

both the House and Senate to correct many of the abuses resulting from the old law of 1872, and at the same time protect legitimate mining.

No one is opposing bonafide mining claims; all sportsmen ask is that we recognize the facts that exist about spurious mining claims.

I want to commend the Senator from New Mexico [Mr. ANDERSON] for introducing S. 1713 to accomplish this purpose of protecting future fishing on our western public lands, and urge its support. Hearings are now in progress.

I have had the privilege of reading an advance copy of an article on this subject to appear in the June issue of the Sport Fishing Institute Bulletin. Because it is a sound explanation of the issue, Mr. President, I ask unanimous consent that this article, entitled "Mining Claims and Fishing," be printed in the body of the RECORD. I commend it to my colleagues for consideration.

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

#### MINING CLAIMS AND FISHING

The public lands in our 12 Western States furnish some of America's finest fishing. Of our 30 million anglers, most of those who have never had a try at catching wild fish in these highly scenic surroundings are undoubtedly looking forward to the day when they can have this pleasant and exciting experience.

If you are one of the many anglers bent on realizing this long-time ambition, you might be in for a rude awakening when you reach your destination. In one of the national forests, or on some of the extensive tracts managed by the United States Bureau of Land Management, you should have no trouble in finding just the sort of stream you have dreamed about—a clear, unpolluted mountain stream, well supplied with wild trout. But, you might also find something else. Stretched across the trail may be a barbed-wire fence or a locked gate, or there may simply be a conspicuous sign, telling you to keep out.

It's quite possible that someone may have staked out a mining claim on 20 acres of land. This would cost him \$1.25. By staking this claim across the canyon, the person who owns the claim can keep you out of many miles of stream simply by making access to the water above the claim virtually impossible.

Someone may keep you from fishing on a stream flowing through land which belongs to all of us, simply by forking over \$1.25. He can have his own private fishing stream, at your expense.

All this can happen because of a mining law adopted 83 years ago.

Actually, all a person has to do to stake a claim is to mark off the four corners of a 20-acre tract and record it in the county office. Any number of claims may be located so long as the mineral deposits discovered are sufficient to justify development by a prudent man. Along with the more valuable minerals, deposits of all the common varieties of sand, stone, gravel, pumice, and pumicite may be the basis for claims locations.

In all too many cases the claimants are "weekend miners" and under their spurious operations thousands of acres of choice fishing streams, timber stands, homesites, scenic camping grounds, and lake frontages have been placed out of bounds to the public.

As of January 1952, there were 36,000 mining patents on the national forests involving 918,000 acres of land. Although these

had gone to patent under the mining laws, only 15 percent are commercially successful mines.

According to reports, there are 84,000 mining claims on these same forests involving 2,100,000 acres, with only 2 percent producing minerals in commercial quantities. Probably no more than 40 percent would be valid even under the weak provisions of the law. What's more, the timber tied up on these lands is worth more than \$100 million and would build about 800,000 5-room houses. Since there is no time limit for claims to be brought to patent, the land is tied up indefinitely.

All rights to the surface uses go with the claims. The claimant has the trump card. Access to nearby lands and waters may be cut off, fishing prohibited along previously open streams, lake frontages, picnic and campsites taken over, timber products and grazing rights usurped.

These statutes tie the hands of the Federal land administering agencies. It would cost about \$20 million to examine existing claims and protest those that are invalid. Three thousand man-years of work would be required. More than 16,000 claims are filed each year, and nothing would prevent the claimant from refiled once his application for patent is rejected.

Back in 1872, when the present law was passed, there were only a few people in the West to stake out claims. There were few users of our public lands. The law at that time was a good one.

But conditions have changed. Thousands of people have filed spurious claims to get a chunk of public land, and the waters and timber on it, for their own exclusive use. Now the uranium prospecting craze is really pointing out the need for a change in the law.

Fortunately, some of the streams have been withdrawn or reserved for possible power development. But even these may be opened to the undesirable practices which exist elsewhere. The House of Representatives has passed a bill (H. R. 100) which would throw these remaining lands open to the "prospectors." Several times in the past the House has passed such a bill, but each time it has died in the Senate.

Fortunately, a new amendment to the mining law is being considered by both House and Senate. It's a bill which would correct many of the abuses resulting from the law of 1872. At the same time, it would protect legitimate mining. Incidentally, some of these public lands support extensive mining. We object to the abuses—not to mining.

Our objection is to the spurious mining claims, not to the bona fide ones.

Under these proposed amendments, access to, and use of, fishing streams covered by unpatented claims appears to be assured.

