

TITLE 8
ADMINISTRATIVE DIVISION

U. S. ATTORNEYS MANUAL 1953

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TITLE 8: ADMINISTRATIVE DIVISION

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APPOINTMENT REQUIREMENTS, PROCEDURES,
AND DUTIES OF UNITED STATES ATTORNEYS
AND THEIR EMPLOYEES

UNITED STATES ATTORNEYS

Appointment and Term of Office

United States Attorneys are appointed for a term of 4 years, except in the District of Hawaii, where the term is 6 years. Upon the expiration of his term a United States Attorney shall continue to perform the duties of his office until his successor is appointed and qualifies.

The district court for a district in which the office of United States Attorney is vacant may appoint a United States Attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the Clerk of the Court (28 U. S. C. 506), and a copy thereof forwarded to the Deputy Attorney General together with the forms required below for regular appointment.

Citizenship

United States Attorneys must be citizens of or owe allegiance to the United States or have filed declarations of intention to become citizens which declarations are valid and have not expired. In the event that a foreign born citizen is appointed as United States Attorney, he shall file an affidavit as to his citizenship at the time of appointment. The statement as to citizenship in the appointment form (Standard Form No. 61) is acceptable as such an affidavit.

Only citizens of the Territory of Hawaii who have resided therein for at least 3 years next preceding are eligible for appointment as United States Attorney for the District of Hawaii (28 U. S. C. 501).

Official Residence

The Attorney General may determine the official stations of United States Attorneys within the districts for which they are appointed. Each United States Attorney must reside in the district for which he is appointed, except that such officers of the District of Columbia and the Southern District of New York may reside within 20 miles of their District (28 U. S. C. 505).

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Officials will be notified of their official residence at the time their commission and appointment forms are transmitted to them.

Compensation

United States Attorneys receive annual salaries fixed by the Attorney General (28 U. S. C. 508), in accordance with the compensation schedules applicable to classified civil service employees. United States Attorneys are also allowed necessary travel and subsistence expenses, while absent from their official stations on official business, in accordance with regulations promulgated by the Attorney General under the Standardized Government Travel Regulations (28 U. S. C. 509). (See Travel.)

Appointment Forms and Entry on Duty

Each United States Attorney, before taking office, must take an oath to execute faithfully his duties (28 U. S. C. 504).

A commission and blank forms for the execution of an oath of office are transmitted by the Deputy Attorney General to each newly appointed United States Attorney.

The appointee should ordinarily confer with his predecessor in office and with the senior district judge and agree upon some satisfactory date for assuming duties. He should then advise the Department accordingly, at the same time acknowledging the receipt of his commission.

The following appointment forms should be executed and returned to the Department promptly after entry on duty:

- (1) Standard Form No. 61—Civil Officer Appointment Affidavits.
- (2) Bar affidavit (proving admission to bar).
- (3) Address blank.
- (4) Personal History Statement. (Appendix, form 2.)

In cases where a court appointment has been made, a copy of the Court Order must also be forwarded to the Deputy Attorney General.

Duties

The Attorney General has supervision over all litigation to which the United States or any agency thereof is a party, and has direction of all United States Attorneys and their Assistants in the discharge of their respective duties (28 U. S. C. 507).

It is the duty of each United States Attorney, within his district to: (a) prosecute for all offenses against the United States; (b) prose-

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cute or defend, for the Government, all civil actions, suits or proceedings in which the United States is concerned; (c) appear in behalf of the defendants in all civil actions, suits or proceedings pending in his district against collectors, or other officers of the revenue or customs for any act done by them or for the recovery of any money exacted by or paid to such officers, and by them paid into the Treasury; (d) institute and prosecute proceedings for the collection of fines, penalties, and forfeitures incurred for violation of any revenue law unless satisfied upon investigation that justice does not require such proceedings; (e) make such reports as the Attorney General shall direct (28 U. S. C. 507).

REGULAR ASSISTANTS**Appointment Authority and Tenure**

Regular Assistants to United States Attorneys are appointed by the Attorney General in any district when the public interest so requires (28 U. S. C. 502). They are subject to removal by the Attorney General.

A regular Assistant United States Attorney is appointed to assist the United States Attorney in performing the duties of his office and one person may not be paid the compensation of both offices (1 Comp. Treas. 184).

Residence

The Attorney General may determine the official stations of Assistant United States Attorneys within the districts for which they are appointed. Each Assistant United States Attorney must reside in the district for which he is appointed, except that such officers of the District of Columbia and the Southern District of New York may reside within 20 miles of the district (28 U. S. C. 505).

Character Investigation

A character investigation will be made of each proposed appointee for the position of Assistant United States Attorney. No person may enter on duty until the investigation is found to be satisfactory and the United States Attorney has been given permission to swear in the Assistant.

Citizenship

Assistant United States Attorneys must be citizens of or owe allegiance to the United States, or have filed declaration of intention to become citizens which declarations are valid and have not expired. In the event that a foreign born citizen is appointed as

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Assistant United States Attorney, he shall file an affidavit as to his citizenship at the time of appointment. The statement as to citizenship in the appointment form (Standard Form No. 61) is acceptable as such an affidavit.

Compensation

Salaries of Assistant United States Attorneys are fixed by the Attorney General (28 U. S. C. 508) in accordance with the provisions of section 202, Public Law 195, 83d Congress, approved August 5, 1953. (See Salary Schedules and Pay Scales).

Vacancies

All requests for appointment should be addressed to the Deputy Attorney General. Recommendations for the appointment should be accompanied by the following forms and information:

- (1) Standard Form 57 (Application)—original only. Complete statement which follows Item No. 38 verifying military discharge, otherwise five point military preference will not be granted.
- (2) Standard Form 15 (Appendix, form 30) and supporting proof (if claiming disability, wife, widow, or mother preference).
- (3) Standard Form 86 (Security Investigation Data for Sensitive Position)—in duplicate.
- (4) Standard Form 87 (Fingerprint Chart).
- (5) Vacancy for which proposed.
- (6) Proposed official residence.

Those responsible for recruiting personnel should anticipate their requirements sufficiently in advance to permit completion of the character investigation and its approval prior to entry on duty.

Where a position has been vacated by an employee who received a lump sum payment covering annual leave due on termination of service, the vacancy may not be filled until expiration of the period of leave for which payment was made.

Appointment Forms and Entry on Duty

The Deputy Attorney General is responsible for notifying the United States Attorney of action taken on proposed appointees. The notice will include authority to swear in the Assistant, the grade, salary and headquarters, and the necessary appointment forms listed below:

- (1) Bar affidavit.
- (2) Personal History Statement. (Appendix, form 2.)
- (3) Civil Officer Appointment Affidavit (Standard Form 61).
- (4) Medical Certificate. (Standard Form 78.)

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The above-mentioned forms will be executed at the time of entry on duty and will be returned to the Deputy Attorney General.

The employee must not be added to the payroll and no salary payment shall be made until payroll copies of fanfold (Nos. 6 and 7) (Appendix, form 28) are received from the Department.

Trial Period

Supervisors of attorney appointees will carefully evaluate their work. At the end of the first 6 months of service, each supervisor will recommend the separation of any appointee whose performance does not measure up to the high efficiency requirements of the Department.

Persons in the Department who interview applicants or who are responsible for recommending the selection of applicants will make no commitment to a prospective appointee regarding his possible appointment. A person to whom appointing authority has been delegated by the Attorney General may make only a tentative commitment with respect to any particular appointment. Otherwise, applicants may be misled into taking premature action.

SPECIAL ASSISTANTS**Positions, Duties, and Compensation**

28 U. S. C. 503, 508 authorizes the Attorney General to appoint Special Assistants to assist the United States Attorney when the public interest so requires, and to fix their salaries. These Assistants are designated as either Special Assistants to the United States Attorney or Special Assistants to the Attorney General and are hired for the purpose of assisting in the preparation and presentation of special cases. Their salaries are a matter of agreement between the Department and the individual and are fixed at an annual, monthly, per diem or when actually employed rate.

Attorneys employed in other departments or agencies of the Federal Government may be appointed as Special Assistants to the United States Attorney, without compensation other than that paid by their own agency, to assist in the trial or presentation of cases when the needs of the service warrant.

5 U. S. C. 314 requires a certificate of the Attorney General that such services are actually rendered and that the same cannot be performed by the United States Attorney or other officers of the Department. This certificate will be furnished by the Department in Washington.

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The compensation of Special Assistants, as allowed under the terms of the appointment, is payable through the Department of Justice. Voucher Form 51½, D. C., in triplicate (Appendix, form 1) shall be submitted to the Department on a biweekly basis. Each voucher must show the dates of service, rate of pay and the amount claimed together with the information as to the title of the case, or cases, in which the services were rendered. If such cases are so numerous as to render it impracticable to name all of them on the face of the voucher, a statement that services were rendered in cases assigned under special law (i. e., banking laws, mail fraud statute, internal revenue laws, etc.) will be sufficient. Every voucher must be approved by the United States Attorney in the body of the form as shown on the sample in the Appendix. The space reserved for the "Approving Officer" must be left blank for execution by the proper Departmental official.

Qualifications

Special Assistants are subject to the same requirements and qualifications as regular Assistants. Except in unusual circumstances the character investigation must be completed prior to employment.

Appointment Forms

The manner of submitting recommendations for appointment and the forms to be executed are the same as for regular Assistant United States Attorneys, except that no medical certificate is necessary.

Lands Division

Special Assistants to the Attorney General and Special Attorneys are frequently employed to handle land acquisition proceedings and other matters under the jurisdiction of the Lands Division. Generally such employees are under the supervision of United States Attorneys. Recommendations for employment of such assistants should be directed to the Attorney General, Deputy Attorney General, or the Assistant Attorney General, Lands Division. Appointments of this type are approved by the Attorney General, the attorneys' names are carried on the regular payroll at the seat of Government, and they receive compensation direct from Washington.

CLERICAL EMPLOYEES**Appointment and Duties**

Clerical employees for United States Attorneys may be employed upon approval of the Attorney General (28 U. S. C. 510).

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The duties of such positions include typing, stenographic work, docket work, messenger work, and miscellaneous office duties of a non-professional nature.

Compensation

These positions are subject to the Classification Act of 1949 and compensation will be paid at rates established by the Pay Act of 1951 (see Salary Schedules and Pay Scales). The initial salary of each new appointee shall be at the minimum rate of the grade to which the position is allocated (5 U. S. C. 1131), except that subject to prior Departmental approval, an employee who is reemployed or transferred may be paid at any scheduled rate for his grade which does not exceed his highest previous rate.

Vacancies

Vacancies may be filled generally by:

- (1) Promotion from within the office.
- (2) Inter-agency transfer of qualified individuals.
- (3) Reinstatement of persons possessing permanent civil service status and the required qualifications.
- (4) Original appointment from Civil Service Commission registers of eligibles.
- (5) Appointment outside registers of eligibles upon specific authority from the Regional Office of the Civil Service Commission.

Before positions are filled, either by appointment or promotion, the position description on file should be checked with the duties to determine whether the proposed incumbent will be performing all of the duties of the position.

Where a position has been vacated by an employee who received a lump sum payment covering annual leave due on termination of service, the vacancy may not be filled until expiration of the period of leave for which payment was made.

Authority to fill vacancies in clerical positions *must* first be secured from the Department and such request should be submitted, in duplicate, to the Administrative Assistant Attorney General, identifying the vacant position. Upon receipt of approval to fill a vacancy, the following forms will be transmitted for consideration:

- (1) Standard Form 57 (Application)—original only. (Complete statement which follows Item 38 verifying military discharge, otherwise five point veteran preference will not be granted.)
- (2) Standard Form 15 (Appendix, form 30) with supporting proof if claiming disability, wife, widow, or mother preference.
- (3) Standard Form 86 (Security Investigation Data for Sensitive Position)—in duplicate.

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- (4) Standard Form 87 (Fingerprint Chart).
- (5) Copy of Civil Service clearance and examination papers if such papers have been furnished.

In case of emergency, appointments may be made, following authorization from the Department, for a period not to exceed 1 month without securing approval of the Civil Service Commission. Any extension of such appointments must have the approval of the Department as well as the Civil Service Commission. Requests for emergency appointments must state the proposed position, grade, and rate of compensation, proposed headquarters and qualifications for the position. The request should be accompanied by a Fingerprint Chart, Standard Form 86, and Standard Form No. 57 in duplicate.

Character Investigation

Appointments at GS-5 and above will be made after the character investigation has proved satisfactory. Appointments at GS-4 and below will be subject to investigation, provided the head of the office certifies that the employee will not be permitted access to any classified material until a full field investigation has been conducted and the employee cleared under the security regulations. A certificate to this effect should be placed on the recommendation for appointment. This rule applies to all types of positions, whether new appointments in Government civil service, transfers from other Government agencies, or recruitment of former employees.

Appointment Forms and Entry on Duty

Upon receipt of the authority for the appointment (personnel action fanfold copy marked "Employee"), the employee will be required to take an oath of office and execute the following forms:

- (1) Appointment Affidavits (Standard Form No. 61).
- (2) Personal History Statement (Appendix, form 2).
- (3) Medical certificate (Standard Form 78).

The forms will be transmitted promptly to the Administrative Assistant Attorney General together with information as to the date the employee entered on duty. The employee must not be added to the payroll and no payment of salary may be made until payroll copies of fanfold (Nos. 6 and 7) (Appendix, form 28), showing entry on duty date, are received.

Status and Eligibility

Any questions concerning the civil service status of any applicant or an employee should be referred to the local Regional Director of the Civil Service Commission.

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Generally, persons appointed after September 1, 1950, are considered indefinite appointees and do not acquire a permanent civil service status.

Trial Period

Each new employee is required to serve a trial period of one year, except where it has previously been completed in other Government employment. Transfers of employees during the trial period are subject to completion of such period. During this period his conduct and performance should be observed by the supervisor and not later than the tenth month a written appraisal of the employee's service, conduct and general character traits must be submitted to the Administrative Assistant Attorney General. This will prevent completion of the trial period by default and guard against retention of an undesirable employee.

Lands Division

When it is necessary to employ clerical assistance in connection with Lands Division cases or matters, the United States Attorney or the field attorney in whose office the vacancy exists should immediately communicate with the Department, addressing his letter to the Attorney General, attention Assistant Attorney General, Lands Division, setting out the need for assistance or replacement, the type of work to be done, the project or projects involved and the duration for which the services will be necessary. If the request is approved, the United States Attorney or field attorney will be authorized to contact the proper Regional Director of the Civil Service Commission and he should then proceed in accomplishing the appointment in the same manner and subject to the same restrictions as set forth above regarding the employment of clerical assistance in the office of the United States Attorney.

PERSONNEL REGULATIONS, RIGHTS, AND PRIVILEGES**HOURS OF DUTY**

5 U. S. C. 944 provides for an administrative workweek of 40 hours for Federal employees. Employees must render full-time service, 8 hours per day, 5 days per week, Monday through Friday, except when on annual or sick leave. Where it is necessary because of court activities to keep the office open on Saturday, the head of the office is authorized to assign a sufficient number of employees to duty on that day

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and to allow compensatory time off in accordance with regulations set out under Leave.

The work day is established as 9:00 a. m. to 5:30 p. m. and exceptions to the rule must be approved by the Administrative Assistant Attorney General. The hours of duty must be strictly observed and employees must devote full time to their duties (see Leave, also Dual or Private Employment).

Unavoidable or necessary absence from duty and tardiness, not in excess of 30 minutes, may be excused by the supervisor. The time must be made up either by charge against overtime previously worked or subsequent overtime. Habitual tardiness cannot be excused and will be charged against annual leave or corrected through disciplinary action. The minimum charge for annual leave regardless of the period of tardiness is 1 hour.

A schedule for lunch periods shall be established in each office on a staggered basis so that some one will be present at all times to answer inquiries or handle routine business. Any abuses of the time allotted for lunch should be corrected by administrative action either by a charge against annual leave or by appropriate disciplinary measures.

HOLIDAYS AND OVERTIME WORK**Federal Holidays**

The following holidays should be observed as nonwork days:

- New Year's Day, January 1.
- George Washington's birthday, February 22.
- Decoration Day, May 30.
- Independence Day, July 4.
- Labor Day, the 1st Monday in September.
- Armistice Day, November 11.
- Thanksgiving Day, the 4th Thursday in November.
- Christmas Day, December 25.

Whenever any of the above holidays fall on Sunday, offices shall be closed on the following Monday, and all employees shall be excused from work on that day (Executive Order No. 10358, June 9, 1952).

An employee required to work on a day designated as a holiday by Federal statute or Executive Order, during hours which fall within his basic workweek of 40 hours, shall be compensated for each hour of duty not to exceed 8 hours, in lieu of his regular rate of basic com-

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compensation for such duty, at the rate of twice such regular rate of basic compensation.

State or Local Holidays

There is no authority to excuse employees from work on holidays other than those recognized as Federal holidays. Offices should be kept open on State or local holidays to transact the usual business, and absences should be charged to sick or annual leave in the regular manner. If it is not possible because of local conditions to perform any work, the office may be closed or individual employees excused, but absentees must be charged with leave.

Irregular Employees

Employees paid on a per diem or "when actually employed" basis are not entitled to compensation for any holidays.

