act of December 28, 1945 (ch. 597, 59 Stat. 662) as  
5 amended; the Federal Tort Claims Act (60 Stat. 842-847),  
6 as amended; the Act of April 14, 1949 (ch. 50, 63 Stat. 44);  
7 or section 507, title 14, United States Code. The head of  
8 the department concerned is authorized to store the house-  
9 hold and personal effects of the person until such time as  
10 proper disposition can be made. The cost of such storage  
11 and transportation, including packing and unpacking of  
12 household effects, shall be charged against appropriations  
13 currently available. In lieu of transportation authorized  
14 by this section for dependents, the head of the department  
15 concerned may authorize the payment in money of amounts  
16 equal to such commercial transportation costs or a monetary  
17 allowance in lieu of transportation as authorized by law  
18 for the whole or such part of travel for which transporta-  
19 tion in kind is not furnished, when such travel shall have  
20 been completed. When the person is in an 'injured' status,  
21 the movement of dependents or household and personal effects  
22 provided for herein may be authorized only in cases where  
23 the anticipated period of hospitalization or treatment will  
24 be of prolonged duration. No transportation shall be author-  
25 ized pursuant to this section upon application by dependents

1 unless a reasonable relationship exists between the  
2 condition and circumstances of the dependents and the  
3 destination to which transportation is requested. Beginning  
4 June 25, 1950, and for the purposes of this section only,  
5 the terms 'household and personal effects' and 'household  
6 effects' may include, in addition to other authorized weight  
7 allowances, not to exceed one privately owned motor vehicle,  
8 shipment of which at Government expense is authorized in  
9 those cases where the vehicle is located outside the contin-  
10 ental limits of the United States or in Alaska."

11 (f) Section 14 is amended to read:

12 "SEC. 14. The provisions of this Act applicable to  
13 persons captured by a hostile force shall also apply to any  
14 person beleaguered or besieged by a hostile force."

15 (g) Section 15 is amended to read:

16 "SEC. 15. This Act, except sections 13, 16, 17, and  
17 18, is effective from June 24, 1948."

SECTIONAL ANALYSIS

of a bill

To amend further the Missing Persons Act, as amended.

Section 1(a) would amend section 1(a)(3) of the Missing Persons Act (50 U.S.C. App. 1001(a)(3)) to provide that part-time, hourly, or intermittent employees of the Government of the United States, who are residents of the places of employment in United States Territories and possessions, or in foreign countries, would be extended the benefits of the Act if a determination is made by the head of the department concerned that the missing status was the proximate result of employment by the department. Full coverage would be retained for civilian officers and employees of the Executive departments during such time as they may be assigned for duty or serving in Alaska or outside the continental limits of the United States. Existing law excludes from coverage part-time or intermittent employees or native labor casually hired on an hourly or per diem basis.

Section 1(b) would amend section 2 of the Missing Persons Act (50 U.S.C. App. 1002) to provide that any person in active service or performing certain training duty, officially determined to be absent in a missing status, would be entitled to receive or to have credited to his account the same pay and allowances to which he was entitled at the beginning of such absence, or might become entitled thereafter, and such entitlement would terminate at such date as the department concerned receives evidence of death or until the presumptive date of death, which normally would be twelve months and one day from the date the missing status is first determined by the head of the department concerned. There would be no entitlement to pay and allowances for any period of absence from post of duty without official authority. Entitlement to pay and allowances would be authorized for persons who enter a missing status while on brief tours of training duty only when such persons enter a missing status as a result of the performance or prescribed duty ordered by competent authority. Existing law provides coverage under the Act only for persons in active service. The proposed amendment extends coverage to include, in addition to persons on active service, persons on training duty under certain conditions.

Sections 1(c) and 1(d) would amend sections 6 (50 U.S.C. App. 1006) and 9 (50 U.S.C. App. 1009) of the Missing Persons Act by making certain technical revisions in language consistent with the amendments proposed in section 1(b).