The new bill in the House was introduced independently by several Representatives. The first was H. R. 5561, by Congressman WILLIAM A. DAWSON, of Utah. In the Senate the bill is S. 1713, introduced by Senator Anderson in behalf of himself and several other Senators. What happens to this introduced bill may have a very decided effect on future fishing on our western public lands.

#### POSTAL FIELD SERVICE COMPENSATION ACT OF 1945—VETO MESSAGE (S. DOC. NO. 44)

The PRESIDENT pro tempore laid before the Senate a veto message from the President of the United States.

Mr. JOHNSON of Texas. Mr. President, I may say, for the information of the Senate, I have consulted with the able minority leader. He has consulted with the ranking minority member of the

Committee on Post Office and Civil Service. I have consulted with the able chairman of that committee. On behalf of myself and the minority leader, I ask that the reading of the message be deferred until a proposed unanimous-consent agreement, which is now at the desk, can be read and acted on.

The PRESIDENT pro tempore. Without objection, the clerk will read the proposed unanimous-consent agreement.

The Chief Clerk read the proposed unanimous consent agreement, as follows:

#### UNANIMOUS-CONSENT AGREEMENT

Ordered, That on Tuesday, May 24, 1955, at the conclusion of the routine morning business, the Senate shall proceed to the reconsideration of the bill S. 1, the Postal Field Service Compensation Act of 1955, returned by the President of the United States to the Senate without his approval, and that on the question—"Shall the bill pass, the objections of the President of the United States to the contrary notwithstanding?"—and all motions, if any be made, relating thereto, debate shall be limited to 3 hours, to be equally divided between the proponents and opponents of the said bill and controlled, respectively, by the majority leader and the minority leader (May 19, 1955.)

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request? The Chair hears none, and it is so ordered.

The Secretary will now read the message from the President of the United States.

The legislative clerk read as follows:

#### To the United States Senate:

I return herewith, without my approval, S. 1, to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department. I take this action for three reasons. First, the bill creates new discriminations or inequities which would affect many thousands of postal employees. Second, the bill creates grave administrative problems such as the establishment of thousands of individual pay rates. It forces awkward and unfair administrative practices in a Government department whose operations affect every person, every enterprise, every community in the country. Third, the bill imposes a heavier burden upon the taxpayer than is necessary to establish salary rates throughout the Department which will compare favorably with rates for similar work elsewhere in Government and in private industry.

At the outset of this administration, the Postmaster General began a comprehensive study of the entire postal system.

The principal purpose was to discover effective ways and means by which the American people could be assured more speedy, certain, economical, and efficient handling of their mail. Obviously, this purpose can be achieved only if, first, postal employees are dedicated and satisfied in career service because of fair compensation, good working conditions, adequate benefits in vacations, insurance, sick leave, and old-age security; and second, the Department's administrative structure, incorporating the best management practices, is so designed

that merit and responsibility are recognized and rewarded.

In accordance with the findings of the comprehensive study, on January 11, 1955, by special message to the Congress, I recommended an increase in the salaries of postal employees which would be composed of two elements—a general increase in postal pay and a reclassification of postal positions that would eliminate inequities. To accomplish these purposes I recommended a 5-percent pay raise and adjustments in classification to bring about proper wage relationships among the various jobs in postal service. The cost of the reclassification proposals would have brought the total increase to 6½ percent, with an aggregate annual cost of \$129 million.

Those recommendations, if adopted, would have placed the salaries of postal employees in proper relationship to the salaries paid for similar work in nearly all the larger cities. The pay raises recommended were substantially greater than the increase in the cost of living since the last adjustment in postal wages.

Subsequently, the House Post Office and Civil Service Committee, by a substantial bipartisan majority, reported a bill—H. R. 4644—which, although approximately \$30 million a year more costly than my recommendations, embodied the essential elements of a reclassification system. In the matter of reclassification, that bill, as reported by the committee, could have been, and still can be, with certain corrections, the basis for legislation which would establish fair relationships between the salaries of various positions in the postal service on the sound principle of equal pay for equal work and more pay for more difficult and responsible work.

It has always been recognized that in the consideration of pay legislation, there can be a reasonable difference of opinion as to what constitutes an appropriate increase. But there can be no compromise with the principle of fairness, and any pay legislation must be fair to all to whom it applies. It must be workable administratively and not be excessive in cost.

The bill before me fails to meet these criteria. Specifically:

First. It discriminates against large groups of postal employees such as rural letter carriers, special-delivery messengers, and many supervisors and postmasters. These total tens of thousands.

Second. Aside from creating new and serious administrative problems, the total cost of the bill, approximately \$180 million a year, is substantially greater than is necessary to adjust postal salaries to a fair level, either from the standpoint of pay for comparable work or from the standpoint of increase in the cost of living.