Overtime

Paid overtime.—No overtime compensation may be allowed unless paid overtime has been authorized by the Deputy Attorney General or the Administrative Assistant Attorney General.

Overtime ordered.—No credit shall be granted for overtime worked unless it has been ordered by the head of the division or office. Heads of divisions or offices who are authorized to order overtime are not eligible for paid overtime or compensatory leave.

Salary limitation.—The Federal Employees Pay Act of 1945, as amended, prohibits payment of overtime where such additional compensation would cause the aggregate compensation for a given pay period to exceed the rate of \$10,330 per annum. Because of this restriction no person may claim credit for compensatory time worked where his combined biweekly pay plus overtime, if paid, would exceed \$397.30 the biweekly rate of \$10,330.

Grant of leave.—When overtime work is necessary, compensatory time off may be granted on the basis of equivalent time off for overtime credited to those employees entitled to it. (See Compensatory Leave.)

SALARY SCHEDULES AND PAY SCALES

Salary rates for clerical employees are established by the Classification Act of 1949, as amended by the Pay Act of 1951 (5 U. S. C. 1111-1113). The following table shows the present rates of pay. The General Schedule is applicable to all clerical employees. (For compensation of United States Attorneys and Assistants see United States Attorneys, also Regular Assistants.)

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COMPENSATION SCHEDULE AS PROVIDED BY
PUBLIC LAW 201, APPROVED 10-24-51

Service and Grade	Rates within Grade								
	CPC	GS	Minimum	Intermediate	Maximum				
1			1810	1870	1930	1990	2050	2110	2170
2			2420	2490	2560	2630	2700	2770	2840
	1		2500	2580	2660	2740	2820	2900	2980
3			2552	2632	2712	2792	2872	2952	3032
4	2		2750	2830	2910	2990	3070	3150	3230
	3		2950	3030	3110	3190	3270	3350	3430
5			2974	3054	3134	3214	3294	3374	3454
	4		3175	3255	3335	3415	3495	3575	3655
6			3200	3280	3360	3440	3520	3600	3680
	5		3410	3535	3660	3785	3910	4035	4160
7			3435	3535	3635	3735	3835	3935	4035
8			3740	3865	3990	4115	4240	4365	4490
	6		3795	3920	4045	4170	4295	4420	4545
9			4150	4275	4400	4525	4650	4775	4900
	7		4205	4330	4455	4580	4705	4830	4955
10			4565	4690	4815	4940	5065	5190	5315
	8		4620	4745	4870	4995	5120	5245	5370
	9		5060	5185	5310	5435	5560	5685	5810
	10		5500	5625	5750	5875	6000	6125	6250
	11		5940	6160	6340	6540	6740	6940	
	12		7040	7240	7440	7640	7840	8040	
	13		8360	8560	8760	8960	9160	9360	
	14		9600	9800	10,000	10,200	10,400	10,600	
	15		10,800	11,050	11,300	11,550	11,800		
	16		12,000	12,200	12,400	12,600	12,800		
	17		13,000	13,200	13,400	13,600	13,800		
	18		14,800						

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LEAVE

In General

Authority.—Leave of absence for United States Attorneys, their Assistants, and other employees of the Department of Justice is governed by Departmental regulations under authority of the Annual and Sick Leave Act of 1951, as amended by Public Law 102, 83d Congress, approved June 2, 1953, and Part 30, Title 5, Code of Federal Regulations.

Part-time and intermittent employees are not generally entitled to leave benefits, except under certain conditions. If there is any doubt as to whether an employee is entitled to leave, the question should be submitted to the Department. Fee-basis employees are not entitled to leave benefits and leave records should not be maintained for such persons.

Leave with pay status.—Leave shall accrue to a full-time employee while in a pay status. For this purpose, terminal (lump sum) leave is not considered as pay status.

Nonpay status.—Whenever a full-time employee's absence in a non-pay status totals the equivalent of the base pay hours in one pay period, the credits of leave shall be reduced at the rate earned in a pay period.

Devotion of time to duty.—If an individual does not devote full time during the regularly assigned tour of duty he must charge the difference to annual leave or leave without pay. The tour of duty must be worked at the office, in court, traveling, etc. In other words, official work in private law offices at home, etc., does not constitute duty and absence therefor from the office must be charged to leave. No officer in the Executive Branch of the Government to whom the leave law applies shall be deemed entitled to the compensation attached to his office solely by virtue of his status as an officer.

All United States Attorneys and Marshals are subject to the leave laws and must observe the prescribed hours of duty. Absences during the regular tour of duty must be charged to leave, or if all leave is exhausted, such absences will be charged to leave without pay.

Tardiness.—Unavoidable or necessary absence from duty and tardiness not in excess of 30 minutes may be excused by the supervisor. The time must be made up either by charge against overtime previously worked or subsequent overtime. Habitual tardiness will not be excused and will be charged against annual leave or corrected through disciplinary action. The minimum charge for annual leave regardless of the period of tardiness is 1 hour.

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Leave year.—Leave year means the period from the beginning of the first complete pay period in the calendar year to the beginning of the first complete pay period in the following calendar year. However, the 1953 leave year began December 21, 1952, and will end January 2, 1954 (27 pay periods).

Minimum leave.—The minimum charge for leave of any kind shall be one hour and additional charges in multiples thereof.

Excused absences.—No charge against annual or sick leave may be made for the following absences:

1. Service as a witness before the Civil Service Commission, on summons by that body.
2. Service as a witness at an oral hearing before a performance rating board of review, if the employee's testimony is requested by that body.
3. Absence of a party to an oral hearing on a performance rating appeal while appearing at such a hearing before an efficiency rating board of review.
4. Absence of veterans for actual time necessary, not to exceed 4 hours in any day, to participate as active pall bearers, or members of firing squads or guards of honor in funeral ceremonies for members of the Armed Forces whose remains are returned from abroad for final interment in the United States.

Refund for overdrawn leave.—All Federal employees who are separated must refund for any unearned leave (sick or annual) which has been advanced to them, except in cases of death, retirement for disability, or in cases of employees who are unable to return to duty because of disability.

Annual Leave

Credits based on service.—There is no distinction between the amount of leave earned by permanent and temporary employees. Annual leave accrues on a graduated basis according to the employee's total years of service creditable toward retirement. (See sample accrual charts for years 1953 and 1954 (Appendix, form 3).)

New employees.—New employees and persons reappointed after a break in service must be continuously employed for 90 days before they may be credited with any annual leave accrual. Any absence during the 90-day period will be without pay, unless the absence is due to illness for which sick leave may be granted, or the employee has annual leave to his credit for which he made refund upon reemployment (See Terminal Leave). After employees have worked for the 90-day period, they will receive credit retroactively for annual leave

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earned for each full biweekly pay period. However, annual leave subsequently credited may not be substituted for leave without pay taken during the 90-day period.

Accrual of annual leave.—The law sets leave earnings on a biweekly pay period basis. Full-time employees shall earn and be credited with annual leave according to their number of years of service as follows:

1. Less than 3 years..... 4 hours for each full bi-weekly pay period.
2. 3 years' service but less than 15... 6 hours for each full bi-weekly pay period (except that accrual for last full pay period in the calendar year will be 10 hours).
3. 15 years' service or more..... 8 hours for each full bi-weekly pay period.

Change in rate of accrual.—Any change in the rate of accrual of annual leave shall take effect at the beginning of the pay period following the pay period in which the officer or employee completes the prescribed period of service.

Accumulation.—Under Public Law 102, 83d Congress, approved July 2, 1953, employees may now accumulate not to exceed 30 days.

Those employees whose post of duty is outside continental United States may accumulate not to exceed 45 days providing they fall in one of the following categories:

1. Persons directly recruited or transferred from the United States by the Federal Government.
2. Persons employed locally but (A) who were originally recruited from the United States and have been in substantially continuous employment by other Federal agencies, United States firms, interests, or organizations, international organizations in which the United States Government participates, or foreign governments, and whose conditions of employment provide for their return transportation to the United States; or (B) who were at the time of employment temporarily absent from the United States for purposes of travel or formal study and maintained residence in the United States during such temporary absence.
3. Persons who are not normally residents of the area concerned and who are discharged from the military service of the United States to accept employment with an agency of the Federal Government. (See example in Appendix, form 35.)

Excess accumulations to be reduced.—The new law provides that the heads of agencies direct officials and employees, who have accumulated annual leave to their credit under this leave system which is in excess of 30 or 45 days, as the case may be, to reduce such bal-

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ances over a reasonable period of years as public business permits. In view of the varying work factors it is not proposed at this time to prescribe a rigid uniform plan for liquidation of such excess leave. However, in order to carry out the congressional directive officers and employees should immediately begin to reduce excess leave accumulations consistent with official work and consideration to the preference of the employees.

Savings provision.—The accumulated annual leave which an employee brought forward at the beginning of 1953 is his maximum until he reduces it. For instance, if an employee carried over 60 days to 1953 and he takes all of this year's leave plus an additional 5 days during the year, he may carry over only 55 days into 1954 and succeeding years. Fifty-five days becomes his new ceiling (subject to further reduction of excess accumulations—foregoing paragraph).

Advances and required balances.—Advance of annual leave may never exceed the normal accumulation in any leave year. Where an overdrawal of annual leave results from a reduction of leave credits due to leave without pay, the debit may be charged to the employee's leave accrual in the following leave year or he may be required to refund the amount paid him for the period of such excess. As a general rule employees will be permitted to charge the overdraft to the following year's accrual. However, in the case of chronic offenders cash refunds will be required.

In order to reduce the work necessary to process leave without pay actions, all employees accruing leave at the rate of 20 and 26 days per year should be required to maintain a balance of 5 days' annual leave to provide for emergencies. Annual leave applications of employees who are not maintaining this balance should not be approved except upon a written statement from the employee specifying the reasons for the application and approved in advance by the person authorized to grant leave. Employees who accrue leave at the rate of 13 days per year do not have to maintain a balance of 5 days. However, leave applications of these employees who do not have a sufficient annual leave balance to cover the application should not be approved except in emergency situations which may merit approval.

Grant of annual leave.—Annual leave must be taken at such time as the supervisor or the head of the office directs. It is subject completely to his administrative discretion and not on the wishes or the desire of the individual employee. If the work of the office is slack during a particular period of the year employees should be required to take their annual leave during this period.

Requesting annual leave.—Annual leave shall normally be planned and requested a sufficient period of time in advance of the beginning

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date to permit careful scheduling of leave for all employees concerned and in order to promote the efficient conduct of the work and the best interests of the Department. Applications for leave which do not meet this requirement will be disapproved.

Payment for.—If an employee resigns, enters the military service and elects to be paid for his leave, he is discharged, dies, or transfers to a Government agency or a position under a different leave system, payment for accrued annual leave shall be made in a lump sum (5 U. S. C. 61b). (See Terminal Leave for restriction on amount of lump-sum payment and procedures for accomplishment.) The last day of active duty is considered to be the day preceding the period for which lump-sum payment is made. The liquidation of annual leave by lump-sum payment has no effect on transfer of sick leave if otherwise proper under the leave regulations.

Sick Leave

Rate of accrual.—All employees earn 4 hours of sick leave for each full bi-weekly pay period.

Accumulation.—There is no restriction on the amount of sick leave that may be accumulated. (Prior to January 6, 1952, 90 days was the maximum accumulation of sick leave.)

Grant of leave.—Sick leave shall be granted to employees when they are incapacitated for the performance of their duties by sickness, injury, or pregnancy and confinement or for medical, dental or optical examination or treatment, or when a member of the immediate family of the employee is afflicted with a contagious disease (requiring quarantine) and requires the care and attendance of the employee, or when,

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through exposure to contagious disease, the presence of the employee at his post of duty would jeopardize the health of others.

Advance.—Sick leave, not to exceed 30 days, may be advanced in cases of serious disability or ailments, provided that no advances of sick leave shall be made to any employee unless the absence from duty on account of illness is for a period, or periods, of 5 or more consecutive work days; that every advance shall be supported by a medical certificate.

Sickness during annual leave.—When sickness occurs within a period of annual leave and lasts 5 or more consecutive work days, the period of illness may be charged as sick leave and the charge against annual leave reduced accordingly. Application for such substitution of sick leave for annual leave shall be made within 2 days after return to duty and shall be supported by a medical certificate.

Sick leave recredit.—Any unused sick leave balance of an employee, who was separated after January 6, 1952, without a break in service, or a break of not more than 52 continuous calendar weeks, may be transferred to his account upon reemployment.

Medical certificate.—Any sick leave absence in excess of one day must be reported on Standard Form 71 and supported by a medical certificate or a written statement from the employee indicating the nature of the illness and, in the latter instance, the reason why a medical certificate is not furnished. The head of the office or someone designated by him shall determine administratively whether the statement of the employee, in lieu of medical certificate, shall be considered sufficient evidence to support the request for sick leave.

Leave Without Pay

Definition.—Leave without pay is defined as "Temporary nonpay status and absence from duty granted upon employee's request." It does not apply to time spent in military service and is not to be confused with suspension or furlough.

Grant of leave.—Leave without pay may be granted to an employee, for absence due to illness or emergency, during or after the first 90 days on the rolls when he has no leave to his credit to cover such absence.

The smallest unit of leave without pay shall be 1 hour, and all such leave in excess of 1 hour shall be charged in like multiples. Leave without pay is not charged on a holiday at the beginning or end of a definite period of leave without pay for 30 days or less. If the leave without pay extends beyond 30 days then upon return to duty a holiday falling at the end of the period should be charged as leave without

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pay. All holidays falling within a period of leave without pay should be charged.

Extended leave without pay.—Applications for leave without pay in excess of 30 days or for an indefinite period must have the prior approval of the Department.

Leave without pay will not be authorized initially for *any period in excess of 6 months*. Any request for leave without pay will be examined closely to assure that the value to the Government or the needs of the employee are sufficient to offset the costs and administrative inconvenience involved. As a basic condition for approval of extended leave without pay, there should be reasonable expectation that the employee will return at the end of the approved period and one of the following criteria should control:

- (a) Increased job ability.
- (b) Protection or improvement of employee health.
- (c) Retention of a desirable employee.

Military Leave

Military leave for training duty.—Military leave *not to exceed 15 calendar days in any one calendar year* is granted to permanent and indefinite officers and employees, who are members of military reserve organizations, when ordered to report for training duty. All military leave of absence with pay is limited to periods of annual training as distinguished from active duty.

To report for induction examination.—Employees who must absent themselves from duty for the purpose of undergoing the preinduction physical examination required by the Universal Military Training and Service Act may be administratively excused for the time required provided it shall not exceed 1 day. All time in excess of 1 day shall be charged to annual leave or to leave without pay.

Payment on entry into armed forces.—Employees of the Department of Justice who have heretofore or who may hereafter be ordered to active duty with the military or naval forces of the United States shall be entitled to receive, in addition to their military pay, compensation in their civilian positions covering their accumulated or current annual leave.

Credit on return from military service.—Any permanent employee who leaves a position to enter military or merchant marine service, and has been reemployed as a permanent employee within 52 calendar weeks after his release from such service, shall have his *annual leave account reinstated*, if he elected on entering the service to have the

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leave remain to his credit. Also his sick leave account shall be reinstated for credit or charge as the case may be.

Court Leave

Court leave may be granted to permanent and indefinite employees for attending court as a witness on behalf of the United States or the District of Columbia or for jury duty, without charge to annual leave.

Such employees called for jury duty shall not ordinarily be paid for jury service, but if they are required to accept a juror's fee in a State court, the amount of such fee (only) should be turned over to the Marshal for deposit as a credit against compensation payable by the United States (5 U. S. C. 30p).

Temporary employees are not entitled to jury leave, but if they serve on a jury while on leave without pay from their Federal positions, they are entitled to payment for the jury service (5 U. S. C. 80n and 80o).

Attendance at court for official business connected with an employee's usual departmental duties and time required in going and returning is not considered absence from duty.

When an employee is subpoenaed in private litigation or by some party other than the Government his absence must be charged to annual leave or leave without pay, unless such testimony arises from his official capacity. (In the latter case see 15 Comp. Gen. 196.)

Voting Leave

Where the absence will not seriously interfere with official work, employees who desire to vote in communities where they maintain voting residence, *except where voting by absentee ballot is permitted*, will be excused for the purpose of voting without charge to annual leave for a reasonable time on all election days. Where registration in person is required, employees may similarly be excused. Such authorized absence should not exceed the time actually required to vote or register, as the case may be, and in no event should it exceed one working day for each election or registration period.

If an employee will require longer than one day in order to enable him to go to his legal residence to vote or register, permission may be granted and the period of absence in excess of one day will be charged to annual leave, or if annual leave is exhausted, to leave without pay.

Leave for Attendance at Meetings

Employees absent from duty to attend conferences, conventions or other meetings directly connected with the work of the Department,

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including time going to and from official stations, shall be considered in a duty status without charge to leave and without loss of salary. Any other absence for this purpose must be charged to annual leave.

For example, a United States Attorney or an Assistant may be excused for attendance at judicial conferences without charge to leave, and to bar association meetings in those instances in which the attendance is an outgrowth of the duties of his position, such as making a talk about the work of the Department in his official capacity. See Attendance at Meetings, page 111 of this Title.