Existing law does not permit an injured person to make application for transportation of his household and personal effects to a location determined in advance other than his official residence of record. In addition, it does not provide for the sale by the Government of such household and personal effects in emergencies. Section 1(e) would amend section 12 of the Missing Persons Act (50 U.S.C. App. 1012) to provide that the dependents and household and personal effects of any person in active service who is officially reported as dead, injured, missing for thirty days or more, interned in a foreign country, or captured, may be moved to the official residence of record for such person, or upon application by such dependents, next-of-kin, or such other persons having a substantial interest in the return of such household and personal effects, or upon the person's own application if injured, to such other location approved by the head of the department concerned. When an emergency exists, the head of the department concerned may sell the motor vehicles and other bulky items of personal effects after ascertaining, if practicable, the desires of the other interested persons, and the net proceeds of such sale shall be transmitted to the owner or other persons of interest if such persons and their addresses are ascertainable. If not ascertainable, the net proceeds may be covered into the Treasury as miscellaneous receipts, with a specifically prescribed method for making claim thereto, subject to the operation of a 5-year statute of limitations. The head of the department concerned also would be authorized to store household and personal effects of such missing person until such time as proper disposition can be made.

Section 1(f) would amend section 14 of the Missing Persons Act (50 U.S.C. App. 1014) by deleting the word "enemy" where it appears therein and inserting in lieu thereof the word "hostile".

Section 1(g) would amend section 15 of the Missing Persons Act (50 U.S.C. App. 1015) to eliminate the reference to the termination date (July 1, 1955), and make the proposed legislation retroactive to June 24, 1948, the date of enactment of the Selective Service Act of 1948.

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YEXECUTIVE OFFICE OF THE PRESIDENT  
Bureau of the Budget  
Washington 25, D. C.

June 1, 1954

My dear Mr. Secretary:

Reference is made to Mr. Buddeke's letter of October 5, 1953, transmitting a revised draft of bill entitled "To amend further the Missing Persons Act, as amended."

On the basis of the supporting material and of subsequent discussions held with members of your staff and the White House, our comments with respect to the subject draft bill are as follows:

1. Section 1(a) of the proposal would enlarge the classes of employees now covered by the basic Act to include those employed on a part-time, intermittent, or hourly basis. We have no objection to the inclusion of intermittent employees such as technical experts and consultants who are sent to areas outside of the United States as a result of their employment. But we do not believe that the Government should undertake to provide this kind of protection either for intermittent employees when they are residents of the area in which they are employed or for part-time or hourly employees under any circumstances. It is recommended, that this subsection be modified by inserting the parenthetical phrase "(exclusive of part-time or hourly employees or intermittent employees residents of the places of their employment)" after the word "departments" and by striking out the words "part-time employees, intermittent employees, and" from lines 9 and 10, page one of the draft bill.

2. In our letter of May 12, 1954, concerning the Equalization of Benefits proposal, we stated that we would give consideration to the provisions of Section 9 of that measure in connection with our action on the present proposal. Those provisions would bring reservists on brief tours of training duty under the coverage of the Missing Persons Act. Although it is believed that this coverage would be desirable, we recommend that the provisions be modified to provide such coverage only when the individual enters a missing status as a result of his performance of prescribed duty ordered by competent authority.

3. Section 1(c) relates to authority for transporting the household goods and personal effects of personnel in various categories. The draft bill would, among other things, include in the coverage of the basic Act in this regard missing persons who have no dependents to request movement of their effects. As indicated in our comments on an earlier version of the present draft and also during the subsequent discussions, we think that this subsection

- 2 -

gives rise to a number of questions. These center around two main points. The first point involves the persons to whom control of property will be turned over after it is transported. Thus, when these persons are neither dependents nor persons possessing a power of attorney a question arises as to whether, in such cases, the Government can or should relinquish control of the property and this, in turn, raises the further question of whether the property should then be transported at all under such circumstances. The second point relates to what action should be taken with respect to the property while it is in Government custody. In this connection the question arises as to whether the property of a person in a missing status should be moved, stored, or disposed of. We believe that more discretion should be given to the military departments so that they will be authorized to follow whatever course of action seems most reasonable in the circumstances of a particular case. In this way it would be possible to secure flexibility which, in appropriate instances, could prevent such things as transporting a comparatively inexpensive personal automobile thousands of miles back to the United States where it probably would be sold promptly upon arrival, perhaps for a lesser amount, or allowing a personal automobile to be held for a period of years by the Government with consequent depreciation until the owner either returned or a determination was made that he was dead. Because of our concern on the foregoing score, substitute draft provisions for this section were worked out informally with representatives of the Army. A copy of these draft provisions is attached, and we recommend their substitution for the present provisions of this section.

