

ESTATE OF LOUIS J. SIMPSON, DECEASED

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M E S S A G E

FROM

THE PRESIDENT OF THE UNITED STATES

RETURNING

WITHOUT APPROVAL THE BILL (H.R. 7328) FOR THE RELIEF OF THE  
ESTATE OF LOUIS J. SIMPSON, DECEASED

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SEPTEMBER 20, 1962.—Referred to the Committee on the Judiciary and ordered  
to be printed

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*To the House of Representatives:*

I return herewith, without my approval, H.R. 7328, for the relief of the estate of Louis J. Simpson, deceased.

Mr. Simpson, a GS-11 supervisory appraiser at the Veterans' Administration regional office, San Antonio, Tex., retired under disability on September 30, 1958, thereupon drawing a civil service annuity. He was rehired on the following day by the same regional office, on a contractual basis, to perform essentially the same duties as he had while a direct employee. However, his annuity payments were not deducted from the amounts payable under the contracts, as required by section 13(b) of the Civil Service Retirement Act in the case of retired employees who are reemployed by the U.S. Government. These amounts were not deducted by the Veterans' Administration regional office because of a belief that Mr. Simpson was providing services as an independent contractor. The General Accounting Office determined, however, that the contract between Mr. Simpson and the Government established an employer-employee relationship and that his compensation should have been reduced by \$2,442.16, the amount of his annuity for the period in question. H.R. 7328 would relieve the estate of Mr. Simpson from the liability to repay the United States this sum.

Since provisions of general law bar receipt of full salary and annuity from the Government at the same time, any departure from this general practice should be clearly distinguishable and justifiable if inequity and discrimination are to be avoided. I find no such distinguishing factors in this case.

Both Mr. Simpson and Mrs. Simpson have died. There are no surviving children. The bill would, therefore, benefit only collateral heirs or legatees.

In all the circumstances, I believe disapproval of the bill is warranted.

JOHN F. KENNEDY.

THE WHITE HOUSE, *September 20, 1962.*

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H.R. 7328

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

AN ACT For the relief of the estate of Louis J. Simpson, deceased.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the estate of Louis J. Simpson, deceased, of San Antonio, Texas, is hereby relieved of liability to repay to the United States the sum of \$2,442.16, representing the portion of the amounts paid to the decedent while employed on a contract basis by the Veterans' Administration between October 1, 1958, and October 23, 1959, which was not deducted from such amounts as required by section 13(b) of the Civil Service Retirement Act (5 U.S.C. 2263(b)). In the audit and settlement of the accounts of any certifying or disbursing officer, full credit shall be given for all amounts for which liability is relieved by this Act.

JOHN W. McCORMACK,

*Speaker of the House of Representatives.*

LYNDON B. JOHNSON,

*Vice President of the United States and*

*President of the Senate.*

[Endorsement on back of bill:]

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

RALPH R. ROBERTS, *Clerk.*