Compensatory Leave

Authorization.—When overtime work is necessary and it has been ordered by the head of the division or office, compensatory leave may be granted for the overtime worked. (See regulations in Holidays and Overtime Work.) Heads of offices who are authorized to order overtime for employees in their respective offices are not eligible themselves for paid overtime or compensatory leave.

Credits and charges.—Compensatory time off will be granted on the basis of equivalent time off for overtime credited. The minimum credit for overtime shall be 1 hour; however, fractions of less than 1 hour may be accumulated during a reporting period (pay period) and credited to the employee when a full hour has been worked. Overtime of less than 1 hour remaining at the end of a reporting period may not be carried forward for credit in the following period.

Records.—Credits and charges for compensatory overtime and compensatory leave should be shown on the Time and Attendance Report. Complete records must be maintained by the Time and Attendance Clerk on all periods of overtime.

Time limitation.—Compensatory leave must be taken within 90 days of the time it is earned.

Application for Leave

United States Attorneys may grant authority to a supervisor to approve routine leave such as short periods of annual leave, leave without pay, and sick leave not exceeding 1 day, court leave, etc. Such routine leave may be granted on oral request.

Nonroutine leave must be applied for in writing on Standard Form 71 (Application for Leave) (Appendix, form 8) as follows:

1. Annual leave in excess of 5 days;
2. Sick leave in excess of 1 day;
3. Extended leave without pay;

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4. Other types of leave which must be granted above the supervisory level, such as **Military Leave**.

All Standard Forms 71 shall be filed with the individuals responsible for time and attendance reports.

United States Attorneys are required to submit *to the Department* application, Standard Form 71, for leave in excess of two weeks or to cover any unofficial absence from the district.

Leave Records

All leave records of the United States Attorneys and their employees are maintained in the office of the United States Attorney only. Standard Form 1187 (Leave Record) (Appendix, form 4) is the permanent leave record for each employee entitled to leave.

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Under General Regulations No. 120, the following time and attendance forms shall be used for recording the daily attendance and leave of all employees as follows:

- (1) Standard Form 1130 (Appendix, form 5)—for persons stationed away from headquarters.
- (2) Standard Form 1135 (Appendix, form 6)—for offices having 12 or less employees.
- (3) Standard Form 1136 (Appendix, form 7)—for offices having more than 12 employees.

(See Time and Attendance Reports for instructions regarding the preparation of the above forms.)

Leave records and time and attendance reports shall be retained in the United States Attorney's office for inspection by Department examiners and General Accounting Office auditors upon request.

Extreme care should be exercised in the maintenance of leave records. United States Attorneys will be held accountable for any errors in leave computations or failure to instruct employees in the regulations for proper handling of leave accounts. In addition, excessive or erroneous payments for leave will be subject to suspension in the certifying officer's accounts.

Time and attendance reports.—Time and attendance reports (Appendix, forms 5, 6 and 7) should be maintained at the level where routine leave is granted or where a responsible person certifies the daily attendance of all employees within the group. Routine leave shall be entered on the report and initialed by the employee at the time it is granted. Where a written application is necessary on Standard Form No. 71 (Appendix, form 8), the entry on the report will be made from the approved application.

The following steps will be taken in the completion of Standard Forms 1135 or 1136 (Appendix, forms 6 and 7):

- (1) At the beginning of the reporting period (pay period), headings will be entered on the form together with the names of employees, listed in alphabetical order.
- (2) Hours of duty should be indicated for all employees with irregular tours of duty.
- (3) The supervisor should enter check marks on the first line of the daily block to denote employees working a full day.
- (4) If an employee is in a traveling status, TS should be entered instead of the check mark.
- (5) For work in excess of the regular tour of duty, the number of hours should be entered on the second line of the daily block and the code description, CT, HW, or OT, entered on the third line, for compensatory time worked, holiday work, or overtime.

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(6) In event of leave, the number of hours on leave should be entered in the daily block on the first line, the code description for the kind of leave on the second line, and the employee's initials or "S. F. 71" on the third line. In case of an absence covering several days, the initials should be entered on the last day. In initialing for sick leave, the employee should place an asterisk before his initials to comply with the required personnel certificate.

(7) Leave not applied for in advance should be posted to the report currently and the employee's initials obtained when he returns to duty.

The following procedures apply to Standard Form 1130 (Appendix, form 5).

1. It should be used only by employees stationed away from headquarters.

2. All periods of leave should be initialed in the space provided in the last column.

3. Check marks should be inserted to show days on which employee worked a full day.

4. At the end of the period, all columns should be totaled, the form certified by the employee, and transmitted to the headquarters office with any Standard Form 71 necessary to justify leave taken.

At the end of the reporting period, the totals should be extended to the "compensatory time" and "time absent" columns and the attendance reports checked and signed by the supervisor or other authorized person. The reports should be delivered to the leave clerk not later than noon of the day following the close of the reporting period except where it is necessary to forward the reports by mail. Postings should be made promptly to the employee's leave record (Standard Form 1137, Appendix, form 4) and where it is found that leave has been overdrawn, the report should be amended to show leave without pay. Any leave without pay should be immediately reported to the Department by letter, addressed to the Administrative Assistant Attorney General.

After the leave records have been posted, the time and attendance reports will be used as a basis for preparing the payroll.

Lands Division, time and attendance.—Field employees of the Lands Division are subject to the annual and sick leave regulations for Federal employees. Time and Attendance Reports (Appendix, form 6) covering Lands Division field employees are sent to the Department in Washington at the close of each pay period and must arrive not later than Monday afternoon following the pay period. Standard Form 71, Application for Leave (Appendix, form 8), should be obtained from employees when they are absent on annual leave for more

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than five days and should be retained in the field office. All sick leave in excess of *one* day must be reported on Standard Form 71, accompanied by a medical certificate or statement from the employee indicating the nature of the illness and the reason why a medical certificate is not furnished. Applications for sick leave, together with required certificates, must be forwarded to Washington with the Time and Attendance Reports covering the period in which leave is taken. If Lands Division field employees desire to take extended periods of annual or sick leave, this fact should be reported to the Assistant Attorney General in charge of the Lands Division.

Disposition of leave records on separation.—Whenever an employee is separated, whether by resignation, death, transfer to another agency, etc., Standard Form 1150—Revised (Record of Leave Data Transferred, Appendix, form 9) (see sample) will be prepared and certified by the head of the office, and forwarded to the Department of Justice with the notice of separation. In death cases, Standard Form 1150—Revised should be accompanied by a statement as to whether or not there is a surviving spouse (see Reports and Payments of Deceased Employees). Item No. 3 entitled "Total service" must be filled in.

The leave accounts (Standard Form 1137, Appendix, form 4) shall be forwarded to the Marshal for retention for audit purposes.

In those cases where an employee is transferred to another office or agency, the Administrative Division of the Department of Justice will be responsible for forwarding information concerning the employee's leave to the employing office.

Terminal Leave

General rule.—5 U. S. C. 51b provides for a lump-sum payment for accumulated and current accrued annual leave when an employee is separated from the Government service, or when he is transferred to an agency under a different leave system.

Transfers *without break in service* do not require lump-sum payments except when to a position not under the same leave system. A break in service of even one day requires lump-sum payment for leave and refund upon reemployment under the same leave system.

The law is mandatory and the employee has no choice in its application, nor can leave payment be denied an employee regardless of leave system even though separated under charges. Change cannot be made in dates of resignation or separation to avail of the law's benefits.

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The employee's last day of active service is to be considered the day preceding the period for which lump-sum payment is made. If an employee has current surplus leave to be used prior to separation (see below), the last day of such leave will be considered the date of separation.

Limitation on payments.—Public Law 102, approved July 2, 1953, limits lump-sum payments for separations after August 31, 1953, to a total of 30 days leave or pay for the amount of leave carried forward from the previous year (the employee's ceiling), whichever is larger. In other words, if an employee is separated after August 31, 1953, having carried over 25 days accumulated leave from the previous year, the most he could be paid for in a lump sum would be 30 days. Five days of the current year's accrued leave could be added to the 25 days accumulated leave resulting in a lump-sum payment for 30 days leave. If the employee brought forward 69 days as accumulated leave from the previous year he could receive payment for only 69 days in a lump sum regardless of how much unused accrued (current) leave he might have to his credit. He would have to use the current year's leave to date of separation or forfeit it as the law now provides. (See example in Appendix, form 35.)

In death cases the payment for leave due a decedent may not exceed 30 days or whatever amount is carried forward from the preceding year, whichever is larger. Leave earned during the year in which death occurs may not be included if the decedent had over 30 days to his credit at the date of death.

Use of current surplus leave.—The Comptroller General has ruled that employees may be permitted to use their current year's leave, which could not be included in the lump-sum payment, immediately prior to separation. It is within the discretion of the approving officer to allow the use of such leave prior to separation whenever possible; however, the grant of such leave is optional and it may be denied where the exigencies of the public service so require.

Sick leave prior to separation.—5 U. S. C. 61b has no effect whatever upon the granting of sick leave immediately prior to separation under the laws, regulations, and decisions of the General Accounting Office controlling the granting of sick leave. Sick leave immediately prior to separation is required to be granted and paid for as leave in accordance with the usual procedure and may not be combined with terminal, annual or vacation leave to determine the amount of the lump-sum payment, except to the extent necessary to determine the tax deduction pursuant to the rule stated by the Treasury Department in its circular of January 20, 1945, relative to withheld taxes

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for lump-sum payments under said act. The time and date of expiration of the sick leave should be construed as the date of separation.

Payroll procedures.—The lump-sum payment covering leave is not subject to retirement deductions; does not include leave credits earned during period covered by the lump-sum payment; and does not include automatic promotions, except where *prior to the date of separation* the required 52 or 78 calendar weeks' service has been completed. However, if the employee's salary has been subject to social security, social-security deductions will be made on payment for leave accrued after January 1, 1951. The lump-sum payment is to be computed on the basis of the employee's rights at the time of separation under all applicable laws and regulations existing at that time which would have affected his compensation had he remained in the service for the period covered by his leave. A holiday immediately following expiration of leave may not be paid for, but any holiday falling within the period covered by the leave due may be paid for. In other words, the date through which payment shall be made will be determined just as though the employee had remained in an active duty status and used his leave in the regular manner. The appropriation current at the time of separation (last day of active duty) is chargeable with the entire amount of the lump-sum payment. (See 26 Comp. Gen. 102.)

Withholding taxes shall be deducted on all lump-sum payments for leave. The tax to be withheld must be determined as if the aggregate of the final salary payment and the lump-sum payment for leave were a single wage payment for the payroll period, irrespective of whether the lump-sum payment for leave is paid at the same time as the last regular salary payment. (Memorandum, Secretary of the Treasury, January 20, 1945.) Both the regular salary payment and the lump-sum payment should be combined into a single entry on the payroll if possible. (See sample payroll, Appendix, form 25.)

If the last regular salary payment to an employee is made at a different time than the lump-sum payment for accrued leave, or on a different payroll, the tax applicable to the regular salary payment will be determined in the usual manner. However, in determining the tax applicable to the lump-sum payment, it will be necessary to combine the lump-sum payment and the regular salary payment as if they were a single payment for a payroll period, determine the tax applicable thereto, and deduct from the total tax so ascertained the amount of tax withheld in respect to the regular salary payment. (Memorandum, Secretary of the Treasury, January 20, 1945.)

Available as setoff.—The lump-sum payment is available as a setoff against any amount due from the former employee to the United

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States, whether the lump sum is payable to the former employee, to his beneficiary or his estate.

Refund for terminal leave.—If the employee has received a lump-sum payment for previous service under the same leave system and is reemployed prior to the expiration of the period covered by the leave payment, refund is required in an amount equal to the compensation between the date of reemployment and the expiration of such leave. The amount of leave represented by the refund shall be credited to the employee's leave account. New employees who have been required to make a refund may use the leave recredited to them at any time after appointment, even though further credit of leave will not be granted until 90 days have expired.

Refunds are to be turned over to the Marshal for deposit to the credit of the Justice appropriation.

Any information the United States Attorney secures regarding a refund which may be due should be transmitted to the Department with the request for appointment.

TITLE 8: ADMINISTRATIVE DIVISION**PROMOTIONS, CHANGES IN STATUS, AND CASH AWARDS****Reassignment**

A vacancy may be filled by the promotion of an employee serving in another position in the United States Attorney's office. Employees should not be reassigned to another position or to a different locality or duty station without the approval of the Department.

Promotions, reassignments and demotions for permanent employees will be indicated as indefinite but will not affect the employee's permanent status in the Department.

Any employee may be promoted to a position at GS-5 or below, which is not more than two grades above the lowest grade he held.

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within the past year under permanent or indefinite appointment. Promotion to positions allocated at GS-6 through GS-11 may be made after the employee has served 1 year at the next lower grade, or 1 year in a position two grades lower if the line of work is properly classified at two-grade intervals under the Classification Act of 1949. Promotion to positions allocated at GS-12 or above may be made after the employee has served 1 year at the next lower grade. These restrictions also apply to appointments involving promotions. However, no employee may be reassigned to a different line of work or promoted within three months after his last competitive appointment.

When a person in a classified civil service position is proposed for promotion, he must meet the experience and training requirements for the position as approved by the Civil Service Commission. In some cases it may be necessary for the Commission to test his qualifications by appropriate noncompetitive examination.

Job descriptions on all clerical positions are maintained in the Department. If there is a material change in the duties of any such position, a new job description (on Standard Form 6, Appendix, form 31) should be forwarded promptly to the Administrative Assistant Attorney General. (See also Clerical Employees.)

Persons receiving an "Unsatisfactory" performance rating must be separated from the service, reassigned, or demoted. (See Performance Ratings.)

Automatic Promotions

Under 5 U. S. C. 1121 promotions to the next higher rate within the grade (see Salary Schedules and Pay Scales) will be granted, to those officers or employees covered by the Classification Act, at the beginning of the next pay period following the completion of (1) each 52 calendar weeks of service if such employees are in grades in which the step-increases are less than \$200, or (2) each 78 calendar weeks of service if such employees are in grades in which the step-increases are \$200 or more, provided that:

- (1) No equivalent increase in compensation from any cause was received during such period, except an increase granted for superior accomplishment;
- (2) There is a current performance rating of "Satisfactory" or better.

Clerical employees holding indefinite appointments are entitled to automatic within grade increases.

United States Attorneys, although not subject to the promotion clauses of the Classification Act, may be granted administrative pay

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increases after each 78 weeks of "Satisfactory" service at the discretion of the Department provided funds are available therefor. Assistant United States Attorneys, however, are subject to the promotion clauses of the Classification Act and are granted automatic promotions after each 52 or 78 weeks (depending on their base salary) of "Satisfactory" service.

Notice of automatic promotions due employees will be issued from the Department and no recommendation will be necessary.

Longevity Increases

As a reward for long and faithful service, each employee who has completed 3 years' continuous service at the maximum rate of his grade may be granted an additional step-increase beyond the maximum schedule rate, subject to the following conditions:

- (1) No officer or employee shall be entitled to a longevity step-increase while holding a position above GS-10.
- (2) No officer or employee shall receive a longevity step-increase unless his current performance rating is "satisfactory" or better.
- (3) No officer or employee shall receive more than one longevity step-increase for any 3 years of continuous service.
- (4) Each longevity step-increase shall be equal to one step-increase of the grade in which the position of the officer or employee is placed.
- (5) Not more than three successive longevity step-increases may be granted to any officer or employee.
- (6) The officer or employee shall have had, in the aggregate, not less than 10 years of service in the position which he then occupies, or in positions of equivalent or higher class or grade.

United States Attorneys will be notified of effective dates of longevity increases by fanfold notice of the personnel action. No payment should be made until receipt of the fanfold from the Department.

Promotion for Superior Accomplishment

5 U. S. C. 112 provides for additional advances in salary as a reward for superior accomplishment in line of duty, and pursuant thereto the Civil Service Commission has set forth the basic requirements for granting advancement.

As the basis for the award of an additional advancement, the superior accomplishment of an employee must meet one of the following tests:

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(1) Outstanding performance, with all aspects of performance not only exceeding normal requirements but which are outstanding and deserve special commendation; or

(2) Sustained work performance for a period of at least 8 months of such nature that it merits special recognition for superior accomplishment over and above the normal requirements of the employee's position, provided that his current performance rating is not less than "satisfactory"; or

(3) Initiation of an idea, method or device, which has been developed and adopted because it is expected to improve the public service or provide for more economical operation in the public interest; or

(4) A special act or service in the public interest, of an unusual or distinctive character, related to official employment, over and above normal position requirements, where its recognition as a basis for an additional advancement would serve as a definite incentive to others.

The granting of each additional advancement for superior accomplishment is subject to the following conditions:

(1) It must be made within the limit of available appropriations;

(2) It must be based on superior accomplishment which conforms to the standards set forth above;

(3) No more than one additional advancement may be made to any officer or employee within 52 calendar weeks of service if his position is in grade GS-10 or lower, or each 78 calendar weeks if above GS-10.

An Efficiency Awards Committee has been appointed by the Attorney General to consider recommendations for promotions for superior accomplishment (5 U. S. C. 1152). Recommendation for Superior Accomplishment Award forms (Appendix, form 11), obtainable from the Department, should be executed in duplicate in connection with each recommendation proposed.

