Mr. President, I ask unanimous consent to have incorporated in the Record at this point as a part of my remarks a letter dated January 7, 1954, signed by me and addressed to Hon. Emanuel Celler, House of Representatives, Washington, D.C., calling attention to a certain memorandum, and the references there- in to him.

There being no objection, the letter was ordered to be printed in the Record, as follows:

UNITED STATES SENATE, January 7, 1954.

Hon. Emanuel Celler, House of Representatives, Washington, D.C.

DEAR CONGRESSMAN Celler:

In reviewing the tax case of Mr. Edward E. and Mr. Samuel E. Jackson, of Tampa, Fla., and Sidney, Ohio, along with many other tax cases and memoranda, a memorandum dated January 51 and signed by Mr. Turner Smith, addressed to his superior, Mr. T. La-

mar Caudle, in which he stated that time was serving as Assistant Attorney General, Criminal Division of the Department of Justice, has been called to my attention.

Reference Memorandum Mr. Smith explains to Mr. Caudle a visit which you made to his office accompanied by a gentleman whom you introduced as a law partner either of your brother or of your brother-in-law, who had been representing the Jackson people. Ac-
ccompanying you, explained that he had been Judge Baar's place in these mat-
ters. He had been in his charge. I succeeded him as United States Attorney for the Southern District of New York in

Toward the end of July 1951, through asso-
ciate counsel of the defendant, it was ascertained that an indictment or information might be filed against Samuel E. Jackson within a matter of days to protect the Government against the stat-
ute of limitations running on any returns involved, despite the fact that the Depart-
ment of Justice had referred to the Public Health Service as to whether an indictment or trial might prove fatal to Samuel E. Jackson. It was my considered judgment that the Department of Justice had not correctly applied the law and that in fact, if the Department waited until the Public Health Service report was received, not only would the statute not run against any returns that were then involved, but in our opinion, by reason of our knowledge of the client's physical condition, the finding of an indictment prior to consideration of the medical report would result in a mis-
carriage of justice.

I requested you to make an imme-
diate appointment for me with whoever might be in charge of the Department of Justice. On August 6, 1951, as I recollect the date, you introduced me to Mr. Turner Smith, whom you advised as to the fact that my taking Judge Baar's place in these mat-
ters. You also stated to Mr. Smith that it was my position that the defendant, because of the very precarious condition of his health, should not be prosecuted for criminal violations and that I also wanted to present before the Department a legal argu-
ment on the question of the statute of limita-
tions which I confidently believed would demonstrate the lack of urgency in the immediate filing of an indictment, and that consequently, in all fairness, the report of the Public Health Service should be awaited before further action was taken. You will recall at the conclusion of the con-
ference, if I may recall to you Mr. Smith that if the medical report did not arrive in due time, I would be given an opportunity to present argument on the legal question of the application of limitations.

In order that you may be fully apprised of subsequent developments, I give you the following information:

The Public Health Service report was such that not only was an indictment not filed, but the Department returned the matter for civil disposition. However, sub-
sequent and for reasons which, particu-
larly in the light of the foregoing, we never understood, Samuel E. Jackson was indicted in both New York and Ohio. Mr. Jackson pleaded "guilty" to both New York and Ohio indictments. Under the rules, an appli-
cation was made to the United States Dis-
trict Court for the Southern District of New York to have the New York case transferred to Ohio, where Jackson resided, which application was granted. By direction of the Judge presiding in the District Court in Ohio, the defendant was examined by Government physicians and medical proof was adduced as to his condition. By reason of Jackson's state of health, the court fined him $10,000 on each of three counts and sen-
tenced him to 2 years in prison, which 2-year sentence was suspended.

I trust this gives you all the required in-
formation in this matter.

Sincerely yours,

EMANUEL CELLER.

Enclosure.

Mr. WILLIAMS. Mr. President, I ask unanimous consent to have printed in the Record at this point as a part of my remarks a letter dated January 26, 1954, signed by Representative Emanuel Celler and addressed to me, together with an accompanying letter dated January 20, 1954, addressed to Repre-
sentative Celler and signed by Mr. Lawrence J. Lieberman.