4. Section 1(g) would make the basic Act permanent and retroactive to June 24, 1943. A question has been raised informally as to whether the date here should not be made September 8, 1939, the original date of enactment of the basic Act. If this is done, it is recommended that a second section be added to the draft bill which would provide that its provisions would be effective as of the date of enactment.

Subject to the foregoing, you are advised that there would be no objection to the presentation of the draft bill for the consideration of the Congress.

Sincerely yours,

(Signed) Roger W. Jones

Assistant Director for  
Legislative Reference

The Honorable

The Secretary of Defense

Attention: Mr. Frank J. Sherlock  
3D958 Pentagon

Enclosure: Copy, draft provisions



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OFFICE OF ASSISTANT SECRETARY OF DEFENSE  
Washington 25, D. C.

October 5, 1953

Legislative and Public Affairs

Dear Mr. Dodge:

There is inclosed herewith a draft of legislation, "To amend further the Missing Persons Act, as amended," together with a copy of a proposed letter to the Congress recommending its enactment. This proposal is a part of the Department of Defense Legislative Program for 1954.

The inclosed draft of bill incorporates some of the suggestions made by the Bureau of the Budget in its letter of July 27, 1953 commenting on a proposal to amend the Missing Persons Act which was a part of the Department of Defense Legislative Program for 1953.

The recommendation concerning civilian personnel serving in the United States has been adopted and the inclosed draft of bill excludes such employees from coverage under the Missing Persons Act. Under current provisions of law (50 U.S.C. App. 1001) civilian officers and employees of the Federal Government during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis, are entitled to benefits under the Missing Persons Act. However, with regard to Federal employees who are appointed to serve on a part-time or intermittent basis it should be noted that many of such employees serve in overseas areas in capacities as technical experts and consultants. It is believed that such employees who, as a proximate result of their employment, are missing, interned, captured, or otherwise restrained, should be entitled to the provisions of the Missing Persons Act the same as full-time employees overseas. For this reason, the Department of Defense requests the Bureau of the Budget to reconsider its views in opposition to providing coverage for such employees under the Missing Persons Act.

With regard to the comments on section 1(b) of the draft of bill which would provide authority for payments on account of persons in a missing status, it is noted that it is the view of the Bureau of the Budget that any officer or enlisted man who enters a missing or captured status should not be entitled to an increase in grade or

position during such status unless he becomes eligible for promotion "either as a result of action initiated prior to his absence or by operation of law." It is the view of the Department of Defense that any officer or enlisted man who is in the zone of consideration for promotion, should be considered for promotion, and if selected, promoted even though he may be in a missing status or had the misfortune of being taken by the enemy. It is felt that military personnel in a missing or captured status should not be deprived of the normal promotion opportunities to which they would be entitled had they continued in a normal duty status.

The inclosed draft of bill incorporates a revision in language in the amendments to section 12 of the Missing Persons Act to provide that dependents, next of kin, and such other individuals who may have a substantive interest in the return of the household and personal effects, or upon the person's own application if injured, may designate the location to which such effects may be shipped. A further provision is incorporated to authorize the head of the department concerned to store effects of the person concerned until such time as proper disposition can be made.

The Bureau of the Budget's recommendation to make the basic act retroactive to the date of enactment of the Selective Service Act of 1948 (June 24, 1948) has been adopted.