Cash Awards for Employees' Suggestions

Under 5 U. S. C. 116a and Executive Order 9817 of January 2, 1947, employees are entitled to receive cash awards for meritorious suggestions resulting in improvement or economies in the operation of the Department. The Efficiency Awards Committee passes on such suggestions.

Any employee of the Department who makes a suggestion which is adopted for use and either has resulted or will result in improvement

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or economy in operations of the Department by way of monetary savings, increased efficiency, conservation of property, improved employee-working conditions, better service to the public, or benefit to the Department in any other manner, may be eligible for a cash award. Where a suggestion is adopted primarily upon the basis of improvement in the operations or services of the Department, the Committee will determine the amount of the award commensurate with the benefits anticipated from the suggestion. In those cases where the award is based on monetary saving, the amount of the award shall be determined on the annual estimated saving during the first year of operation in accordance with the following table:

Savings	Awards
\$1-\$1,000	\$10 for each \$200 of savings with a minimum of \$10 for any adopted suggestion.
\$1,000-\$10,000	\$50 for the first \$1,000 of savings and \$25 for each additional \$1,000 of savings.
\$10,000-\$100,000	\$275 for the first \$10,000 of savings and \$50 for each additional \$10,000 of savings.
\$100,000 or more	\$725 for the first \$100,000 of savings and \$100 for each additional \$10,000 of savings; provided that the maximum award for any one suggestion shall not exceed \$1,000.

The Executive Order specifies that no award will be paid for a suggestion which represents a part of the normal requirements of the employee's position, or a suggestion not adopted within 2 years from the date of its receipt.

The total amount of cash awards paid by the Department during any fiscal year shall not exceed \$25,000. The cash award is in addition to the regular compensation paid to the recipient and the acceptance of the award shall constitute an agreement that no further claim of any nature upon the United States will be made by the employee, his heirs, or assigns.

Employees should be encouraged to submit suggestions for improvement in the service. Although suggestions may be submitted in any manner, the regular form in duplicate (Appendix, form 10) should be used whenever convenient. The employee's name, address, and other identifying information should be placed on the suggestion. All suggestions must be signed as no awards will be made to anyone claiming to have made an anonymous suggestion. The suggestion may be mailed to the Secretary, Committee on Awards, Washington 25, D. C., or submitted through the United States Attorney.

TITLE 8: ADMINISTRATIVE DIVISION**Incentive Awards**

Cash awards may also be made to employees or groups of employees whose personal efforts have caused their units to be outstanding in efficiency and economy of operations, whether it is the result of a suggestion or other personal accomplishment (5 U. S. C. 1151). Such an award shall not exceed 25 percent of the estimated savings in the first year of operations nor an amount equal to three times the step-increase of the employees' grade.

PERFORMANCE RATINGS**In General**

Once each year, as of March 31, the working efficiency and job performance of each employee will be reviewed as required by law (5 U. S. C. 2001-2007).

A performance rating plan, approved by the Civil Service Commission, is available upon request to the Personnel Branch of the Department. Each new employee should be furnished a copy of the plan, and it should be carefully followed by rating officers in assigning ratings.

Three performance ratings are provided as follows:

1. Outstanding.
2. Satisfactory.
3. Unsatisfactory.

Rating officials are required to prepare ratings only for the "outstanding" and "unsatisfactory" groups. Unless an employee is considered as "outstanding" or "unsatisfactory," it will be assumed that his performance is "satisfactory" and no rating form need be submitted.

Outstanding Ratings

Outstanding ratings should be assigned only in those cases where the performance so far exceeds the normal requirements that it deserves special recognition and commendation and must be approved by the Department's Efficiency Awards Committee. Such rating must be supported by a statement in writing setting forth in detail the performance in every respect and the reasons for considering each aspect worthy of special commendation.

Unsatisfactory Ratings

Regulations require that 90 days' notice must be given an employee before an "unsatisfactory" rating is prepared. The warning must indicate the following:

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- (1) How his performance is deficient.
- (2) What he should do to correct the deficiencies.
- (3) That he must maintain the current level of performance with respect to other aspects on which his performance is adequate.
- (4) That unless he improves those aspects which are deficient within not less than 90 days he will be given a rating of "unsatisfactory."

The notice to the employee may be in the form of a memorandum to him, or the notice may be given orally. In either case, a copy of the notice (if a written one) or a memorandum stating the facts of notification from the person who informed the employee should be transmitted to the Department in Washington for inclusion in the employee's personnel folder. In any case where a rating of "unsatisfactory" is being assigned, the rating should indicate that the employee has received a warning in accordance with this section.

Any employee whose performance rating is "unsatisfactory" shall not be permitted to remain in his position. He may be separated from the service, or he may be reassigned or demoted to a position for which he is qualified and in which satisfactory performance could be expected. If he is reassigned, he shall be paid at the minimum rate in the new position; if he is demoted, he shall be paid at a rate not in excess of the middle rate for the lower grade. He is not required to serve a new probational period because of such reassignment or demotion.

Notice of Ratings

"Outstanding" and "unsatisfactory" ratings must be received in the Department *not later than April 15*. Notices of ratings to employees will be prepared in the Administrative Division and forwarded to the United States Attorney for distribution to employees.

Entrance Ratings

A performance rating must also be given to new employees and to those who are promoted, demoted, reassigned or transferred. This rating is known as an "entrance rating" and will be "satisfactory" in all cases. The Department will handle the assignment of entrance ratings to employees and the employee will be notified on the fan-fold notice of personnel action he receives when he enters on duty.

Whenever an employee has been assigned an entrance rating less than 90 days prior to March 31, he shall not be rated until the following March 31.

TITLE 8: ADMINISTRATIVE DIVISION**Appeals**

Any employee may obtain a review of his performance rating. If it is an appeal from an "unsatisfactory" rating, he must submit his request for review, supported by a detailed statement of the reasons for appeal, to the Chief of the Personnel Branch of the Department within 90 days of the receipt of notice. All such requests will be reviewed by the Performance Rating Committee appointed by the Administrative Assistant Attorney General. After final action of this Committee, further appeal is possible to the Performance Rating Board of Review of the United States Civil Service Commission.

Employees desiring to appeal a "satisfactory" rating may appeal to the Department Performance Rating Committee or the Civil Service Commission Performance Rating Board of Review, but may not do both.

REMOVALS, SUSPENSIONS, RESIGNATIONS, AND SEPARATIONS**Removal and Suspension**

United States Attorneys are subject to removal by the President and Assistants are subject to removal by the Attorney General (28 U. S. C. 504). Clerical employees are subject to removal or suspension by the Attorney General under Part 3 of the Civil Service Rules and 5 U. S. C. 652. Any person in the classified civil service whose removal or suspension without pay is sought shall:

- (1) Have notice of the same and of any charges preferred against him;
- (2) Be furnished with a copy of such charges;
- (3) Be allowed a reasonable time for filing a written answer to such charges, with affidavits;
- (4) Be furnished at the earliest practicable date with a written decision on such answer.

In each proposed case of suspension or removal, the United States Attorney shall notify the Department of the reasons, in detail, for the action, together with his recommendation. The Department will be responsible for advising the United States Attorney of the procedures to be followed thereafter. The employee must be retained in an active duty status during the time his written answer is being considered except that he may be placed on annual leave without his consent, or on leave without pay with his consent, in any case where his retention on active duty might adversely affect the interest of the

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Government or might result in injury to the employee or his fellow workers.

Any person reinstated or restored to duty on the ground that his removal or suspension was unjustified or unwarranted must be paid compensation at the rate received on the date of his removal or suspension, covering the period for which he received no compensation, less any amounts earned by him through other employment during such period, and shall for all purposes, except the accumulation of leave, be deemed to have rendered service during the entire period.

United States Attorneys are therefore cautioned that all suspensions or removals must be accomplished in the exact manner prescribed by the Department.

Resignations and Separations

Resignations, suspensions, dismissals, leave without pay, or other conditions affecting compensation must be promptly reported to the Department. (See Reports and Payments of Deceased Employees.) The date of each change must be definitely given; and it must be shown at the close of what day it became effective. The reason for separation must be shown in each case.

If the change involves separation from the service, information as to whether the position vacated is to be abolished or is to be carried as a vacancy must be stated; if leave without pay is involved the first and last day thereof must be indicated; and if a change in headquarters is made (which change can be made only upon authorization by the Department) the exact date on which the change becomes effective must be stated.

A resignation or separation becomes effective at the close of business on the last day of the employee's active duty. When reporting resignations or separations that date should be given at the close of which the employee's active duty ceased. A transcript of the employee's leave record (Standard Form 1150—Revised, Appendix, form 9) must accompany the report. (See Leave.) Payment for leave (as well as the final salary due) must be withheld until receipt of fanfold notice from the Department. (See Final Salary Payments, and Reports and Payments of Deceased Employees.)

REDUCTION IN FORCE

Reduction in force may be necessary whenever a person who has reemployment rights returns from military duty or other Government employment or service, or whenever decreased appropriations necessitate reducing the number of positions in the service.

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Any separation by reduction in force will depend upon the relative standings on the separation registers in accordance with the civil service reduction in force procedures.

United States Attorneys will be advised of the specific methods in event reduction in force becomes necessary.

REAPPOINTMENT AND REEMPLOYMENT

No officer or employee of the Department of Justice who retires under the provisions of the Civil Service Retirement Act, either voluntarily or under the mandatory provisions thereof, shall be reappointed to any office or position in the Department.

An employee dismissed for misconduct must not again be employed by the United States Attorney in any capacity without specific authority from the Attorney General, and the letter with respect to the proposed employment must indicate the nature of the misconduct and the reason why it is proposed to reemploy him.

Persons who have transferred to another agency with reemployment rights or who have been honorably discharged from the Armed Forces or the merchant marine have a right to reemployment in their former position or in a position of like seniority, status, and pay if the positions were other than of a temporary character. If there is no appropriate vacancy in the office, reduction in force procedures must be followed in order to reemploy such person. (See Reduction in Force.)

United States Attorneys will be advised in each case of any special procedures in connection with reemployment.

RETIREMENT**Coverage**

All employees paid by the United States Attorney are subject to the Civil Service Retirement Act (5 U. S. C. 14) with the exception of the following:

- (1) Temporary employees whose expected service will not exceed 1 year.
- (2) Employees who are holding indefinite appointments and are subject to social security.
- (3) Intermittent employees paid on a "when actually employed" basis, or paid on a contract or fee basis, such as interpreters, experts, and all court reporters.

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Fanfold notices of personnel actions indicate whether the employee is subject to the retirement act or to social security.

The law is applicable to officers and employees regardless of whether they are appointed by the President or otherwise.

Creditable Service

Service as a Federal employee must have been compensated by salary or wages in order to be credited for retirement. Credit is granted for all leave with pay except for any period covered by a lump-sum payment for accrued annual leave. Credit may be given for leave of absence without pay provided it does not exceed a total of 6 months in any calendar year. Service periods for which retirement deductions have been previously refunded to an employee may be considered in determining an employee's right to retirement, but may not be used for computing the rate of annuity unless the amount has been redeposited. Generally, an employee may receive credit for any period during which he was on leave of absence in the Armed Forces without contributing to the retirement fund. However, there are some exceptions to this rule and each case must be decided on the basis of the individual facts.

Deductions

(a) For those employees who are subject to the Act, deductions at the rate of 6 percent are compulsory. Such deductions earn interest at the rate of 3 percent compounded annually until effective date of retirement or until separation from the service.

(b) Retirement deductions are to be made from the basic salary, pay or compensation (i. e. exclusive of bonuses, overtime pay, any post differential, any cost of living or other allowances, and per diem in lieu of subsistence allowed an employee who is away from headquarters).

Voluntary Contributions

Any officer or employee may at his option and under such regulations as may be prescribed by the Civil Service Commission, deposit additional sums in multiples of \$25 which amount, with interest at 3 percent compounded annually, shall be available to purchase additional annuity at the date of retirement. These voluntary deposits are not to exceed 10 percent of the employee's annual aggregate basic salary, pay, or compensation received since August 1, 1920.

Arrangements for such deposits should be made directly with the Civil Service Commission by submission of Standard Form 2804. Supplies of this form will be available upon request made to the Ad-

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ministrative Assistant Attorney General. This type of deposit cannot be handled through payroll deductions.

Credit for Past Service

An employee who desires full annuity benefits for periods of service during which deductions were not made from his compensation must deposit to the credit of the Civil Service retirement and disability fund a sum equal to 2½ percent of his basic salary for services performed from August 1, 1920, to June 20, 1926; 3½ percent from July 1, 1926, to June 30, 1942; 5 percent from July 1, 1942, through the pay period ending July 10, 1948; and 6 percent thereafter. Interest, compounded annually, will be charged from the time the service was rendered through periods of employment at the rate of 4 percent to December 31, 1947, and at the rate of 3 percent thereafter.

Applications for service credit should be made on Standard Form 2803. Employees wishing to purchase service credit should be referred to the Marshal who will have copies of this form available and who will advise them of the procedure to be followed. Deposits for service credit may be made in installments of not less than \$10 each month during the continuance of service and must be made to the Civil Service Commission.

If no deposits are made for the past service, credit will be allowed for the service rendered, but the annuity of such employee will be reduced by the amount owing at date of retirement.

Refund of Deductions

(a) Officers and employees who upon separation have less than 5 years of creditable service are entitled to receive a refund of deductions, or if they plan to reenter the Government service, the contributions may be left in the retirement fund. No annuity may be paid unless the employee subsequently completes 5 years' civilian service. Refund will be made at any time upon the employee's request.

(b) Officers and employees who upon separation have completed more than 5 years but less than 20 years of creditable service are entitled to receive refund of deductions, or may leave contributions in the retirement fund and receive an annuity at age of 62.

(c) Officers and employees who upon separation have completed more than 20 years of creditable service are not entitled to any refund but will receive an annuity at age 62.

(d) Officers or employees transferred to a position subject to another retirement system are entitled to a refund of deductions regardless of the number of years of creditable service in the Government.

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Redeposit of Refunded Deductions

If an employee has received a refund of retirement deductions covering one or more periods of service, he must make a redeposit to the retirement fund equal to the amount of refund plus interest before such period or periods of service can be credited in the computation of annuity benefits. Interest on the amount refunded is compounded annually at the rate of 4 percent through December 31, 1947, and 3 percent thereafter. An employee may not make a redeposit to cover only a portion of a period for which deductions were refunded to him.

These deposits may be made in installments during the continuance of service under such conditions as may be determined by the Civil Service Commission.

If no deposits are made for the past service, credit will be allowed for the service rendered, but the annuity of such employee will be reduced by the amount owing at date of retirement.

Types of Retirement

Automatic.—Any officer or employee, including Presidential appointees, who has completed at least 15 years of service is automatically separated on the last day of the month in which he attains the age of 70 years. Any employee who has reached the age of 70 but has not completed 15 years of service may continue to work until the last day of the month in which he completes 15 years of service.

An employee shall be notified in writing at least 60 days prior to the date of his retirement.

Voluntary.—Any officer or employee who has reached the age of 62 may retire after completing 15 years of service. A person who has completed 30 years of service may retire at 60, or may retire at 55 with a reduced annuity of one-fourth of 1 percent for each full month he is under age 60.

By request.—The Department may request retirement of an officer or employee who is (1) 60 years of age with 30 years of service or (2) 62 years of age with 15 years of service who may be disqualified to perform the duties of his position or one of a comparable grade. The application must be filed prior to the employee's separation from the service.

Disability.—Any officer or employee to whom the Act applies, who has served a period of not less than five years and who becomes totally disabled for useful and efficient service in the grade or class of position occupied by him before becoming eligible for retirement, may be retired on an annuity. The disability must not be due to

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vicious habits, intemperance, or willful misconduct on the part of the employee.

Application for disability retirement may be made by the employee himself or by the Department. It must be executed before separation from the service, or within 6 months thereafter if application is made by the employee, provided, that if the employee is hospitalized, he may make application 6 months after termination of hospitalization. If the application is made before separation from the service, the employee should be carried in a leave status (with or without pay) until the application is acted upon by the Civil Service Commission.

Before retirement for disability the employee must be examined by a medical officer of the United States, or a duly qualified physician, or surgeon designated by the Civil Service Commission. After disability is established and the employee is retired therefor, he shall submit to a physical examination annually, under the direction of the Civil Service Commission, until he reaches age 60 or the permanency of the disability is determined.

Should the employee recover before reaching the age of 60, and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, annuity shall be continued temporarily to afford the annuitant opportunity to seek another available position, but not for more than 1 year from the date of the medical examination showing such recovery.

Separation Before Attaining Retirement Age

Should any officer or employee to whom the Act applies become separated from the service, voluntarily or involuntarily, after having served a total period of not less than 5 years and before becoming eligible for retirement, he may be paid a deferred annuity beginning at the age of 62. However, if such person is involuntarily separated from the service (through reduction in force, etc.), and not removed for cause on charges of misconduct or delinquency, and has at least 25 years of service, he may receive an immediate annuity, reduced according to his age at time of separation.

Annuities

Annuities granted under the Act will commence on the first day of the month following separation. The annuity will be due and payable in monthly installments on the first business day of the month following the period for which the annuity shall have accrued.

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The annuity granted by the Act will be a life annuity and will be computed as follows:

(1) If the employee's average annual basic salary during any 5 consecutive years is \$5,000 or more, take 1½ percent of that average and multiply by the total years of service.