I say that both these letters explain Representative Celler's version of the interview referred to, and I think it is only fair that they be incorporated in the Record as follows:


Hon. WILLIAM J. BENNETT.

RE: COINAGE OF 50-CENT PIECES IN COMMEMORATION OF THE TERTCEN-
TENNIAL CELEBRATION OF THE FOUNDING OF THE CITY OF NORTH-
AMPTON, MASS.--VETO MESSAGE (S. DOC. NO. 93)

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Sen-
ate the following message from the President of the United States which was read, and, with the accompanying bill, ordered to lie on the table:

To the United States Senate:

I am returning herewith, without my approval, S. 987, "to authorize the coin-
age of 50-cent pieces in commemoration of the tercentennial celebration of the founding of the city of Northampton, Mass."

The proposed legislation would authorize the coinage of 1 million silver 50-cent pieces in commemoration of the tercen-
tennial celebration of the founding of the city of Northampton, Mass.

The principal objection to commemo-
rative coins is that they detract from the fundamental function of the coinage as a medium of exchange. Multiplicity of designs on United States coins would tend to create confusion among the pub-
lic, and to facilitate counterfeiting. The Department has suggested that limiting the designs of coins by section 3510 of the Revised Statutes which pro-
vides that "no change in the design or dies may be made oftener than once in 25 years from and including the year of the first adoption of the design, model, die, or hub for the same coin."

I am further advised by the Treasury Department that in the past in many in-
stances the public interest in these special coins has been so short-lived that their sales for the purposes intended have lagged with the result that large quantities have remained unsold and have been returned to the mints for melting.

I fully recognize the importance to the country of the event which this coin would commemorate. I recognize, too, that the authorization of 1 or 2 or 3 of such issues of coins would not do major honor to the event. However, I have demon-
strated that the authorization of even a single commemorative issue brings forth a flood of other authorizations to com-
memorate events or anniversaries of lo-
cal or national importance. In the ad-
ministration of President Hoover, these
February 3, 1954.


COINAGE OF 50-CENT PIECES TO COMMEMORATE THE TERCEN-
TENIAL OF FOUNDATION OF CITY OF NEW YORK—VETO MESS-
SAGE (S. DOC. NO. 94)

The PRESIDING OFFICER laid before the Senate the following message from the United States Treasury Department, which was read, and, with the accompanying bill, ordered to lie on the table:

To the United States Senate:

I am returning herewith, without my approval, S. 2474, "to authorize the coinage of 50-cent pieces to commemorate the 300th anniversary of the foundation of the city of New York."

The proposed legislation would authorize the coinage of not to exceed 5 million silver 50-cent pieces in commemoration of the 300th anniversary of the founding of the city of New York.

The principal objection to commemorative coins is that they detract from the fundamental function of the coinage as a medium of exchange. Multiplicity of designs on United States coins would tend to create confusion among the public, and to facilitate counterfeiting. The Congress recognized the necessity for limiting the designs of coins by section 3510 of the Revised Statutes which provides that "no change in the design or die of any coin shall be made oftener than once in 25 years from and including the year of the first adoption of the design, model, die, or hub for the same coin."

I am further advised by the Treasury Department that in the past in many instances the public interest in these special coins has been so short lived that their sales for the purposes intended have lagged with the result that large quantities of the remembered designs have been returned to the mints for melting.

I fully recognize the importance to the country of the event which this coin would commemorate, but I have come to the conclusion that the authorization of 1 or 2 or 3 of such issues of coins would not do major harm. However, experience has demonstrated that the authorization of even a single commemorative issue brings forth a flood of other authorizations to commemorate events or anniversaries of local or national importance. In the administration of President Hoover, these authorizations multiplied to the point where he felt compelled to exercise his veto. The same pattern recurred in the administration of Presidents Roosevelt and Truman. In view of this historical pattern, which by now has become so clear, I think that it is both wiser and fairest to make my views known on this subject at the outset. I therefore regretfully withhold my approval of S. 2474.

As has been suggested in the past, it seems to me wholly appropriate that any utilization of this one, which the Congress deems it desirable to commemorate, should be recognized by bills authorizing the Treasury to provide suitable commemorative medals at cost.