In view of the foregoing, the Department of Defense requests that the Bureau of the Budget reconsider its views of July 27, 1953, and permit the Department to sponsor the inclosed proposal. It is requested that action on this matter be completed as soon as possible since the Missing Persons Act, under the current provisions of law (Public Law 16, 83rd Congress), will terminate February 1, 1954 and early consideration of this legislation is necessary.

Sincerely yours,

(signed) Richard A. Buddeke  
For the Assistant Secretary

Inclosures

Honorable Joseph M. Dodge  
Director  
Bureau of the Budget

Dear Mr. Speaker:

There is forwarded herewith a draft of legislation, "To amend further the Missing Persons Act, as amended."

This proposal is a part of the Department of Defense Legislative Program for 1954 and it has been approved by the Bureau of the Budget. The Department of Defense recommends that it be enacted by the Congress.

#### Purpose of the Legislation

This proposal would revise the Missing Persons Act (56 Stat. 143), as amended (50 U.S.C. App. 1001 et seq.), and would provide permanent authority for executive heads of military or other Governmental departments to continue payment of the pay and allowances of military and civilian personnel during periods of absence from their posts of duty in several variations of a missing status, to initiate and discontinue allowances of dependents of such personnel, and to make presumptive findings of death and other determinations under appropriate circumstances. Under current provisions of law the Missing Persons Act will expire February 1, 1954.

At the outbreak of hostilities in World War II there was no law which authorized the services to make adequate provisions for the dependents of certain categories of persons who for various causes were placed in a missing status. The lack of such legislation during the early months of that emergency not only subjected the dependents to hardships, but also confronted the military services with many administrative problems in an attempt, adequately and equitably, to minister to their needs.

In order to correct this condition, the Congress enacted the Missing Persons Act on March 7, 1942, and the military services operated under that law until it was abrogated by section 3 of the Act of July 25, 1947 (61 Stat. 451). It was realized, however, that there was a continued need for legislation of this type because of the mounting tension throughout the world and the increasing number of international incidents which involved mysterious disappearances or detention of individuals at the will of an unfriendly power or hostile minority. In addition, large numbers of civilians as well as military personnel continued to serve within, or in the near vicinity of those troubled areas.

Consequently, such legislation was revived by section 4 (e) of the Selective Service Act of 1948 (62 Stat. 608). In enacting the 1951 amendments to the Universal Military Training and Service Act

(65 Stat. 75), (which are in fact amendments to the Selective Service Act of 1948), the Congress made no change in section 4(e), supra. It is believed that legislation of this type is necessary to meet the present demands of the international situation and would be essential immediately in the event of war; and that such legislation should be of a permanent nature.

The draft of bill is designed to accomplish the following:

a. To amend section 1(a)(3) of the Missing Persons Act to provide that part-time employees, intermittent employees, and persons who are residents of their places of employment in the Territories and possessions or in foreign countries, shall be included within the provisions of the Act only upon a determination by the head of the department concerned that the missing status was the proximate result of employment by the department concerned. Full coverage would be retained for civilian officers and employees of the Executive departments during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska.

b. To amend section 2 by making certain technical revisions in language to provide coverage for persons interned in a foreign country or captured, beleaguered, or besieged by a hostile force.

c. To amend sections 6 and 9 by making certain technical revisions in language consistent with the proposed amendments to section 2 of the Missing Persons Act.

d. To amend section 12 to provide that household and personal effects of any person in active service (without regard to pay grade) who is officially reported as dead, injured, or missing may be moved to the official residence of record for any such person, or, upon application by such dependents, next of kin, or such other persons who may have a substantial interest in the return of the household and personal effects, or upon the person's own application if injured, to such other location approved by the head of the department concerned. In addition, the head of the department concerned would be authorized to store household and personal effects of the person until such time as proper disposition can be made.

e. To amend section 15 to eliminate the reference to the termination date (February 1, 1954), and make the Act retroactive to June 24, 1948, the date of enactment of the Selective Service Act of 1948.