(2) If the employee's 5 year average salary is less than \$5,000, take 1 percent of it, add \$25 to that and multiply by the total years of service.

If the employee is under age 60, his annuity will be reduced one-fourth of 1 percent for each full month (3 percent per year) he is under age 60.

In no case shall the annuity exceed an amount equal to 80 percent of the highest average annual basic salary received by the employee during any 5 consecutive years of allowable service.

Survivorship Options

A person who is retiring may elect to take a reduced annuity and provide for an annuity for his dependents upon his death. This is optional with the employee and should be considered at the time of retirement. The amount of annuity will vary, depending upon the age of the survivor. Information concerning individual cases may be requested from the Personnel Branch of the Department.

Death Benefits and Designation of Beneficiaries

Where a married male employee dies (while still employed) his widow may be entitled to annuity if the following conditions exist:

(1) The employee must have completed 5 or more years of civilian service.

(2) The widow must have been married to the employee for at least 2 years immediately preceding his death or be the mother of issue by such marriage.

In certain instances survivorship benefits may be paid to children of the deceased.

A lump-sum benefit consisting of the total sum credited to the employee's individual account, with interest added, will be payable upon the death of an employee where (1) the employee has rendered less than 5 years of civilian service, or (2) the employee has rendered more than 5 years of civilian service but leaves no surviving widow or children entitled to immediate or future annuity benefits. The lump-sum payment will be made in the following order of precedence, unless the employee designates otherwise:

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1. To the widow or widower.
2. If neither of the above, to the child or children in equal shares, with the share of any deceased child distributed among the descendants of that child.
3. If none of the above, to the parents in equal shares or the entire amount to the surviving parent.
4. If none of the above, to the executor or administrator of the estate of the decedent.
5. If none of the above, to the next of kin under the laws of the State in which the decedent was domiciled.

If an employee desires payment of lump sum benefits to be made to a person or persons not included in the above list, or payment to be made in a different order, he should execute a designation of beneficiary in duplicate on Standard Form 2808 (Appendix, form 2) and forward it to the United States Civil Service Commission, Washington 25, D. C. New employees should be advised of this provision and allowed an opportunity to designate a beneficiary if they so desire. Blank forms may be secured from the Chief, Personnel Branch, Department of Justice.

Procedures relating to lump-sum refund of retirement deductions have no relation to payments made for salary or annual leave due deceased employees.

Forms

Blank forms for use in making application for retirement claims, refunds, deposits, etc., will be forwarded by the Department upon request.

ACCIDENTS

The Employees' Compensation Act, as amended, provides compensation in cases of employees of the United States who suffer accidental death or injury while engaged in the performance of their official duties (U. S. C. 751 et seq.).

Medical care for injuries must be obtained from United States medical facilities, if available; if this is not practicable, from physicians designated by the Bureau of Employees' Compensation, United States Department of Labor. The names of such hospitals and physicians in each district will be furnished by the Department upon request.

Blank forms for reporting injury or death in line of duty and for making claims for compensation may be obtained from the Department. All officials should keep on hand a small supply of these forms.

Note:

There might be confusions due to filing errors of the print original:

Pages 42.1-42.2 were not included in the print original.

It seems that there are duplicated contents on the p. 42 and p. 42.6.

Digital Services, DOJ Libraries, December 26, 2013

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3. Overseas service differential pay for employees other than Isthmus of Panama.
4. Hazardous duty pay.
5. Incentive pay.

Death payments and designation of beneficiary.—In case of death of the insured the insurance will be paid to surviving persons in the same order of precedence as Civil Service Retirement benefits as follows: (1) widow or widower; (2) children; (3) parents; (4) estate; (5) next of kin. If an employee is not satisfied for payment to be made in this order he must file a designation of beneficiary in duplicate on Standard Form 54 (Appendix, Form 41). Such designations should be forwarded to the Personnel Branch of the Department. One receipted copy will be retained in his official personnel folder and the other receipted copy will be returned to the employee. This designation is in no way connected with any designation which has been made for payment of retirement benefits or unpaid compensation upon death.

A designation of beneficiary is automatically canceled (1) on the day the employee transfers to another agency, (2) 31 days after the employee separates from the service (within this 31-day period he has the privilege of conversion) or (3) on the day the employee retires.

NOTE.—The employee who transfers to another agency should file a new designation form with the new agency.

The employee who resigns and converts to an individual life insurance policy may designate a beneficiary at the time of conversion.

The employee who retires should file a new designation form with the Civil Service Commission.

Waiver of insurance and reinstatement.—Any employee who does not desire the insurance must sign Standard Form 53 (Waiver of Life Insurance). (Appendix, Form 40.) Such forms should be issued only to employees requesting them and the provision of the waiver should be called to the attention of the employee.

Once an employee has signed a waiver he cannot have the insurance reinstated unless (1) one year has elapsed; (2) he has not reached his 50th birthday; (3) he passes an appropriate medical examination and (4) he meets the requirements of other regulations which may be in effect at that time.

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A break in Government service does not cancel an insurance waiver.

When a person transfers from another agency or reenters Government service, the appointing officer should ask the employee if he has previously filed an insurance waiver to determine whether deductions should be made. Verification of this statement will be made upon receipt of employee's personnel file.

An employee who notifies the employing office that he wishes the insurance discontinued shall have his payroll deductions discontinued *at the beginning of the next pay period following receipt of the notice by the employing office.*

The waiver must be forwarded promptly by the employing office to the payroll officer (United States Marshal). After appropriate notation on the employee's individual pay card, the Marshal shall forward the waiver to the Personnel Branch, Department of Justice, for filing in the employee's personnel folder.

Termination or reduction of benefits.—An insured person whose Government service is terminated voluntarily or involuntarily (other than by retirement) or an employee who has been in a nonpay status for 12 continuous months ceases to participate in the group insurance plan. However, the life insurance coverage is extended for 31 days to permit the employee to convert all or any part of the group life insurance to an individual life insurance policy only, at standard premium rates applicable to his attained age and class of risk without a physical examination. No refund of prior deductions made for group insurance is permissible.

Information regarding procedure for converting to individual insurance will be issued at a later date.

Whenever any person reaches 65 years of age, the amount of life insurance is reduced at the rate of 2 percent a month until the policy is reduced by 75 percent. No reduction is made below 25 percent of the basic policy.

When a person retires his life insurance only is continued. Accidental death and dismemberment insurance are discontinued upon retirement.

The insurance of an insured employee who enters military service and acquires indemnity coverage under the Servicemen's Indemnity Act of 1951 shall cease, subject to a 31-day extension of life insurance coverage, on the day preceding his acquisition of the indemnity coverage, or 12 months after discontinuance of his civilian salary payments, whichever first occurs.

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Insurance certificates.—As soon as possible after the program goes into effect, certificates will be forwarded for issuance to each insured employee.

Claims.—The insurance claims forms are still in the process of completion and will be furnished when they are made available. In the meantime the Personnel Branch of the Department of Justice should be notified immediately of the death of any insured employee. Claims in such instances will be handled as promptly as possible but claimants should be notified that a slight delay in payment may result due to the tremendous workload in inaugurating the program.

Insurance contributions (general).—Deductions to cover the cost of insurance will be made from employees' salaries in the same general manner as those for social security or retirement.

In addition, the Government contributes an amount equal to one-half of the aggregate amount withheld from employees' salaries. The Government's contribution will be paid from the same appropriation as the employee's salary.

Payroll deductions.—The withholding rate for employees paid on a biweekly basis will be 25¢ for each \$1,000 of insurance. Deductions in the full amount will be withheld from an employee's salary when—

- (1) The employee is in a pay status for an entire pay period.
- (2) The employee is in a pay status for only part of a pay period.

(If salary earned during that pay period less deductions for retirement, FICA, and income taxes is less than the amount of the full insurance deduction, the remainder will be withheld as insurance.)

Deductions will not be collected when the employee is in a nonpay status for an entire pay period, nor will deductions be made to cover such nonpay status from future salary when the employee returns to a pay status. (See "Leave Without Pay" below.)

The amount withheld from the salary payment of an insured employee under age 65, whose amount of insurance changes during a pay period, shall be based on the last amount of insurance in force during the pay period.

Insurance deductions cease at the end of the pay period immediately preceding the one in which the employee reaches his 65th birthday. In the case of an employee who is already age 65 on August 29, 1954, no deductions will be made.

The following table shows the amount of deductions for the various amounts of insurance:

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<i>Amount of insurance</i>	<i>Amount of deductions per biweekly pay period</i>	<i>Amount of insurance</i>	<i>Amount of deductions per biweekly pay period</i>
\$1,000	\$0.25	\$11,000	\$2.75
\$2,000	.50	\$12,000	3.00
\$3,000	.75	\$13,000	3.25
\$4,000	1.00	\$14,000	3.50
\$5,000	1.25	\$15,000	3.75
\$6,000	1.50	\$16,000	4.00
\$7,000	1.75	\$17,000	4.25
\$8,000	2.00	\$18,000	4.50
\$9,000	2.25	\$19,000	4.75
\$10,000	2.50	\$20,000	5.00

Rates of deductions for employees paid on other than a biweekly basis will be furnished by the Department upon request.

Retroactive deductions should be made in such instances as when an employee enters on duty in one pay period and the final authorization for payment of his salary is not received until a subsequent period. Deductions should be made from the first check he receives for all pay periods during which he was covered.

Leave without pay.—Any employee who is on leave without pay on August 29, 1954, is insured unless in a nonpay status which extended continuously for 12 months or has filed a waiver.

However, for an employee in a pay status on August 29, 1954, who subsequently takes leave without pay for one pay period or more the insurance coverage does not cease until the employee has been in a nonpay status for 12 continuous months. No payments, either by the employee or the Government, are required during such leave without pay. If the leave without pay extends beyond 12 months, coverage is reacquired upon return to a pay status.

The full deduction will be taken for any employee on leave without pay for less than a full pay period.

ACCIDENTS

The Employees' Compensation Act, as amended, provides compensation in cases of employees of the United States who suffer accidental death or injury while engaged in the performance of their official duties (5 U. S. C. 751 et seq.).

Medical care for injuries must be obtained from United States medical facilities, if available; if this is not practicable, from physicians designated by the Bureau of Employees' Compensation, United States Department of Labor. The names of such hospitals and physicians in each district will be furnished by the Department upon request.

Blank forms for reporting injury or death in line of duty and for making claims for compensation may be obtained from the Department. All officials should keep on hand a small supply of these forms.

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Written notice of injury must be given to the immediate superior of the employee within 48 hours after the injury, either by delivering it personally or by depositing it, properly stamped and addressed, in the mail (5 U. S. C. 765). The notice must state the name and address of the employee, the year, month, day, and hour when, and the particular locality where, the injury occurred and the cause and nature thereof, and must be signed by and contain the address of the person giving the notice (5 U. S. C. 766).

Unless notice is given within the time specified, or unless the immediate superior has actual knowledge of the injury, no compensation may be allowed, but for any reasonable cause shown, the Bureau may allow compensation if the notice is filed within 1 year after injury (5 U. S. C. 767).

All original claims for disability must be made within 60 days after the injury, and all original claims for death must be made within 1 year after death (5 U. S. C. 770).

Compensation may be paid to heirs in case of death resulting from injuries received in the line of duty (5 U. S. C. 760).

The Bureau's Form No. CA-1 (Employee's Notice of Injury or Occupational Disease (Appendix, form 13)) should be *immediately* filled out by an employee who sustains an injury of any kind.

If a claim is to be made, the Bureau's Form No. CA-2 (Official Superior's Report of Injury (Appendix, form 14)), including witnesses' statements and certificate of the attending physician, must also be executed. Claims shall be filed with the Department of Justice, Washington, D. C. Officials charged with the preparation and submission of reports of injury should exercise care to see that all reports are properly completed and transmitted to the Bureau without delay. Instructions relating to submission are contained on the forms. Reports covering injuries of a minor nature which are not forwarded to the Department should be filed in the United States Attorney's office.

Forms Nos. CA-16 and CA-17 are to be used in requesting medical treatment for injuries. The title of each form will indicate under what circumstances it will be used. All officials should keep on hand a small supply of these forms.

If an employee is treated at other than a Government hospital or by a physician not designated by the Bureau, the claimant must show why it was not practicable to obtain treatment at such hospital or by a designated physician.

The fee of the physician whose services are engaged by an injured employee is, under the law, fixed by the Bureau. Therefore, an injured employee who intends to claim the benefits of the Act should not

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pay the physician's bill, but should submit it to the Department, attached to the proper form.

If an employee is seriously injured or killed, it is suggested that the FBI be asked to conduct an investigation of the accident.

If at the time the disability begins the employee has annual or sick leave to his credit he may, subject to the approval of the head of the Department, use such leave until it is exhausted. In that case his compensation on account of disability begins on the 4th day of disability after the sick and annual leave has ceased. (5 U. S. C. 758.)

There has been established an Employees Compensation Appeals Board in the Department of Labor, whose function is to consider and decide appeals in any case arising under the United States Employees' Compensation Act. Decisions by the Board are final as to the subject matter appealed, and such decisions are not subject to review, except by the Board. Employees who desire to appeal their cases should file Form AB-1, Application for Review, directly with the Employees Compensation Appeals Board, which is located in the Department of Labor Building, 14th and Constitution Avenue N.W., Washington 25, D. C. However, failure to use Form AB-1 will not bar the appeal from review by the Board. Applications for review shall be submitted in duplicate and filed within 90 days from the date of issuance of the decision by the Bureau of Employees Compensation. If good cause is shown, the Board may excuse failure to file application within the prescribed time limit, provided the application is filed within one year of the date of issuance of the decision of the Bureau. Detailed regulations governing appeals are contained in Title 20, Code of Federal Regulations, Part 501. For additional information in connection with employees' rights and benefits under the United States Employees' Compensation Act, inquiries may be addressed to the Personnel Branch, Administrative Division of the Department of Justice.

REPORTS AND PAYMENT OF DECEASED EMPLOYEES**Report of Death**

Notice of the death of an employee shall be promptly forwarded to the Administrative Assistant Attorney General together with a transcript of the employee's annual leave balance on Standard Form 1150—Revised (Appendix, form 9) and a statement as to whether or not there is a surviving spouse. The Marshal should also be notified of the death of the employee and the employee's leave record should be forwarded to the Marshal.

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The Department will prepare a fanfold notice covering the termination of service and showing the amount due the employee for annual leave and will forward it to the Marshal together with any designation of beneficiary on file. No payments of any kind due at time of death will be made until receipt of the fanfold notice from the Department.

Compensation and Allowances

5 U. S. C. 61 f-g and General Regulation 104, Supplement 1, October 23, 1950, prescribe the procedure to be followed for settlement of unpaid compensation due employees at time of death. Unpaid compensation shall include, but not be limited to, the following:

- (1) All per diem in lieu of subsistence, mileage and amounts due in reimbursement of travel expenses, including incidental and miscellaneous expenses in connection therewith for which reimbursement is due.
- (2) All allowances upon changes of official station.
- (3) All quarters and cost-of-living allowances and overtime or premium pay.
- (4) Amounts due for payment of cash awards for employees' suggestions.
- (5) Amounts due as refund of salary deductions for United States Savings Bonds.
- (6) Payment for all accumulated and current accrued annual leave equal to the compensation the decedent would have received had he remained in service until the expiration of the period of such annual leave.
- (7) The amounts of all checks drawn in payment of such compensation which were not delivered by the Government to the officer or employee during his lifetime or of any unnegotiated checks returned to the Government because of the death of the officer or employee.

Unpaid compensation does not include any refunds of deductions made under the Retirement Act. Retirement deductions are handled separately (see Retirement).

Order of Payment

Any amounts owing at time of death (other than retirement funds) will be paid in the following order of precedence:

- (1) To the beneficiary or beneficiaries designated to receive such compensation by decedent's written designation filed with the Gov-

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ernment agency in which the decedent was employed at the time of his death, and received by such agency prior to his death.

(2) If there be no such beneficiary, to the widow or widower of such decedent.

(3) If there be no beneficiary or surviving spouse, to the child or children of such decedent, and descendants of deceased children, by representation.

(4) If none of the above, to the parents of the decedent, or the survivor of them.

(5) If there be none of the above, to the duly appointed legal representative of the estate of the decedent, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the decedent.

Designation of Beneficiary

If an employee desires payment to be made in a different order or to a person not included in the above list, he shall execute Standard Form No. 1152 (Designation of Beneficiary, Unpaid Compensation of Deceased Civilian Employee (Appendix, form 32)) in duplicate. A designation remains in effect during employment in a particular agency unless canceled, or revoked by execution of a new designation. All new employees, as well as persons being reinstated or transferred from other Government agencies, should be advised of the provisions of these regulations and afforded an opportunity to file a designation if they desire.

Any designation of beneficiary executed by an employee shall be forwarded to the Personnel Branch of the Department. The original will be included in the employee's official personnel folder, and the duplicate will be accepted and returned to the employee. If the United States Attorney desires an extra copy of the form, it may be prepared by him for retention in his office.

Payment

The Marshal will prepare the necessary voucher forms and after receipt of fanfold notice will either make payment to the proper individual or submit the file to the Department, for payment by the General Accounting Office if there is no designated beneficiary or surviving spouse. The United States Attorney should forward to the Marshal any uncashed checks returned as a result of the death of the employee.