DWIGHT D. EISENHOWER.

The WHITE HOUSE, February 3, 1954.

RETIRED EMPLOYEES IN THE LEGISLATIVE BRANCH

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2175) to amend title VI of the Legislative Reorganization Act of 1946, as amended, with respect to the retirement of employees in the legislative branch, which was to strike out all after the enacting clause and insert:

That title VI of the Legislative Reorganization Act of 1946, as amended, is amended by adding at the end thereof the following new section:

"Sec. 601. (a) Section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following new subsection:

"(g) Any officer or employee in the legislative branch of the Government within the classes of officers and employees made eligible for the benefits of this act by the act of July 13, 1937, or the act of June 21, 1947, retiring under this act on or after the date of enactment of this subsection and after having rendered at least 5 years of service as an officer or employee shall, if he so elects at the time of his retirement, be paid in lieu of an annuity under section 2175 (subparagraph (A), (B), and (C) of section 2175) to amend title VI of the Legislative Reorganization Act of 1946, as amended, the sum of his years of service as a Member of Congress, his years of active service as an officer or employee in the legislative branch of the Government, multiplied by 1 percent for each full month he is under the age of 60 years,'"

"(b) Paragraph (5) is amended to read as follows:

"(5) Subject to the provisions of section 9 and of subsections (c) and (d) of section 4, the annuity of a Member of Congress shall be an annuity computed as provided in paragraph (5) of this section, be retired for disability, irrespective of age, and be paid an annuity computed in accordance with paragraph (5) of this section, and (B) any such Member who shall have become separated from the service after having had at least 10 years of service as a Member of Congress and who shall have attained the age of 55 years may receive an annuity computed as provided in paragraph (5) of this section, be retired for disability, and shall receive an annuity equal to the sum of his years of service as a Member of Congress and his years of active service as an officer or employee in the legislative branch, times 1 percent for each full month he is under the age of 60 years."

"(c) Section 3A of such act is amended as follows:

"(1) Paragraph (9) is amended to read as follows:

"(9) No person shall be entitled to receive an annuity as provided in this section until he shall have become separated from the service after having had at least 6 years of service as a Member of Congress and who shall have attained the age of 62 years or after having had at least 10 years of service as a Member of Congress and who shall have had at least 5 years of service as a Member of Congress, may, subject to the provisions of this section, be retired for disability, or after attaining the age of 60 years, except that (A) any such person who shall have had at least 5 years of service as a Member of Congress, may, subject to the provisions of this section, be retired for disability, and (B) any such person who shall have satisfied the age limits provided in paragraph (3) of this section, be retired for disability after attaining the age of 55 years or after having served at least 10 years of service as a Member of Congress, may receive an annuity equal to the sum of his years of service as a Member of Congress and his years of active service as an officer or employee in the legislative branch, times 1 percent for each full month he is under the age of 60 years."

"(3) Paragraph (10) is amended by Inserting before the period at the end thereof a comma and the following sentence: 'The term 'active service performed' as a member of the Armed Forces of the United States means (A) active service performed as a member of such forces, during any war or national emergency proclaimed by the President or declared by the Congress, by a Member of Congress who left or leaves his office for the purpose of performing such service, and (B) any other service as a member of such forces, not to exceed an aggregate of 5 years, performed as a member of such forces, but shall not include any such service for which credit has been given for the purpose of the retired pay under any other provision of law, including title II of the Army and Air Forces Retirement Act of 1940 and title III of the Army and Air Forces Retirement Act of 1948.'"

"(d) (1) Notwithstanding the provisions of section 3 (a) of the Act of February 28, 1946, that article two in the act of the United States, as amended, covering the Civil Service Retirement Act of May 29, 1930, as amended, shall apply to Members of the Congress, such Members shall be treated as if they were Members of the Civil Service or Members of the Congress, as the case may be, notwithstanding any other provision of law, including title II of the Army and Air Forces Retirement Act of 1948, that article two in such act shall apply in such case, and shall apply to the widower of any such Member of Congress to the same extent and in the same manner as to the