#### Cost and Budget Data

Since the number of persons on whose accounts payments are made under the Missing Persons Act fluctuates directly in ratio to combat operations, it is impossible to state with any degree of accuracy the

cost of continuing this Act in effect. However, the Department of the Army has developed the following data for the period 1 January to 30 June 1952 as illustrative of the costs for that period:

Officers	-	467	\$1,265,561
Warrant Officers	-	18	40,014
Enlisted	-	9,547	8,301,522

The cost of the slight additional benefits which would flow from enactment of the amendments to the Missing Persons Act provided for in this proposal would be absorbed in the applicable available appropriations.

Department of Defense Action Agency

The Department of the Army has been designated as the representative of the Department of Defense for this legislation.

Sincerely yours,

For the Assistant Secretary

Inclosure

Honorable Joseph W. Martin, Jr.

Speaker of the House of Representatives

*Defense Proposal*

A BILL

*March 5, 1953*

To amend further the Missing Persons Act, as amended.

1        Be it enacted by the Senate and House of Representatives  
 2        of the United States of America in Congress assembled, That  
 3        the Missing Persons Act (56 Stat. 143), as amended, is further  
 4        amended as follows:

5        (a) Section 1(a)(3) is amended to read:

6                "(3) Civilian officers and employees of the de-  
 7        partments during such time as they may be assigned for  
 8        duty of <sup>?</sup> serving outside the continental limits of the  
 9        United States or in Alaska, except that part-time  
 10       employees, intermittent employees, and persons who are  
 11       residents of their places of employment in the  
 12       Territories and possessions or in foreign countries,  
 13       shall be included only upon a determination by the  
 14       head of the department concerned that the status of  
 15       missing, missing in action, interned in a foreign  
 16       country, captured by a hostile force, beleaguered by  
 17       a hostile force, or besieged by a hostile force, with-  
 18       in the meaning of section 2 of this Act, was the prox-  
 19       imate result of employment by the department."

20       (b) Section 2 is amended to read:

21                "SEC. 2. Any person who is in the active service

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1 and who is officially determined to be absent in a  
 2 status of missing, missing in action, interned in a  
 3 foreign country, captured by a hostile force, belea-  
 4 guered [by a hostile force] or besieged [by a hostile  
 5 force] shall, for the period he is officially carried  
 6 or determined to be in any such status, be entitled to  
 7 receive or to have credited to his account the same  
 8 pay and allowances to which he was entitled at the  
 9 beginning of such period of absence or may become  
 10 entitled thereafter, and entitlement to pay and allow-  
 11 ances shall terminate upon the date of receipt by the  
 12 department concerned of evidence that the person is  
 13 dead or upon the date of death prescribed or deter-  
 14 mined under provisions of section 5 of this Act;

15 Provided, That such entitlement to pay and allowances  
 16 shall not terminate upon expiration of term of service  
 17 during absence and in case of death during absence  
 18 shall not terminate earlier than the dates herein pre-  
 19 scribed: Provided further, That there shall be no en-  
 20 titlement to pay and allowances for any period during  
 21 which such person may be officially determined absent  
 22 from his post of duty without authority and he shall  
 23 be indebted to the Government for any payments from  
 24 amounts credited to his account for such period."

*Approved shall*  
*...*

*To add...*  
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(c) ✓ Section 6 is amended to read:

"SEC. 6. When it is officially reported by the head of the department concerned that a person missing under the conditions specified in section 2 of this Act is alive and in the hands of a hostile force or is interned in a foreign country, the payments authorized by section 3 of this Act are, subject to the provisions of section 2 of this Act, authorized to be made for a period not to extend beyond the date of the receipt by the head of the department concerned of evidence that the missing person is dead or has returned to the controllable jurisdiction of the department concerned. When a person missing or missing in action is continued in a missing status under section 5 of this Act, such person shall continue to be entitled to have pay and allowances credited as provided in section 2 of this Act and payments of allotments, as provided in section 3 of this Act, are authorized to be continued, increased, or initiated."