TITLE 8: ADMINISTRATIVE DIVISION**Death Occurring While Employee Is Absent From Headquarters**

Certain payments for preparing and transporting remains and for transporting household effects and dependents are payable by the Government when an employee dies while in a travel status away from his official station or while performing official duties outside the continental United States (5 U. S. C. 103a). Specific instructions regarding payment will be issued to the United States Attorney upon receipt of notice of death in such instances.

CHANGES IN NAME

An employee's official name should be uniform throughout his service. Changes in names by marriage or court action must be reported promptly to the Department.

IDENTIFICATION CARDS

Each United States Attorney and Assistant United States Attorney will receive an identification card after appointment. Requisitions therefor should be submitted on Form No. 785-A (Appendix, form 27) together with two photographs 1½ by 1½ inches in size on a white background. Each photograph should contain the name of the employee on the reverse side. Upon receipt of the card by the employee it should be signed by him in the space provided.

Misuse of identification cards will be grounds for disciplinary action.

Identification cards must be returned by an employee when he leaves the service.

EXAMINATION OF OFFICES

The Department employs a staff of examiners to inspect the operation and records of the United States Attorneys' offices and to render such assistance as is necessary to promote economy and efficiency in the service. An effort is made to have examinations made at not greater than 2 year intervals.

AVAILABILITY DURING TRAVEL OR OUTSIDE OFFICE HOURS

The Department should be advised of the home telephone number of the United States Attorney or an Assistant, who will be available at all hours for calls from the Department.

Whenever the United States Attorney or an Assistant begins a trip, he should leave a forwarding address or a copy of his itinerary so that he may be reached in an emergency.

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In order that the Department may be able to communicate readily with the United States Attorneys or their Assistants when in Washington, it is required that upon arrival they enter their names and Washington address in a register kept for this purpose in the Executive Office for United States Attorneys, Room 4224, and that they report to that Office their departure from the city. Adherence to this practice will enable the Department to keep in touch with its officials in the event business should arise which requires their attention and to answer inquiries as to their whereabouts while in the city, as well as to facilitate the delivery or forwarding of their mail or telegrams.

YOUNG AMERICAN MEDALS COMMITTEE

Pursuant to Public Law 638, 81st Congress, there has been established a Young American Medals Committee in the Department which is authorized to promulgate rules and regulations establishing the Young American Medals created by the Act, to determine the method of selecting recipients, and to act for the Attorney General in the administration of the Act.

MILITARY SERVICE

Any employee called to active duty under the Universal Military Training and Service Act (Selective Service Act) will be entitled to reemployment rights generally upon his completion of military service unless:

- (1) He was serving in a temporary position.
- (2) He was serving under a temporary or indefinite appointment (as distinguished from a permanent employee who has been given an indefinite promotion, demotion or reassignment).

Part 35 of the Federal Personnel Manual sets forth the regulations regarding restoration of Federal employees after service in the Armed Forces. Any employee covered by the regulations and who is inducted, enlists or is ordered into the Armed Forces is entitled to restoration:

- (1) If he serves not more than 4 years (exclusive of any additional service imposed according to law);
- (2) Receives a certificate of Satisfactory Completion of Training and Service;
- (3) Makes application for restoration within 90 days after discharge or from hospitalization continuing after discharge for not more than 1 year; and,
- (4) Is qualified to perform the duties of the position.

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The Department has adopted a policy that no deferment will be requested for any person called to duty with the Armed Forces (including reservists). Each employee entering the Armed Forces should be separated from the service. He is entitled to be paid for accrued leave, or to elect to let it remain to his credit. (See Leave.)

The United States Attorney's office will be responsible for the maintenance of adequate records to assure consideration for promotion during the absence of the employee, and upon reemployment such promotion is effective as of the date it would have been made notwithstanding the absence for military duty. The same procedure applies to reallocations, unless lack of qualifications is clearly shown.

In the event the position is abolished during the employee's absence, due to organizational changes, every effort will be made to place him in a position of equal status and pay upon his return.

Any person returning to duty may be reemployed in his Federal position while on terminal leave pending separation from or release from active duty under honorable conditions from the Armed Forces, and he is entitled to receive compensation for his employment in addition to pay and allowances from the Armed Forces (5 U. S. C. 61a-1).

The benefit of successive step-increases shall be preserved, under regulations issued by the Civil Service Commission, for officers and employees whose continuous service is interrupted in the public interest by service with the Armed Forces or by service in essential non-Government civilian employment during a period of war or national emergency. (Such increases are subject to the regulations governing automatic step increases.) (See Promotions, Changes in Status, and Cash Awards.)

VETERANS HEARING COMMITTEE

There has been created, in the Office of the Deputy Attorney General, a Veterans Hearing Committee which has the duty and responsibility for considering both oral and written protests or complaints of a personnel nature from Departmental employees who are veterans. The Committee is authorized to take all steps necessary to develop the facts in any situation about which there has been a protest or complaint by any individual veteran or group of veterans, to interview or require written statements from any officer or employee of the Department who is in possession of the facts regarding such situation, to arrive at findings of fact, and to submit to the Attorney General, through the Deputy Attorney General, a recommendation for appropriate action with respect to any such protest or complaint.

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FAIR EMPLOYMENT PRACTICES

Executive Order 9980, July 26, 1948, provides that:

All personnel actions taken by Federal appointing officers shall be based solely on merit and fitness; and such officers are authorized and directed to take appropriate steps to insure that in all such actions there shall be no discrimination because of race, color, religion, or national origin.

Pursuant to this order a Fair Employment Officer has been appointed in the Department of Justice to receive complaints of discrimination. Any employee in the Department of Justice who believes that an unfavorable personnel action has been taken against him because of his race, color, religion, or national origin, may file an oral complaint with his immediate supervisor or with the next higher supervisor of the office or unit where the alleged action of discrimination occurred, or he may file a written complaint with his supervisor or with the Fair Employment Officer. All written complaints must specify:

- (1) The name of the Department and employing unit against which complaint is made;
- (2) The specific personnel action or actions complained of;
- (3) The approximate dates or date thereof;
- (4) A statement of all pertinent facts in support of the allegation of discrimination, including dates, names of individuals involved, incidents, occurrences, and circumstances;
- (5) Remedies sought;
- (6) Signature of complainant.

Any applicant who is refused appointment in the Department of Justice and who believes that such unfavorable personnel action has been taken against him because of his race, color, religion, or national origin, may file a written complaint with the Fair Employment Officer.

Any group or organization, except groups or organizations designated by the Attorney General pursuant to Executive Order 9835, may file a written complaint regarding personnel actions which result in discrimination against a group of employees or applicants on account of race, color, religion, or national origin. The complaint must include full and complete information to support the allegations of discrimination setting forth dates, names, and identification of individuals involved, incidents, occurrences, and the circumstances thereof. The complaint must be filed with the Fair Employment Officer of the Department.

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The supervisor of the office or unit to whom any employee makes complaint will immediately endeavor to adjust the complaint with the individual complainant.

Upon failure to adjust an oral complaint to the satisfaction of the complainant within a reasonable time, such supervisor shall advise complainant in writing of the address of the Fair Employment Officer and of his right within 10 days thereafter to file a written complaint with such Fair Employment Officer. Such written complaint shall contain the information set forth above.

Upon failure to adjust a written complaint to the satisfaction of the complainant, the supervisor will forward to the Fair Employment Officer a report setting forth the basis of the complaint and reasons for failure to effect a satisfactory adjustment.

If a complainant has the right of appeal to the Civil Service Commission under authority of law, for example, Section 24 of the Veterans Preference Act of 1944, and also has a right of appeal under Executive Order 9980, he may elect the channel through which he presents his complaint, but if he elects to appeal directly to the Civil Service Commission, he may not thereafter avail himself of the procedures under Executive Order 9980.

PERSONNEL SECURITY REGULATIONS

The Department's security regulations are set forth in:

1. Order No. 25-53, dated August 31, 1953, and regulations attached (under Executive Order No. 10450), and
2. Pamphlet entitled "Regulations Relating to Defense Information" issued in August 1952 (under Executive Order No. 10501).

Every employee, including each new employee, is required to sign a statement that he has read and understands both publications. This statement should be transmitted to the Security Officer, Department of Justice, Washington 25, D. C.

Additional copies of the regulations may be secured from the Security Officer at any time.

RESTRICTED ACTIVITIES**LAWS AND PENALTIES GOVERNING CONDUCT**

United States Attorneys and their employees are subject to the following general provisions of law:

28 U. S. C. 2071:

- (a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or with intent to do so takes and carries away any record, proceeding, map, book,

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paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than \$2,000 or imprisoned not more than 3 years, or both.

(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than \$2,000 or imprisoned not more than 3 years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (See Government Property, Records and Safeguarding on the care of records.)

18 U. S. C. 283:

Whoever, being any officer or employee of the United States or any department or agency thereof or of the Senate or House of Representatives, acts as an agent or attorney for prosecuting any claim against the United States, or aids or assists in the prosecution or support of any such claim otherwise than in the proper discharge of his official duties, or receives any gratuity, or any share of or interest in any such claim in consideration of assistance in the prosecution of such claim, shall be fined not more than \$10,000 or imprisoned not more than 1 year, or both. This section shall not apply to any person because of his membership in the National Guard of the District of Columbia nor to any person specifically excepted by enactment of Congress.

18 U. S. C. 284:

Whoever, having been employed in any agency of the United States, including commissioned officers assigned to duty in such agency, within 2 years after the time when such employment or service has ceased, prosecutes or acts as counsel, attorney, or agent for prosecuting, any claims against the United States involving any subject matter directly connected with which such person was so employed or performed duty, shall be fined not more than \$10,000 or imprisoned not more than 1 year, or both.

It is the position of the Department that 18 U. S. C. 284 prohibits any former employee of the Federal Government, for a period of two years after leaving Government service, from representing any non-governmental interest in any matter whatsoever, involving any subject matter directly connected with which such person was so employed or performed duty, in which the United States is interested, directly or indirectly, whether as a party, as an enforcement agent, or otherwise.

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United States Attorneys are instructed to vigorously prosecute all violations of this statute.

Employees should not use their official title on private letterheads or profession cards.

DUAL OR PRIVATE EMPLOYMENT

Dual Government Salaries

5 U. S. C. 58 provides that unless otherwise specifically authorized by law, no money appropriated by any act shall be available for pay-

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ment to any person receiving more than one salary when the combined amount of said salaries exceeds the sum of \$2,000 per annum.

The term "salary" as used in this section includes all pay or compensation paid for services rendered under a continuous employment when payments are to be made at stated intervals, regardless of whether the compensation is fixed by law or regulation, or whether it is a daily, monthly, or yearly rate. The statute refers to salaries and not to payments or amount actually received, and no payment of a part of the salary is authorized if the whole rate, taken with the salary of the other position, is in excess of the limitation fixed by the statute (22 Comp. Dec. 640, 645).

18 Comp. Gen. 768 held that where an officer's or employee's compensation is computed on any other basis than the year, it is necessary, in applying the prohibitions of the dual compensation statutes (5 U. S. C. 58, 62, 69, 70) to determine the per annum equivalent of the rate, since the rate per annum of the combined salaries, and not the aggregate amount actually received during a portion of the year, is determinative of whether there has been a violation of the said statutes.

From the foregoing rulings it will be seen that the Dual Compensation Statute has been construed to apply to compensation from two positions at rates which total \$2,000 per annum, as distinguished from actual payments or amounts received.

In addition to the above-mentioned restriction on dual employment, a civilian employee of the Government holding a position which has a salary of \$2,500 or more may not be employed in any other position under the Government with compensation attached, it being immaterial that he was in a leave-without-pay status from the first position for the period covered by the second position.

Private Employment

No officer or employee of the Department of Justice shall engage in any outside activity which may interfere with the performance of his official duties or be in any way inconsistent therewith, or reflect adversely upon the Department of Justice.

No professional officer or employee of the Department of Justice shall engage in the private practice of his profession, and no officer or employee whatever shall engage in the private practice of law, except upon approval of the Deputy Attorney General in unusual circumstances. This paragraph shall not be applicable to officers or employees appointed on a per diem, when actually employed, basis.

Applications for exceptions to the above paragraph must be made in writing stating the reasons therefor, and directed to the Deputy Attorney General through official channels. Action taken by the

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Deputy Attorney General with respect to each such application shall be in writing, directed to the applicant.

A copy of Departmental Order No. 46-54, May 6, 1954, shall be presented to each new officer and employee before he undertakes his duties. (See Holding State or Local Office.)

POLITICAL ACTIVITY AND CONTRIBUTIONS**Political Activity**

Rule IV, Section 1, of the Civil Service Rules reads as follows:

Persons in the Executive Branch shall retain the right to vote as they choose and to express their opinions on all political subjects and candidates, but such persons shall not use their official authority or influence for the purpose of interfering with an election or affecting the results thereof. Persons occupying positions in the competitive service shall not take any active part in political management or in political campaigns except as may be provided by or pursuant to statute.

In addition, Section 9, of the Hatch Act (5 U. S. C. 118i) provides:

It shall be unlawful for any person employed in the Executive Branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. No officer or employee in the Executive Branch of the Federal Government, or any agency or department thereof shall take any active part in the political management or in political campaigns. All such persons shall retain the right to vote as they may choose, and to express their opinions on all political subjects and candidates.

The Attorney General has ruled that the following employees, among others, are subject to the provisions of the Hatch Act:

- (1) United States Attorneys and their Assistants.
- (2) Special Assistants to the United States Attorney and Special Assistants to the Attorney General.
- (3) Temporary employees, substitute employees, and per diem employees during the period of their actual employment.
- (4) Furloughed employees and employees on leave whether with or without pay.

Prohibited Political Activities

Serving on or for any political committee, party, or other similar organization, or serving as a delegate or alternate to a caucus or party convention.

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Soliciting or handling political contributions.

Soliciting sale of or selling political party dinner tickets.

Serving as officer of a political club, as member or officer of any of its committees, addressing such a club or being active in organizing it.

Serving in connection with preparation for, organizing, or conducting a political meeting or rally, addressing such a meeting, or taking any other active part therein except as a spectator.

Engaging in activity at the polls (at primary or regular elections), such as soliciting votes, assisting voters to mark ballots, or transporting or helping to get out the voters on registration or election days.

Acting as recorder, checker, watcher, or challenger of any party or faction.

Writing for publication or publishing any letter or article, signed or unsigned, in favor of or against any political party or candidate.

Becoming a candidate for nomination or election to office, Federal, State, county, or municipal, which is to be filled in an election in which party candidates are involved, or soliciting others to become candidates for nomination or election to such offices.

Distributing campaign literature or material.

Initiating or circulating political petitions, including nomination petitions, *but* employees are permitted to *sign* as petitioners.

Engaging in political conferences, or canvassing a district or soliciting political support for a party, faction, or candidate.

The law is designed to prohibit those subject to it from assuming political leadership or becoming prominently identified with any political movement, party, or faction, or with the success or failure of any candidate for election to public office in a partisan political campaign.

Permitted Political Activities

Voting.—The direct language of the law specifically provides that all such persons retain the right to vote as they may choose.

Expression of opinions.—The right to express political opinions is reserved to all such persons.

Note.—This reservation is subject to the prohibition that such persons may not take active part in political management or in political campaigns.

Contributions.—It is lawful for any officer or employee to make a voluntary contribution to a regularly constituted political organization, *provided* such contribution is not made in a Federal building or to some other officer or employee within the scope of the above-quoted statutes.

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Election officers.—Service as an election officer is permitted *provided* no partisanship or partisan political management is shown.

Political pictures.—It is lawful for any officer or employee to display a political picture in his home if he so desires.

Badges, buttons, and stickers.—While it is not unlawful for an officer or employee to wear a political badge or button or to display a political sticker on his private automobile (except where forbidden by local ordinance), it is regarded as contrary to the spirit of the law for a public servant to make a partisan display of any kind, while on duty conducting the public business.

Petitions.—A Federal employee is permitted to sign petitions, including nominating petitions, as an individual without reference to his connection with the Government; however, he may not initiate them or canvass for the signatures of others, if the petitions are identified with political management or political campaigns.

All complaints of violations of 5 U. S. C. 118i-n and 18 U. S. C. 214-215, 591-612, should be reported immediately to the Department for attention. Special care should be taken not to render rulings, interpretation or opinions with respect to the meaning of these statutes.

Political Contributions

5 U. S. C. 633 (5) provides that no person in the public service is for that reason under any obligation to contribute to any political fund or to render any political service and he will not be removed or otherwise prejudiced for refusing to do so.

It is unlawful for an officer or employee of the United States or person paid from funds of the United States Treasury to solicit or receive, either directly or indirectly, any assessment or contribution for any political purpose from any other such officer, employee, or person. (18 U. S. C. 602.)

18 U. S. C. 603 prohibits the soliciting or receiving, for any political purpose of any contribution of money or other thing of value, in any room or building occupied in the discharge of official duties by any of the officers or employees of the Federal Government.

Under 18 U. S. C. 606, no officer or employee may discharge, promote or degrade or change the official rank or compensation of any other such officer or employee for giving, withholding or neglecting to make any contribution for political purposes, nor may he promise or threaten to do so.