I regret the necessity of the action which I am taking. It is my earnest hope and recommendation that the Congress will quickly consider and enact postal pay legislation that will be in the public interest and fair to all of the half million employees who man the postal service. To meet this test, such legislation should provide a reasonable increase in pay for all postal field-service employees. It

should provide for reclassification of postal positions to bring about proper wage relationships so as to eliminate inequities. It should not discriminate against some groups in favor of others, and it should be administratively workable.

Because the enactment of such legislation will substantially increase the postal deficit, I wish again to emphasize the imperative need for postal rates that will make the postal service self-supporting and be based on service rendered to the user. We can no longer afford to continue a costly deficit operation paid for by millions of taxpayers in amounts out of all proportion to the postal services that they as individuals receive.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, May 19, 1955.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). The message, with the accompanying bill, will be printed, and will lie on the table.

Mr. JOHNSTON of South Carolina. Mr. President, the veto by the President of S. 1, a bill providing an 8.6-percent increase in the salaries of the postal employees, is shameful.

This action indicates to me that President Eisenhower is more concerned with soothing the easily ruffled feelings and bruised pride of Postmaster General Summerfield than he is in the economic problems of our postal employees.

It is shameful that these employees should be denied for a second time by Presidential action a pay raise which they justly deserve. First, they were denied an increase in pay last August because the President wanted Congress to increase the price of postage stamps. Now it seems to be denied because the President feels that Congress increased their pay per week by an amount equal to the cost of a bottle of milk above the amount the President's arrogant and unyielding Postmaster General would agree to.

The charge that the conference committee agreement created a number of new inequities should be dismissed as pure hokum. The Senate has been skeptical all along of the position classification plan proposed by the Post Office Department, for the reason that it provided increases of up to 58 percent to the higher-paid employee, as contrasted with increases of only 5 or 6 percent to the rank-and-file employee. In spite of this skepticism, the Senate reluctantly adopted, with some changes, the administration's classification plan, in the hope that such a compromise would result in an immediate pay increase for the postal employee. Apparently a military dictatorship does not recognize compromise, or the prerogative of the Congress of the United States.

Mr. President, we can only conclude that President Eisenhower and his Cabinet of millionaires do not embrace the workingman with the same warmth of feeling that they do the Dixons and the Yates.

I fail to understand how the President can justify his position of requesting billions and billions of additional dollars to squander abroad, while, at the

same time, denying a decent wage to our own employees here at home.

Let me assure the good postal employees of the Nation that our fight in their behalf will continue.

Mr. CARLSON subsequently said: Mr. President, this afternoon the Senate received the veto message from the President on Senate bill 1, the postal pay bill. The President used his constitutional privilege and prerogative in connection with that measure. The leadership has set next Tuesday as the time when the veto message will be taken up and considered by the Senate. I wish to make the statement that if the President's veto shall be sustained by the Senate, I shall have ready for introduction a bill providing for a 7.6 percent increase in pay. It is my hope that if the veto shall be sustained the Senate will give early consideration to the measure I shall introduce, in order that the postal workers may have the benefit of an increase in pay.

Second, Mr. President, if such a bill is passed by the Senate, I am in position to introduce a bill providing for an increase of 6 percent for the classified workers.

#### LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, as Senators are aware, it is planned to consider today Senate bill 153, proposing amendment of the Rural Electrification Act of 1936. We hope an early vote may be reached on that bill.

I desire to make an announcement, so the Senate will be upon notice, that conferences have been held with regard to other bills on the calendar, and the minority leader has gone over them and approved them for consideration by the Senate. I should like to have Senators who are interested in the proposed legislation know of the possibility that these bills will be brought before the Senate at any time which may be convenient.

First, Calendar No. 352, Senate bill 1580, to regulate subsistence expenses and mileage allowances of civilian officers and employees of the Federal Government. The bill was introduced by the distinguished Senator from South Carolina [Mr. JOHNSTON].

Next, Calendar No. 354, Senate bill 1048, the so-called roads bill. We plan to make it the unfinished business tomorrow; to have no votes taken on it tomorrow; and to debate the bill on Monday. I doubt that there will be any votes on the bill on Monday.

On Tuesday, in accordance with the unanimous-consent agreement which has been entered into, following the morning hour, we shall have 3 hours of debate—with one and one-half hours to each side—on the President's veto message of the postal pay bill. I assume that at some time between 3:15 and 4:15 p. m. on that day we are likely to have the yeas and nays vote on the question of passing the bill, the objections of the President of the United States to the contrary notwithstanding. Then we shall resume consideration of the roads bill, and shall take as much time as may be necessary to obtain action.