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SENATE

{ REPORT  
No. 1950

## PROVIDING THAT HORSES AND MULES BELONGING TO THE UNITED STATES WHICH HAVE BECOME UNFIT FOR SERVICE BE DESTROYED OR PUT TO PASTURE

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APRIL 20 (calendar day, JUNE 2), 1938.—Ordered to be printed

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

### REPORT

[To accompany H. R. 9848]

The Committee on Finance, to whom was referred the bill (H. R. 9848) to require that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture, having considered the same, report favorably thereon without amendment and recommend that the bill be passed.

The bill provides that notwithstanding the first proviso in the fourth paragraph under the heading "Division of Supply" in Title I of the Treasury and Post Office Department Appropriation Act, approved December 20, 1928, horses and mules belonging to the United States which have become unfit for service may be destroyed or put out to pasture. The law of December 20, 1928, is the basic act under which surplus or unusable materials, supplies, and equipment are turned over to the Procurement Division for reissue or sale. The bill is permissive in that it proposes to authorize that surplus horses and mules which are unfit for further service may be disposed of by destruction or by being put to pasture.

There is attached hereto as a part of this report a communication addressed to the clerk of the committee by the Director of Procurement, Treasury Department, advising that the Procurement Division has no objection to the passage of the bill.

TREASURY DEPARTMENT,  
PROCUREMENT DIVISION,  
Washington, June 1, 1938.

Mr. F. M. JOHNSTON,  
Clerk, Committee on Finance, United States Senate.

DEAR MR. JOHNSTON: I have received your letter of May 25, 1938, confirming our telephonic conversation relative to the bill H. R. 9848, an act to require

that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture.

The bill provides that notwithstanding the first proviso in the fourth paragraph under the heading "Division of Supply" in title I of the Treasury and Post Office Department Appropriation Act, approved December 20, 1928, horses and mules belonging to the United States which have become unfit for service may be destroyed or put out to pasture. The law of December 20, 1928, is the basic act under which surplus or unusable materials, supplies, and equipment are turned over to the Procurement Division for reissue or sale. Under this provision condemned or useless material must be sold eventually, even though it be as junk.

The bill is permissive in that it proposes to authorize that surplus horses and mules which are unfit for further service may be disposed of by destruction or by being put to pasture. Under the mandatory provisions of existing law, the Procurement Division has had to sell certain surplus animals, for which it has been criticized by the Humane Society. While the Procurement Division has no facilities for pasturage or funds to defray the costs thereof, arrangements could be made for the humane destruction of such animals as should not be permitted to pass into private hands where their treatment might subject the Government to criticism.

It is noted that the War Department has reported on the bill as unnecessary, and that it will affect no existing law. The War Department no doubt has facilities available for administratively carrying into effect the objects of the bill. Some other departments, having animals in their custody, are less favored in this respect, unless clothed with some authority for appropriations to pay the cost of pasturage or they could use the facilities of agencies having available pasture lands. The proposed legislation will affect the existing law cited in the bill, in that it relieves its mandatory feature regarding the disposition of the surplus livestock specified.

For the foregoing reasons, the Procurement Division would have no objection to the passage of an act permitting the use of discretion in the disposition, other than by sale, of unfit horses and mules.

Very truly yours,

C. J. PEOPLES, *Director of Procurement.*

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