The giving or handing over of money or other valuable thing, by any officer, clerk or other person in the service of the United States

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to any other officer or employee for the promotion of any political object is specifically prohibited. (18 U. S. C. 607.)

The violation of any of the provisions set out in the above sections is punishable by fine or imprisonment or both.

Employees may make voluntary contributions to a regularly constituted political organization subject to the limitations laid down in 18 U. S. C. 608 but they may not solicit, collect, receive, disburse, or otherwise handle contributions made for political purposes.

Special attention is called to United States Civil Service Commission Pamphlet 20, concerning political activity of Federal officers and employees.

SUBVERSIVE ACTIVITY**Membership in Subversive Organizations**

Membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States is made unlawful for any person employed in any capacity by any agency of the Federal Government, whose compensation is paid from funds authorized or appropriated by an Act of Congress (5 U. S. C. 118j).

Appointment form, Standard Form 61, includes an affidavit as to subversive activity and affiliation.

PURCHASE AND SALE OF PUBLIC OFFICE

The law covering this subject (18 U. S. C. 214, 215) was intended primarily to remove political influence in job placements in the federal service.

It is unlawful to offer, promise or pay anything of value, to any person, firm, or corporation in consideration of the use of influence to procure any appointive office or place under the United States. (18 U. S. C. 214.) (See *Hoeppe v. United States*, 85 F. 2d 237.)

18 U. S. C. 215 makes it unlawful to solicit or receive anything of value in consideration of aiding a person to obtain employment under the United States either by referring his name to an executive department or agency of the United States or by requiring the payment of a

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fee because such person has secured such employment. This section shall not apply to such services rendered by an employment agency pursuant to the written request of an executive department or agency of the United States.

Both sections provide that anyone convicted of a violation shall be punished by imprisonment of not more than a year or by a fine of not more than \$1,000 or both.

An affidavit that the appointee has not violated the provisions of these sections is included on appointment form Standard Form 61.

SPECULATION IN SECURITIES OR COMMODITIES

No officer or employee of the United States should participate directly or indirectly in any transaction concerning the purchase or sale of corporate stocks or bonds or of commodities for speculative purposes, as distinguished from bona fide investment purposes. Engagement in such speculative activities by any officer or employee, whether under the competitive civil service or not, should be among the matters considered by those in authority in passing upon questions concerning qualifications for retention or advancement.

EMPLOYEES' DEBTS**To Private Firms or Individuals**

It is the policy of the Department not to make itself a collection agency for the debts which its employees contract. Nevertheless if an employee brings the public service into discredit by contracting debts which knowingly he cannot pay, thus showing himself to be unreliable, discharge will follow.

To the Government

Any payments due the Government as the result of a suspension in a Certifying Officer's account shall be withheld in whole or in part from compensation due the payee, until full reimbursement has been accomplished.

Employees who are indebted to the Government should make every effort to settle the account as soon as possible. Any amount due the Government by an employee leaving the Government service should be withheld from the final salary payment. If this is not done, the matter should be reported to the Department so that a claim may be made against any amount to the credit of the employee in the retirement fund.

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CONTRIBUTIONS OR PRESENTS TO SUPERIORS

No officer, clerk, or employee in the United States Government employ shall at any time solicit contributions from other officers, clerks, or employees in the Government service for a gift or present to those in a superior official position; nor shall any such officials or clerical superiors receive any gift or present offered or presented to them as a contribution from persons in Government employ receiving a lesser salary than themselves nor shall any officer or clerk make any donation as a gift or present to any official superior. Every person who violates this section shall be summarily discharged from Government employment. (5 U. S. C. 113.)

HOLDING STATE OR LOCAL OFFICE

Executive Order No. 9 of January 17, 1873, prohibits persons holding a Federal civil office by appointment from accepting or holding any office or employment whether appointive or elective under any State, territorial, or county government, or under the charter or ordinance of any municipality, corporation, etc, with certain exceptions. Acceptance of such a local position will be deemed a resignation from the Federal office. The prohibitions of this Order apply to the offices of alderman, common councilman in a city, town councilman in a town or village, and appointments under city, town or village governments, regardless of the names they may be known by, or whether held by election or by appointment, or whether with or without salary or compensation.

The positions and persons of interest to Department of Justice personnel which are exempt from the provisions of the Order are:

- (1) Positions on boards of education, school committees, public libraries, religious or eleemosynary institutions incorporated, established, or sustained by State or municipal authority, or professorships in colleges; *provided* the attention required by such employment does not interfere with the regular and efficient discharge of duties of their Federal office. The head of the department under whom Federal office is held will in all cases be the sole judge whether or not the employment does thus interfere.
- (2) Officers of the militia in the States and territories.
- (3) Unpaid service in local or municipal fire departments, subject to the provisions set forth in subsection (1).
- (4) The temporary office of moderator of a town meeting and offices of a like character.
- (5) Positions of justice of the peace, notary public, etc.

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The Department considers that this Order applies to all full-time employees. (See Dual or Private Employment and Political Activity and Contributions.)

Press Releases, Publicity, and Speeches

All confidential information, whether relating to cases pending or to administrative business or policy, must be authorized and given to the press through the office of the Director of Public Information. Information relating to pending investigations and prospective appointments must also be handled in the same manner. Information which is a matter of public record (such as an indictment by the Grand Jury which has been made public) may be given to the press upon request. In no event, however, should information relative to or the identities of persons named in sealed indictments be given to anyone outside the Department of Justice.

Addresses and articles which relate to the policy, activities, or administration of the Department or any branch of the Government or any agency or department thereof should be cleared through the office of the Deputy Attorney General, Department of Justice, prior to release. (See also the section on safeguarding Government property and records.)

Employees should not use their official positions to influence pending or prospective legislation. Any correspondence expressing an opinion on legislation (except as a private citizen without identification as a Government employee) or any testimony in respect to any legislative matter must have the prior approval of the Department.

If it is desired that the press or radio withhold the dissemination of any item of information, the request therefor should be submitted to the Director of Public Information of the Department and not directly to any newspaper, news agency, or radio station.

STRIKES

Employees are not allowed to engage in strikes against the Government, nor to belong to any organization which asserts the right to strike against the Government of the United States.

At the time a person enters on duty as an employee of the Government, he must file an affidavit (on Standard Form 61) to the effect that he will not strike or be a member of an organization that asserts the right to strike against the Government during his term of employment. This does not apply to witnesses or fee-basis employees

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whose payment for services is not considered as salary or wages within the language of legislation prohibiting strikes.

OFFICIAL RECORDS AND REPORTS
GOVERNMENT PROPERTY, RECORDS, AND
SAFEGUARDING

Nonconsumable Property

Record and loss.—All nonconsumable property should be listed and inventoried of record by the official in whose custody it may be, and who will be held responsible therefor. Additional articles received from time to time should be added to the record, and articles authorized to be dropped should be eliminated, with a notation as to the reason for so doing. (5 U. S. C. 109.)

Loss or theft of nonconsumable property in the custody of United States Attorneys must be reported promptly to the Administrative Assistant Attorney General. Each report should be accompanied by an affidavit signed by the person to whose custody the property has been entrusted. The affidavit should show the date and time the loss occurred, and an explanation of the circumstances pertaining to the loss.

In order to fix responsibility for the possible loss of accountable property of the Government, officials should keep a memorandum record of all such property located at points other than general headquarters where an office is maintained, charging it to the subordinate official or employee in charge at such point.

Excess Property

Whenever any books, office machines, or other equipment are no longer needed in the office, the Administrative Assistant Attorney General should be so advised. The report should contain a description of the article, as well as a report as to its condition.

The Department will take steps to dispose of the equipment under regulations of the General Services Administration. Custody of the equipment should be retained until authorization to release the property to the claimant is received from the Department of Justice. Any documents received from the claimant relating to the transfer should be promptly forwarded to the Department.

Disposition on Separation

It is the responsibility of the United States Attorney to see that all accountable items issued to members of his staff are returned and that

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all obligations are liquidated before payment of final salary is made at time of separation from the service.

An outgoing United States Attorney must turn over to his successor all Government property in his custody and transmit a receipted inventory thereof to the Department. There should be specified in the inventory every article of nonconsumable or accountable property with a full explanation as to the omission of any article theretofore charged to the United States Attorney. The make, model, and serial number of office machines and typewriters should be stated in each instance. The Department will check the inventory and the United States Attorney will be notified of any discrepancies. Marshals are instructed not to release the final salary payment until notice is received from the Department that all property charged to the United States Attorney has been accounted for.

Disclosure of Information

Voluntary.—All official files, documents, records, and reports of any branch of the Department of Justice (including the United States Attorney's office) shall be regarded as of a confidential nature, and the contents thereof shall be disclosed only in the performance of official duties.

Except upon specific authorization of the Attorney General, no officer or employee shall furnish to any person outside the Department of Justice:

- (1) Any information obtained from the FBI;
- (2) Any information obtained from any other investigative report of the Department;
- (3) Any other information contained in the files of the Department the disclosure of which, in the opinion of the officer having custody of such files, might be injurious to the public interest.

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These prohibitions shall also apply to materials or information obtained from other departments and agencies of the Government and included in the files of the Department of Justice.

These regulations shall extend to any former officer or employee of the Department of Justice.

All officials and employees are directed to keep their office doors locked at all times when not occupied, particularly after office hours.

All material classified "Confidential" or bearing a security classification shall be locked in proper safes or file cabinets when offices are unattended.

Upon Request

When a United States Attorney or any other officer or employee of the Department of Justice is served with a subpoena or order for the production or disclosure of materials or information contained in the files of the Department, the United States Attorney, or such other attorney as may be designated, will appear with the person upon whom the demand is made and inform the court or other issuing authority that such person is not authorized to produce or disclose the materials or information sought. Time will be requested within which to refer the subpoena or order to the Attorney General and the United States Attorney or other attorney designated will refer the court to Department Order No. 3229, Revised, as published in the Federal Register (Vol. 18, p. 1368, Mar. 10, 1953). Advice as to such subpoena or order will be given immediately to the Attorney General without awaiting court appearance.

In the event the court declines to defer a ruling until instructions from the Attorney General have been received, or in the event the court rules adversely on a claim of privilege asserted under instructions of the Attorney General, the person upon whom such demand is made will, pursuant to Order No. 3229, Revised, respectfully decline to produce the material or information sought. (See *United States ex rel. Touhy v. Ragen*, 340 U. S. 462.)

Personnel Investigations

No official of the Department responsible for dealing with Departmental applicants for positions shall indicate to such applicants the source of any information contained in FBI reports concerning the investigations made of their background, experiences, etc., nor shall any such official furnish information which would identify persons who have furnished information concerning such applicants in connection with their investigations.

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In cases where other Government departments or agencies have under consideration the transfer of persons who have already been investigated by the FBI, their investigators shall be referred to the Assistant Director of the FBI (Administrative) who will furnish them appropriate information from the investigation reports on file with the Bureau.

OFFICE FILES AND RECORDS**General**

The records and files of a United States Attorney's office are permanent official records and should be maintained in such manner that an incoming official will have a complete and permanent record of all business handled by his predecessor. (See Government Property, Records, and Safeguarding with regard to the confidential nature of files.)

Docket Records

The following records must be maintained on a current basis:

(1) *Register of Complaints.*—There should be entered in this record all formal complaints of criminal violations (other than those which are manifestly trifling, frivolous, or which clearly do not involve violations of United States laws). Such complaints should be entered whether they are oral or written, and whether prosecution is or is not instituted. All information called for by the columnar headings of the register should be inserted. The grand jury or criminal number should be shown in the "remarks" column if the matter is subsequently presented to the grand jury or an information is filed in the district court. In districts where a Commissioner's Transcript Docket is maintained by the clerk of the district court it will be necessary for the United States Attorney to enter in the Register of Complaints, only those complaints submitted for his approval, and such reports as are submitted to him for his decision as to what action thereon may be necessary. Daily reference to the clerk's Commissioner's Transcript Docket, however, should be made so that proper action can be taken against defendants either by presentation to the grand jury or the filing of an information in the district court.

(2) *Grand jury docket.*—Matters to be presented to the grand jury should be docketed in this record from time to time, prior to the meeting of each grand jury, in order that the docket may be ready for immediate use in the grand jury room. There should be entered therein the names of the alleged offenders, the names of the

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witnesses for the Government, and other essential information. Each matter should be given a consecutive number. The action of the grand jury should be shown, together with the date on which the action was taken, and it is desirable that such entries should be made and signed by the foreman or clerk of the grand jury. If a "true bill" is returned the criminal court number should be entered in the grand jury docket when the indictment is subsequently filed in the district court.

(3) *Criminal docket.*—Each matter as it develops into an indictment or criminal information should be docketed in this record and numbered in accordance with the numbers on the clerk's docket. All the information required by the form of the book should be shown, and each step, from the filing of the indictment or information to the final termination of the case, should be entered, including the date as to payment of fines, etc. The entry should also indicate whether or not the defendant was represented by counsel, and the name of counsel, or the fact that the right to counsel was waived.

(4) *Civil docket.*—All civil cases to which the United States is a party, including cases in which the United States Attorney officially appears on behalf of the United States or its officers should be docketed in this record, and each step taken, from the filing of the case to its final termination, including data as to payment of judgments, etc., should be entered. Cases should be numbered in accordance with the clerk's docket numbers, and if a separate series of numbers is used for any particular type of case, separate dockets or separate allotted sections of the docket should be maintained, according to the classification followed by the clerk, and numbered accordingly.

(5) *Witness docket.*—The names of all witnesses subpoenaed on behalf of the Government in all civil and criminal cases, including grand jury witnesses, should be recorded alphabetically in this book. The first entry should be made at the time a witness is subpoenaed and should show his name and date on which he is required to report, and further entries should be made at the time the witness reports and on the date he is discharged. The above dockets should not be merely copies of entries in clerk's dockets. The United States Attorneys' dockets, so far as practicable, should be kept independently of the clerk's records, but compared with them at frequent intervals with a view to verification and the supplying of omitted matter.

(6) *Index of dockets (grand jury, criminal, civil and witness).*—The index may be kept in the folder of each docket or a card index

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may be set up. In the latter case, the cards should be arranged according to status of the case and moved from file to file as the matter progresses.

Case Files

Case folders.—A criminal or civil case folder shall be set up for each case and should contain all reports and preliminary papers, copies of indictments or pleadings, etc., and all correspondence relating thereto. As a case progresses, the folder should be transferred from one file to another, according to the status of the case, under the following general arrangement of files:

Criminal:

- (1) **Complaint File**—For the filing of letters, reports, etc., relating to alleged violations of law, prior to the institution of criminal proceedings, each folder to be numbered according to the numbers shown in the Register of Complaints.
- (2) **Grand Jury File**—Cases which are ready for presentation to the grand jury, each folder to be numbered in accordance with the numbers shown by the grand jury docket.
- (3) **Pending Case File**—All pending cases, after the filing of an information or indictment, the folders to be numbered according to the numbers on the criminal docket.
- (4) **Closed Case File**—Closed cases.
- (5) **Appeal File**—Cases which are pending in an appellate court.

Civil:

- (1) Preliminary matters.
- (2) Pending cases.
- (3) Closed cases.
- (4) Appeals.

If a separate series of docket numbers is used, for this class of cases, separate file sections should be used accordingly.

There should be endorsed on the outside of each folder the Complaint File, grand jury, criminal or civil numbers, title of cases, and the offense charged or nature of the proceeding. On criminal folders a notation should also be made as to whether defendants are in jail or out on bond, showing as to each bond, the date thereof, penalty, and names and addresses of sureties. A notation should also be entered on each criminal folder as to forfeitures on appearance bonds with proper cross reference to civil suits thereon. Cross reference in such matters should also be made on civil case folders as to criminal cases.

TITLE 8: ADMINISTRATIVE DIVISION**Official Receipt File**

The quadruplicate copies of Receipt Form 200 (Appendix, form 22) (see Collections) issued for payments due the Government or as offers in compromise will be filed in numerical order in one of two files:

(1) Pending—receipts on which collections have been transmitted to the appropriate office but acknowledgment has not been made.

(2) Closed—receipts on which collections have been forwarded to the proper office and for which the triplicate copy has been returned and receipted by the recipient of the collection (date of return of the triplicate copy will be stamped on the quadruplicate copy).

See detailed instructions regarding collections and receipts in Collections.

Card Index of Judgment Debtors

A card index should be set up for each unpaid money judgment in civil cases, each fine, and each appearance bond forfeiture. A separate card will be prepared for each debtor and all information material to the collection of the debt will be entered. Cards will be filed in alphabetical order. The records shall be kept by one person, specifically assigned, and reviewed at frequent intervals with appropriate steps taken to effect collection.

When it has been decided that nothing more can be accomplished toward collection, the card should be withdrawn and placed in a separate file and the case reported to the Department in accordance with Title 2, Collection of Judgments, Fines, and Forfeited Bail Bonds. (See also Title 3, Collections.) The closed file should be reviewed from time to time to consider whether any possibility for collection of the debt exists.

Conscientious Objector Cases

Files and docket on conscientious objector cases under the Selective Training and Service Act may be set up within the framework of the filing system in the office, or special docket sheets are available upon request to the Conscientious Objector Unit of the Department.

The receipt and referral of the case to the FBI as well as the return of the file and report thereon should be entered in each instance, together with the date of transmittal to the hearing officer.

