

JOURNAL OF THE SENATE

OF THE

UNITED STATES OF AMERICA

FIRST SESSION

OF THE

SIXTY-NINTH CONGRESS

BEGUN AND HELD AT THE CITY OF WASHINGTON
DECEMBER 7, 1925, IN THE ONE HUNDRED
AND FORTY-NINTH YEAR OF THE
INDEPENDENCE OF THE
UNITED STATES



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by a duly appointed executor, administrator, guardian, or committee, payment may be made, after the expiration of thirty days from date of death or of separation from the service, as the case may be, to such person or persons as may appear in the judgment of the Commissioner of Pensions to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

Payment of annuities and form of application

Sec. 13. Annuities granted under the terms of this act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued, and payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the disbursing clerk for the payment of pensions in such form and manner and with such safeguards as shall be prescribed by the Secretary of the Interior in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments.

Applications for annuity shall be in such form as the Commissioner of Pensions may prescribe, and shall be supported by such certificates from the heads of departments, branches, or independent offices of the Government in which the applicant has been employed as may be necessary to the determination of the rights of the applicant. Upon receipt of satisfactory evidence the Commissioner of Pensions shall forthwith adjudicate the claim of the applicant, and if title to annuity be established, a proper certificate shall be issued to the annuitant under the seal of the Department of the Interior.

Annuities granted under this act for retirement under the provisions of section 1 of this act shall commence from the date of separation from the service and shall continue during the life of the annuitant. Annuities granted under the provisions of sections 6 and 7 hereof shall be subject to the limitations specified in said sections.

Sec. 14. Employees who have gone from employment within the purview of this act to other employment under the Government and have returned to a position under the purview of this act shall have the time of such other service included in the computation for his retirement: *Provided*, That such employee shall contribute to the retirement fund upon reentering such employment within the purview of this act an amount, including interest, equivalent to that which would have been paid if such employee had continued in such employment.

Duties of the Civil Service Commission

Sec. 15. The Civil Service Commission shall keep a record of appointments, transfers, changes in grade, separations from the service, reinstatements, loss of pay, and such other information concerning individual service as may be deemed essential to a proper determination of rights under this act; and shall furnish the Commissioner of Pensions such reports therefrom as he shall from time to time request as necessary to the proper adjustment of any claim for annuity hereunder; and shall prepare and keep all needful tables and records required for carrying out the provision of this act, including data showing the mortality experience of the employees in the service and the percentage of withdrawals from such service, and any other information that may serve as a guide for future valuations and adjustments of the plan for the retirement of employees under this Act.

Board of Actuaries

Sec. 16. The Commissioner of Pensions, with the approval of the Secretary of the Interior, is hereby authorized and directed to select three actuaries, one of whom shall be the Government actuary, to be known as the Board of Actuaries, whose duty it shall be to annually report upon the actual operations of this act, with authority to recommend to the Commissioner of Pensions such changes as in their judgment may be deemed necessary to protect the public interest and maintain the system upon a sound financial basis, and they shall make a valuation of the "civil-service retirement and disability fund" at intervals of five years, or oftener if deemed necessary by the Commissioner of Pensions; they shall also prepare such tables as may be required by the Commissioner of Pensions for the purpose of computing annuities under this act. The compensation of the members of the Board of Actuaries, exclusive of the Government actuary, shall be fixed by the Commissioner of Pensions with the approval of the Secretary of the Interior.

Administration

Sec. 17. For the purpose of administration, except as otherwise provided herein, the Commissioner of Pensions, under the direction of the Secretary of the Interior, be, and is hereby, authorized and directed to perform, or cause to be performed,

any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect. An appeal to the Secretary of the Interior shall lie from the final action or order of the Commissioner of Pensions affecting the rights or interests of any person or of the United States under this act, the procedure on appeal to be as prescribed by the Commissioner of Pensions, with the approval of the Secretary of the Interior.

The Commissioner of Pensions shall make a detailed comparative report annually showing all receipts and disbursements on account of annuities, refunds, and allowances, together with the total number of persons receiving annuities and the total amounts paid them, and he shall transmit to Congress, through the Secretary of the Interior, the reports and recommendations of the Board of Actuaries.

The Secretary of the Interior shall submit annually to the Bureau of the Budget estimates of the appropriations necessary to finance the retirement and disability fund and to continue this act in full force and effect.

Exemption from execution, etc.

Sec. 18. None of the moneys mentioned in this act shall be assignable, either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

Effective date

Sec. 19. This act shall become effective as of July 1, 1926, and all laws or parts of laws inconsistent with the provisions of this act are hereby repealed as of said effective date.

And the Senate agree to the same.

ROBT. N. STANFIELD,
KENNETH MCKELLAR,

Managers on the part of the Senate.

FREDERICK R. LEHLBACH,
ADDISON T. SMITH,
EMANUEL CELLER,

Managers on the part of the House.

The Senate proceeded, by unanimous consent, to consider the said report; and

Resolved, That the Senate agree thereto.

Ordered, That the Secretary notify the House of Representatives thereof.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks:

Mr. President: The House of Representatives has agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 8048. An act to provide for the leasing of public lands in Alaska for fur farming, and for other purposes; and

H. R. 8903. An act to authorize the sale and disposition of the abandoned tract or tracts of lands formerly used as a live-saving station in Florida, and for other purposes.

The Speaker of the House having signed 13 enrolled bills, viz. S. 4320, H. R. 1252, H. R. 1257, H. R. 2042, H. R. 2676, H. R. 4677, H. R. 5218, H. R. 9234, H. R. 10446, H. R. 11713, H. R. 12211, H. R. 12264, and H. R. 12369, and an enrolled joint resolution, viz. S. J. Res. 47, I am directed to bring the same to the Senate for the signature of its President.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. Greene, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled the following bills and joint resolution:

S. 4320. An act for the relief of the State of North Carolina;

H. R. 1252. An act for the relief of John Regan;

H. R. 1257. An act for the relief of Silas Overmire;

H. R. 2042. An act for the relief of Joseph L. Kersey;

H. R. 2676. An act to allow and credit the accounts of Maj. John D. Gould, Quartermaster Corps, with \$1,646.86, representing various shortages and suspended vouchers in his accounts as disbursing officer during the late war;

H. R. 4677. An act for the relief of the Carroll Motor Co.;

H. R. 5218. An act to carry into effect the twelfth article of the treaty between the United States and the Shawnee Indians proclaimed October 14, 1868;

H. R. 9234. An act to change the military record of Thomas Dowling, alias James Murphy;

H. R. 10446. An act validating the application for and entry of certain public lands by Myrtle Sullinger;

H. R. 11713. An act to provide for an examination and report on the condition and possible development and reclamation of the swamp lands on the Yazoo, Tallahatchie, and Coldwater Rivers in Mississippi;

H. R. 12211. An act to amend section 4009 of the Revised Statutes;