

AMEND SECTION 304 OF THE REVISED STATUTES

JULY 29 (calendar day, AUGUST 12), 1935.—Ordered to be printed

Mr. BYRD, from the Committee on Finance, submitted the following

REPORT

[To accompany S. 3258]

The Committee on Finance, to whom was referred the bill (S. 3258) to amend section 304 of the Revised Statutes, as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of this bill is to increase the efficiency of the office of the Treasurer of the United States by authorizing the Secretary of the Treasury to appoint an Acting Treasurer during the absence or illness of the Treasurer or the Assistant Treasurer, or both, and to appoint a Special Assistant Treasurer to relieve the Assistant Treasurer of purely routine matters when the volume of work becomes too great to be handled by a single person.

The need for this legislation is pressing because of the inadequacy of existing law covering the matter. Section 304 of the Revised Statutes, as amended by the act of March 31, 1886 (24 Stat. 9), authorizes the temporary appointment of one of the clerks of the Treasury as Acting Assistant Treasurer during the absence or illness of the Treasurer or the Assistant Treasurer, or both, for a term not exceeding 30 days, thus necessitating the renewal of such appointment from time to time where it is desired that the appointee continue indefinitely to perform the duties of that office. In addition, the clerk appointed is given practically complete authority to represent the Treasurer or the Assistant Treasurer. Because of such broad authority vested in him, of the importance of the duties undertaken, and of the responsibility and accountability of the Treasurer, the provision that an Acting Assistant Treasurer must be appointed from among the clerks in the Treasury is undesirable.

This bill authorizes the Secretary to appoint an Acting Treasurer (in lieu of an Acting Assistant Treasurer) on an indefinite basis, obviating the necessity for constant renewals of 30-day appoint-

ments. It extends existing law so as to include among the eligibles for appointment all of the personnel of the Treasurer's office so that appointments may be made from among persons who are better qualified than clerks to perform the duties of that office.

The bill further authorizes the Secretary to appoint a Special Assistant Treasurer from among the clerks in the Treasurer's office to relieve the Assistant Treasurer of some of his routine duties when the volume of work becomes too great to be performed by him alone. Clerks so appointed will perform the purely ministerial duties of signing certificates of deposit, checks, letters, telegrams, and other official documents in connection with the transactions of the Treasurer's office and are to serve in that capacity without additional compensation.

Finally, the bill provides that the official bond given by the Treasurer shall cover the acts and defaults of persons appointed under the bill, and that persons appointed shall be subject to all liabilities and penalties as are prescribed by law for the official misconduct of the Treasurer.