*Budget*  
*81006*

(d) ✓ The first proviso of section 9 is amended to read:

"Provided, That no such account shall be charged or debited with any amount that any person in the hands of a hostile force may receive or be entitled to receive from, or have placed to his credit by, such hostile force as pay, wages, allowances, or other compensation:"

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1 (e) Section 12 is amended to read:

2 "SEC. 12. The dependents and household and personal  
3 effects of any person in active service (without re-  
4 gard to pay grade) who is officially reported as dead,  
5 injured, missing for a period of thirty days or more,  
6 interned in a foreign country, or captured by a hostile  
7 force, may be moved (including packing and unpacking  
8 of household effects) to the official residence of  
9 record for any such person, or, upon application by  
10 such dependents, next of kin, or such other persons who  
11 may have a substantive interest in the return of the  
12 household and personal effects, or upon the persons  
13 own application if injured, to such other location as  
14 may be determined in advance or subsequently approved  
15 by the head of the department concerned or by such  
16 persons as he may designate. The head of the department  
17 concerned is authorized to store the household and  
18 personal effects of the person until such time as proper  
19 disposition can be made. The cost of such storage and  
20 transportation, including packing and unpacking of  
21 household effects, shall be charged against appropri-  
22 ations currently available. In lieu of transportation  
23 authorized by this section for dependents, the head of  
24 the department concerned may authorize the payment in

1 money of amounts equal to such commercial transpor-  
2 tation costs or a mileage allowance as authorized by  
3 law for the whole or such part of travel for which  
4 transportation in kind is not furnished, when such  
5 travel shall have been completed. When the person  
6 is in an 'injured' status, the movement of dependents  
7 or household and personal effects provided for herein  
8 may be authorized only in cases where the anticipated  
9 period of hospitalization or treatment will be of pro-  
10 longed duration. No transportation shall be authorized  
11 pursuant to this section upon application by dependents  
12 unless a reasonable relationship exists between the  
13 condition and circumstances of the dependents and the  
14 destination to which transportation is requested.  
15 Beginning June 25, 1950, and for the purposes of this  
16 section only, the terms 'household and personal effects'  
17 and 'household effects' may include, in addition to  
18 other authorized weight allowances, not to exceed one  
19 privately owned motor vehicle, shipment of which at  
20 Government expense is authorized in those cases where  
21 the vehicle is located outside the continental limits  
22 of the United States or in Alaska."

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23 (f) Section 14 is amended to read:

24 "SEC. 14. The provisions of this Act applicable

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1 to persons captured by a hostile force shall also  
2 apply to any person beleaguered or besieged by a  
3 hostile force."

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4 (g) Section 15 is amended to read:

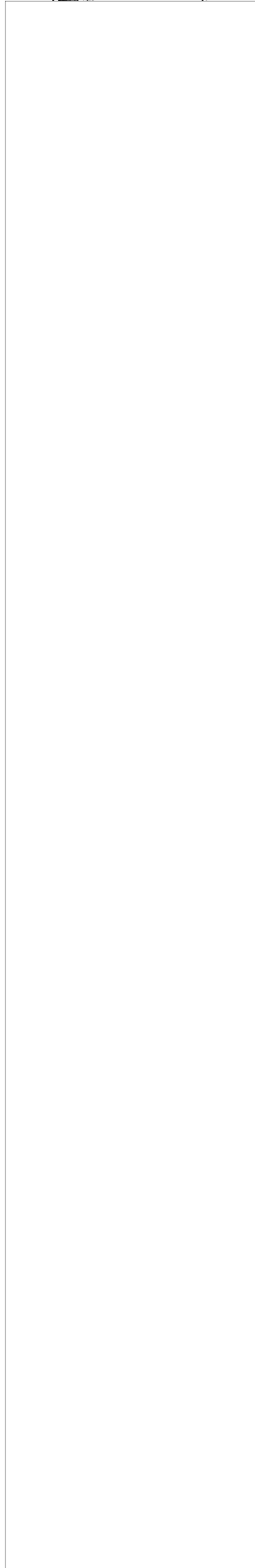
5 "SEC. 15. This Act, except sections 13, 16, 17,  
6 and 18, is effective from June 24, 1948."

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**The  
Federal  
Diary**  
*By  
Jerry  
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