

Dill-Connery, as passed, S. 493, 78 Cong. Rec. 11313-11314 (June 13, 1934)

## PROTECTION OF LABOR IN ITS OLD AGE

The bill (S. 493) to protect labor in its old age, which had been reported from the Committee on Pensions with amendments, was announced as next in order.

The VICE PRESIDENT. The amendments have heretofore been agreed to. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That this act shall be known and may be cited as the "United States Old Age Security Act."

## DEFINITIONS

SEC. 2. When used in this act-

- (a) "Bureau" shall mean the Old Age Security Bureau;
- (b) "State or Territory authority" shall mean the State or Territory authority charged with cooperating with the bureau;
- (c) "Assisted person" shall mean a person entitled to receive assistance under a State or Territory plan approved by the bureau; and
- (d) The masculine shall include the feminine.

## AUTHORIZATION AND APPROPRIATION

SEC. 3. There is hereby authorized to be appropriated annually out of any money in the Treasury not otherwise appropriated, the sum of \$10,000,000, to be apportioned among the States or Territories as provided herein, to aid them in giving assistance to aged persons under the conditions of this act: Provided, That the President is hereby authorized to allocate not to exceed \$10,000,000 from any funds that may be made available for carrying out the terms of the Emergency Relief Act of 1933 for the fiscal year ending July 1, 1935, and the fiscal year ending July 1, 1936, to be expended as provided under the terms of this act.

## ALLOTMENT NOT TO BE USED FOR LANDS

SEC. 4. No portion of any money allotted under the act for the benefit of any State or Territory shall be applied to the purchase, rental, erection, repair of any building, or for equipment, or for the purchase or rental of any lands.

## MONEY TO BE SPENT BY STATE

SEC. 5. All money allotted under this act to any State shall be expended under the supervision of the State authority

## ACCEPTANCE OF ACT BY STATE

SEC. 6. In order to receive the benefit of this act, any State or Territory shall, through its legislature-

- (a) Accept the provisions of this act;
- (b) Empower and designate a State or Territory board or officer as the State or Territory authority to prepare the plan herein provided for, to cooperate with the bureau, and to supervise the expenditure of the funds; and
- (c) Appoint the State or Territory treasurer as custodian of any allotment paid it under this act, who shall receive and provide for the proper custody and disbursement of all money so paid.

SEC. 7. (1) There is hereby created in the Department of Labor a bureau to be known as the "Old Age Security Bureau."

- (2) The bureau shall be in charge of a director to be appointed by the Secretary of Labor.
- (3) There is hereby authorized to be employed by the bureau a chief clerk and such special agents, assistants, clerks, and other employees at such rates of compensation and in such numbers as Congress may from time to time provide by appropriations.

## DUTIES OF BUREAU

SEC. 8. It shall be the duty of the bureau to carry out the provisions of this act, and to that end-

- (a) To make the necessary rules and regulations;
- (b) To examine plans submitted by a State or Territory authority for the disbursement of an allotment to the State or Territory under this act, and to approve such plans and any changes thereof;
- (c) To make necessary investigations of the administration of any plan approved by it;
- (d) To cooperate with State or Territory authorities and other agencies, public and private, for the purpose of improving the administration of old-age assistance and of studying the problem of old age in the United States;
- (e) To withhold from any State or Territory the payment of any allotment or installment thereof when it decides that the money allotted is not being expended as provided in the plan;
- (f) To certify to the Treasurer of the United States the amount of allotment to any State or Territory; and
- (g) To take any other action necessary to carry out the purpose of this act.

## APPEAL TO PRESIDENT OR SECRETARY

SEC. 9. When any allotment or any installment thereof is withheld by the bureau, the State or Territory affected may appeal to the Secretary of Labor, and from his decision to the President of the United States, who may either affirm or reverse the action by the bureau or the Secretary as he may judge proper. The Bureau on receiving notice of the opinion of the Secretary or of the President shall take action to accord with it.

## CONTENTS OF PLAN

SEC. 10. The bureau shall not approve any plan submitted by the State or Territory authority which does not provide that-

(1) The plan shall be State-wide or Territory-wide and if administered by subdivisions of the State or Territory shall be mandatory on such subdivisions.

