

ANTHONY F. BERNARDO AND AMBROSE A. CERRITO

M E S S A G E

FROM

THE PRESIDENT OF THE UNITED STATES

RETURNING

WITHOUT APPROVAL THE BILL (H.R. 4501) FOR THE RELIEF OF
ANTHONY F. BERNARDO AND AMBROSE A. CERRITO

AUGUST 6, 1964.—Referred to the Committee on the Judiciary and ordered to be
printed together with the accompanying bill

To the House of Representatives:

I am returning, without my approval, enrolled bill H.R. 4501, for the relief of Anthony F. Bernardo and Ambrose A. Cerrito.

These employees, while assigned by the Navy Department to McMurdo Sound, Antarctica, worked many extra hours to complete their assignment within a very short period. Because of a statutory ceiling on their aggregate base pay and overtime pay within each 2-week pay period, however, they could not be compensated for all of their extra hours.

Many other employees, similarly motivated and similarly dedicated, in our national defense programs, in our space programs and in our national emergencies caused by floods and fires, have voluntarily worked long hours of overtime without being compensated, because of the statutory prohibition. This is unfortunate, but unavoidable, so long as the limitation upon salaries in the law remains in existence. It would be highly preferential to permit payment to Mr. Bernardo and Mr. Cerrito while denying it to the thousands of others employed under similar circumstances. Regretfully, therefore, I am constrained to veto the legislation.

LYNDON B. JOHNSON.

THE WHITE HOUSE, August 6, 1964.

H.R. 4501

EIGHTY-EIGHTH CONGRESS OF THE UNITED STATES OF AMERICA, AT THE SECOND SESSION, BEGUN AND HELD AT THE CITY OF WASHINGTON ON TUESDAY, THE SEVENTH DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND SIXTY-FOUR

AN ACT For the relief of Anthony F. Bernardo and Ambrose A. Cerrito

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anthony F. Bernardo, supervisor equipment specialist "general", GS-9, Department of the Navy, the sum of \$648, and to Ambrose A. Cerrito, equipment specialist "general", GS-5, Department of the Navy, the sum of \$211.68. Payment of such sums shall be in full settlement of the respective claims of such claimants against the United States for overtime pay for work actually performed by them, as civilian employees of the Department of the Navy, in connection with automotive and construction equipment at McMurdo Sound, Antarctica, early in 1962, to which they would have been entitled if section 603 of the Federal Employees Pay Act of 1945, as amended (68 Stat. 1112; 5 U.S.C. 943), and Navy civilian personnel instruction numbered 610 issued pursuant to such section, were not applicable in their cases: *Provided*, That no part of either of the sums appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

JOHN W. McCORMACK,
Speaker of the House of Representatives.

LEE METCALF,
Acting President pro tempore of the Senate.

[Endorsement on back of bill:]

I certify that this Act originated in the House of Representatives.

RALPH R. ROBERTS, *Clerk.*
By JOHN A. ROBERTS.