(2) An old person entitled to relief under it:

(a) Is a citizen of the United States and a resident of the State or Territory for a period of years determined by the State or Territory law providing old-age assistance;

(b) Is 65 years old, except up to January 1, 1939, plans may be approved in which the age requirement is above 65 but no more than 70 years;

(c) Does not possess real and/or personal property of a value in excess of \$5,000; and

(d) Has no child or other person responsible under the law of the State or Territory for his support and able to support him.

(3) There shall not be charged against the allotment made under this act more than one-third of the total sum paid to aged persons under the plan, except that payments made in excess of \$1 a day to any such person and payments made to persons who are not citizens of the United States, shall not be taken into account.

(4) So much of any sum paid as assistance, which shall be equivalent to the share paid from the allotment under this act, shall be a lien on the estate of the assisted person and upon his death shall be collected by the State or Territory and reported to the bureau provided in this act.

#### CHANGES IN PLAN

SEC. 11. The State or Territory authority may at any time submit proposed changes in the plan to the bureau, which may approve such changes if they are in accord with the provisions of this act.

#### REPORTS BY STATE OR TERRITORY AUTHORITY

SEC. 12. (1) The State or Territory authority shall annually, on or before the 1st day of May of each year, or as soon thereafter as possible, submit to the bureau a statement-

(a) Of the amount of the appropriation made by the State or Territory for the period of the ensuing fiscal year for the purpose of assistance without including any part of the expenses of administration:

(b) An estimate of the sum which must be contributed by any political subdivision of the State or Territory during such year for the purpose of assistance without including any part of the expenses of administration;

(c) A statement of the amount collected, if any, from the estate of any assisted person for which the State or Territory is accountable to the United States under section 10, subsection (4); and

(d) An estimate of the amount unexpended of any allotment made from appropriation under this act for the current year.

(2) (a) The bureau shall compute annually the amount of allotment to be given such State or Territory at one-third of the sum of (a) and (b) of subsection (1) of this section. after deducting from such one-third the sum of (d) and (c) of such subsection.

(b) If the amount of assistance to any aged person under the plan •be at a rate in excess of \$1 a. day, then only so much of the appropriations by the State or Territory and the political subdivision thereof shall be taken as a basis for computation, which when added to the Federal allotment will provide assistance at the rate of \$1 a day.

( c) If the sum of all allotments be in excess of the appropriations for the purpose, then the allotment to each State or Territory shall be diminished to that percentage which the appropriations bear to the sum of all allotments.

(3) The State or Territory authority shall report at such date to the bureau, in respect to the administration of the plan. And shall make such other reports at such time as may be fixed by the bureau.

(4) Each State or Territory authority, as soon as possible after the 30th day of June of each year, shall notify the bureau of the exact amount unexpended of its allotment for the year ending on such 30th day of June, and the bureau shall adjust the allotment to each State or Territory in · accordance therewith.

#### NOTIFICATION TO TREASURER

SEC. 13. The Bureau shall annually notify the Treasurer of the United States of the States or Territories whose plans have been accepted and are in force and the amount of the allotment made to · each State or Territory. The Treasurer shall thereupon pay to the treasurer of each such State or Territory the sum so allotted 1n quarterly installments beginning the 1st of July of each year unless he is notified by the bureau to withhold or change the amount of any allotment, in which case he shall act 1n accordance with such notification.

#### ACTION OF COMPTROLLER GENERAL

SEC. 14. The Comptroller General is authorized and directed to allow credit in the accounts of the Treasury of the United States for payment of allotments in the amount notified him by the Commission.

Mr. GORE subsequently said: Mr. President, I was temporarily called out of the Chamber to attend a meeting of the District Committee. During my absence Senate bill 493 was reached. I have been watching its call. I ask unanimous consent to reconsider the vote by which the measure was passed, because it is not consistent with the special message submitted to the House last week by the President, who suggested that measures of this kind, together with others, ought to be very carefully considered by a commission. For that reason I ask to reconsider, as I understand a commission is to be appointed for that purpose.

The VICE PRESIDENT. The Senator from Oklahoma [Mr. GORE] asks unanimous consent that the vote by which Senate bill 493 was passed be reconsidered. Is there objection? The Chair hears none.

Mr. GORE. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.