Leave Records and Attendance Reports

Files of leave records and time and attendance reports shall be maintained in accordance with the provisions set out in Leave above.

TITLE 8: ADMINISTRATIVE DIVISION**Statistical Reports**

Any copies of statistical reports, Forms D. J. S. 2, 3, 4, and 5 shall be kept on file. (See Statistical Reports.)

Miscellaneous Correspondence

Miscellaneous correspondence, including carbon copies of all outgoing telegrams, letters, etc., which do not relate to a case should be separately filed in folders. Separate folders may be used for special subjects, or for different departments or individual officials when necessary.

Personnel Files

Personnel folders maintained in the Department have been designated the official folders for all employees of the office of the United States Attorney. United States Attorneys should not maintain separate files but should forward all necessary personnel papers to the Department for inclusion in the official folder. When an employee transfers to another Government agency this official folder will be forwarded to the employing agency by the Department.

DISPOSAL OF RECORDS**In General**

Records which are not needed in the transaction of current business, but which, in the opinion of the United States Attorney, are of permanent value or historical interest, and therefore should not be destroyed, should be described in a letter to the Department as to the type of material, inclusive dates, and quantity in linear feet, accompanied by a recommendation whether said records should be retained in the office of the United States Attorney or transmitted to the Department in order that they may be sent to the National Archives for reconditioning and accession.

Disposal Table

Outlined below is a Disposal Table which covers records of the office of the United States Attorneys which records have been authorized by Congress for destruction after they have been in existence for the period of time indicated. Records similar to those covered in the Disposal Table should be destroyed when they have reached the designated period of time shown but records needed for reference purposes should be destroyed only when they have no further reference value. Records may be disposed of by:

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(a) Burning, in the presence of a representative of the United States Attorney's office, of all confidential records, or other records which in the opinion of the officer having jurisdiction over the records, require destruction to avoid disclosure of information that might be prejudicial to the interests of the Government. All FBI reports or other investigative reports must be considered confidential.

(b) Sale as waste paper, after maceration or treatment to destroy the record contents in the presence of a representative of the United States Attorney's office, of all records not included in Item (a) above.

Upon destruction of any records a report should be forwarded to the Records Administration Officer of the Department stating the type of record, the number of cubic feet, the date of disposal and the method by which the records were disposed of, such as by sale as scrap or by burning. Authority to destroy records, other than those similar to records in the Disposal Table, must be obtained from the Department.

This schedule provides that all closed civil and criminal case files in the United States Attorneys' offices ("closed" in the sense that action on the case has been concluded by a verdict or by a discontinuance, dismissal, or quashing of the case) whether or not prosecutive action was taken, be disposed of 15 years after the case is closed, except records of the following categories:

- (1) Case files in cases listed in annual reports of the Attorney General and in instructions to United States Attorneys;
- (2) Case files maintained as "precedent files";
- (3) Case files for cases in which a fine, judgment, or bail bond is still outstanding, until the interests of the United States have been satisfied or disposition thereof is approved by the Comptroller General as provided in 44 U. S. C. 374;
- (4) Case files initiated before 1889;
- (5) Case files of United States Attorneys offices, for the territorial period, located in former territories in continental United States;
- (6) Case files in which the cases were handled in state and other non-federal courts; and
- (7) Cases, other than criminal cases, which reflect the Government's dealings with Indians.

Other records (not case files) which have been authorized for disposal by the Congress after the lapse of the period of time specified are as follows:

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- (1) Commissioners' reports on indigent prisoners (Form 1042 R. S.), and related correspondence. Two years after the discharge of the prisoner.
- (2) FBI reports when filed separate from case files. Five years.
- (3) Parole and pardon files, including reports and correspondence. Ten years.
- (4) Complaint dockets. Fifteen years.
- (5) Criminal dockets. Fifteen years.
- (6) Civil dockets. Ten years.
- (7) Witness dockets. Ten years.
- (8) Second offense records. Fifteen years.
- (9) Removal case files. Ten years.
- (10) Statistical records, including criminal docket reports, statistical and financial summaries, and lists of cases. Five years.
- (11) Closed office accounts. Five years.
- (12) Ignoramuses. Three years.
- (13) Depositions in war risk litigation cases, including related correspondence. Two years.
- (14) Reports of prohibition cases (Treasury Department, Internal Revenue Service Form 1507). Six years.
- (15) Reports of narcotic cases (Treasury Department, Internal Revenue Service Form 1507). Five years.
- (16) Compromise letters in prohibition, narcotic, and other internal revenue cases. Nine years.

The records listed below were accumulated during the periods of time indicated after each item and have been authorized for disposal by the Congress.

- (1) Files of hearing officers created pursuant to Section 5 (g) of the Selective Service and Training Act of 1940 to hear claims of conscientious objectors from military training and service, consisting of copies of hearing officers' reports and related papers, including copies of notices to conscientious objectors and replies thereto concerning dates and places of hearings, docket sheets, notes and related materials. 1940—March 31, 1947. (This material will be turned over to the United States Attorneys for disposition by the Hearing Officer in each district.)
- (2) Copies of Selective Service Forms (DSS Form 551) showing records of delinquents under the Selective Service Act, sent by local boards to United States Attorneys offices, and copies of their letters of acknowledgment. October 1940—May 1947.

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(3) Case files and general records pertaining to the arrest, detention and/or internment of alien enemies during World War I under the provisions of Section 12 of the President's Proclamation of April 6, 1917, and supplementary Proclamations of December 11, 1917, and April 19, 1918, including copies of official circulars and replies thereto, requests for and copies of Presidential warrants, receipts for prisoners, applications for and orders of parole, parole bonds, applications for exemption from classification of alien enemy, reports of Federal investigative agencies, alien report cards, testimony, war zone passes, copies of declarations of intention of naturalization correspondence and related papers. 1917-20.

(4) Applications to United States Attorneys for permission to travel, submitted by alien enemies during World War II, together with related correspondence and copies of permits issued. 1941-45.

(5) Notification of change of address and employment, submitted to the United States Attorneys by alien enemies of World War II. (Duplicated in substance in the permanent files of the Immigration and Naturalization Service) 1941-45.

The following types of documents have been authorized for disposal after the periods of time specified after each item. In the event that any United States Attorney desires to use the authority contained in this disposal table, the listed documents must be removed from the files and the remainder retained until it is eligible for disposition.

(1) Papers in closed civil case files that are duplicated in the files of Federal courts, including copies of complaints, petitions, informations, writs, declarations, libels, pleadings, process, court orders, judgments, decrees, opinions, and related papers. One year after the case is closed.

(2) Papers in closed criminal case files that are duplicated in the files of Federal courts, including copies of bills of indictment and information, pleadings, process, briefs, transcripts of records, court orders, judgments, opinions, sentences, and related papers. One year after the case is closed.

(3) Correspondence in civil and criminal cases or matters between the United States Attorneys' offices and headquarters units of the Department of Justice. One year after the case is closed.

(4) All copies of case reports and memoranda from United States Attorneys' offices to headquarters units of the Department of Justice, and case memoranda received from such units. One year after the case is closed.

TITLE 8: ADMINISTRATIVE DIVISION**Transfer of Records to Federal Records Centers**

Section 505 (d) of the Federal Records Act of 1950 authorizes the Administrator of General Services to establish, maintain, and operate records centers for the storage, processing, and servicing of records for Federal agencies. Such centers are known as Federal Records Centers. A list of Federal Records Centers showing the areas served thereby is included herein.

Procedures for Transfers to Federal Records Centers

The following procedures will govern the transfer of records to Federal Records Centers:

(a) Federal Records Centers will accept for transfer any records offered by Federal agencies, subject to the following conditions:

1. That the records are not authorized for immediate disposal; and
2. That facilities for housing and providing reference service on the records are available. Priority will be given to the removal of records from office space convertible to office use, from leased space, and from filing equipment which can be reused.

(b) Transfers may be initiated by either oral or written request to the Deputy Regional Director for Records Management in the General Services Administration region in which the records are located. Requests shall specify the nature and quantity of the records proposed for transfer.

(c) Federal Records Centers will furnish agencies with a receipt acknowledging the transfer of records.

Surveys of Records Available for Transfer

Surveys will be conducted by the regional Records Management Service for the purpose of recommending records for transfer to Federal Records Centers upon request of the United States Attorney. Recommendations on files to be transferred will be made by the Records Information Service.

Release of Equipment

Equipment received with the transfer of records to a Federal Records Center will, when emptied and if needed, be returned on request to the agency from which the records were received. If the return of such equipment is not required, it will be disposed of in accordance with applicable excess property regulations.

TITLE 8: ADMINISTRATIVE DIVISION**Restrictions on Use of Records**

Restrictions lawfully imposed on the use of transferred records will be observed and enforced by the Federal Records Centers, subject to the provisions of Section 507 (b) of the Federal Records Act of 1950.

Disposal Clearances

No records of a Federal agency still in existence shall be disposed of by a Federal Records Center except with the concurrence of the agency concerned.

Regional Records Management Service

Deputy Regional Director Records Management Service, Region 1, GSA Post Office and Courthouse Boston 9, Mass.	Deputy Regional Director Records Management Service, Region 6, GSA Federal Office Building 911 Walnut Street Kansas City 6, Mo.
Deputy Regional Director Records Management Service, Region 2, GSA 250 Hudson Street New York 18, N. Y.	Deputy Regional Director Records Management Service, Region 7, GSA 1114 Commerce Street Dallas 2, Tex.
Deputy Regional Director Records Management Service, Region 3, GSA Regional Office Building 7th and D Streets SW. Washington 25, D. C.	Deputy Regional Director Records Management Service, Region 8, GSA Building 41, Denver Federal Center Denver 1, Colo.
Deputy Regional Director Records Management Service, Region 4, GSA 50 Whitehall Street SW. Atlanta 3, Ga.	Deputy Regional Director Records Management Service, Region 9, GSA 49 Fourth Street San Francisco 3, Calif.
Deputy Regional Director Records Management Service, Region 5, GSA United States Courthouse 219 South Clark Street Chicago 4, Ill.	Deputy Regional Director Records Management Service, Region 10, GSA Federal Office Building 909 First Avenue Seattle 4, Wash.

STATISTICAL REPORTS**Forms**

The statistical reports listed below must be forwarded to the Department not later than the 5th day of each month. If it is impossible

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to mail these reports by the 5th, a letter should be forwarded immediately, explaining the cause for delay and the date the report will be ready for transmittal.

Form D. J. S. 2—initial criminal docket report (Appendix, form 15).

Form D. J. S. 3—final criminal docket report (Appendix, form 16).

Form D. J. S. 4—statistical report (summary of criminal and civil dockets) (Appendix, form 17).

Form D. J. S. 5—statistical report (financial summary for the month) (Appendix, form 18).

Reports shall be submitted in the original only. Copies of initial and final docket reports and monthly statistical reports shall be kept on file in the office of the United States Attorney. Reports shall be typed or printed legibly; handwritten reports are not acceptable.

Method of Transmittal

Letters of transmittal should not be prepared for statistical reports. Forms D. J. S. 2, D. J. S. 3, D. J. S. 4, and D. J. S. 5 should be mailed to the Department in one package, wrapped securely and marked "Attention Statistical Section." Within this package, however, Forms D. J. S. 2 and D. J. S. 3 should be segregated in separate bundles with the cards arranged in numerical order. Cards should not be clipped together in any manner.

Reporting Unit

One copy of Form D. J. S. 2 is to be furnished for each defendant in each separately numbered case. If, for example, there are five defendants in a given case, five cards are to be made. Likewise, if there are three separately numbered cases involving the same defendant, three cards must be made.

One copy of Form D. J. S. 3 is to be furnished in like manner for each defendant whose case is disposed of by the court. Each defendant is to be considered as disposed of whenever final action has been taken in a given case against such defendant. This will hold true, even though there may be codefendants in the same case who have not yet been disposed of, and even though other cases may still be pending against the particular defendant.

The cases of defendants who are disposed of in some manner other than by a finding of guilty are to be considered as terminated

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at the time such action took place, i. e., acquitted, nolle, discontinued, quashed, dismissed, stricken with leave to reinstate, etc.

The cases of defendants who plead guilty or are found guilty after trial are not to be considered disposed of until the court has imposed sentence or specified treatment. This means that any defendant who has been found guilty, but is still awaiting sentence at the end of the given month, must be treated as pending, and his Form D. J. S. 3 must be withheld and included with the report for the later month in which the sentence is fixed. Entries as to sentence or treatment should be made for those cases in which the defendant is placed on probation, including such cases in which the imposition of sentence is suspended. In many cases where sentence is deferred, continued without day, etc., and in which sentence is not imposed by the end of the reporting month, they are to be treated as terminated on the day that sentence was deferred or continued. This type of case, however, should not be confused with those mentioned previously in which the defendant is merely awaiting sentence, that is, where the period for motion for a new trial, or to set aside the verdict, etc., has not elapsed, and where the court at the expiration of that time will impose sentence as a matter of course.

Cases in which an appeal has been taken are none the less to be treated as terminated in the district court.

Intra-District Transfers

Where a defendant's case is placed on the criminal docket at one office, but later transferred to another division within the district, it is unnecessary to prepare a D. J. S. 3 card showing the case as terminated nor is it necessary to prepare a new D. J. S. 2 card showing the filing of the defendant's case at the division office to which it is transferred. When the case is disposed of at the office to which transferred, a final report card should be prepared as in any other case, and should show the docket number of the division to which it was transferred. It should, in addition, show the docket number of the division from which it was transferred, in order that the initial card may be located in the Department files. If the case is included in a list of pending cases sent to the Department at any time, both docket numbers should be shown on the list.

Inter-District Transfers

Cases transferred from one district to another for plea and sentence, under Rule 20, Fed. Rules Crim. Proc., should be included in the reports of both districts and care should be exercised in the preparation

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of Forms D. J. S. 2 and D. J. S. 3 so that cases initiated and disposed of by transfer under this Rule can be readily identified.

(a) The district from which a defendant is transferred should report the disposition on a final report (Form D. J. S. 3) by entering R-20 in front of the word "Other" on the 5th line under item 7, and on the same line specify to which district the transfer was made. The date of the transfer should be entered in item 9 of the same form.

(b) The district to which such a case is transferred should report the initiation on an initial report (Form D. J. S. 2) by entering R-20 on the 5th line under item 7, and the date of the transfer on the same line. The district from which the case was transferred should be indicated on the following line.

(c) These D. J. S. 2 and D. J. S. 3 cards should be accounted for on the statistical summaries (Form D. J. S. 4, Appendix, form 17) in both districts. Any duplication can be readily determined by the Department if the above instructions are uniformly followed in all districts.

Removal Cases

Forms D. J. S. 2 and D. J. S. 3 should not be prepared for cases where a request has been made by the United States Attorney in another district for the removal of the defendant. The total number of cases in which such action has been taken during the month is to be reported on Form D. J. S. 5 (Appendix, form 18).

Parole of Probation Violators

Cases where a defendant, previously sentenced and placed on probation, is returned to court upon charges of violating the condition of his probation, should not be reported, unless a new offense is formally charged, and a new case filed. If, however, the defendant has committed a new offense for which he is newly prosecuted, Forms D. J. S. 2 and D. J. S. 3 should be submitted, even though such new offense also constitutes a violation of probation. Likewise, Forms D. J. S. 2 and D. J. S. 3 should not be filled out for parole violators unless they are being prosecuted for new federal offenses.

Amended Sentence

Cases in which the sentence is amended need not be reported, as the present system does not cover supplementary actions of the court, occurring after the original imposition of sentence.

TITLE 8: ADMINISTRATIVE DIVISION**Special Cases**

Contempt proceedings should be reported like other cases in the month during which such proceedings are instituted. The date of initiation should be entered under item 7 on Form D. J. S. 2 on the line marked "Other."

Cases remanded to trial court from the circuit court of appeals or the United States Supreme Court, after having been reported as terminated in the district court, as instructed in above, must be considered as new cases filed. The date when the case was remanded should be entered in item 7 (3) on Form D. J. S. 2.

Cases reinstated after being "Stricken with leave to reinstate" are also to be reported as new cases filed, and the date of reinstatement entered under item 7 (4) on Form D. J. S. 2.

Habeas corpus proceedings are generally filed on the civil docket, and it is desirable that this practice be adhered to wherever possible. When these proceedings are placed on the criminal docket, they should be reported on Forms D. J. S. 2, D. J. S. 3 and D. J. S. 4. The date of filing the writ of habeas corpus should be entered under item 7 on Form D. J. S. 2 on the line marked "Other."

Criminal cases tried before a United States Commissioner, acting as a justice of peace, should not be reported on Forms D. J. S. 2 and D. J. S. 3 unless an appeal is taken from the United States Commissioner's decision, and the case is placed on the court docket. Then, a report of Form D. J. S. 2 is to be made and the date of appeal entered under Item 7 of Form D. J. S. 2.

Cases Eliminated During Preliminary Procedure

Criminal cases eliminated during preliminary procedure will be reported in Items 6 and 6 of Form D. J. S. 4, and civil cases on line 9 of Form D. J. S. 5.

Initial Criminal Docket Report, Form D. J. S. 2

A report on Form D. J. S. 2 is to be prepared for each defendant in each case filed on the criminal docket. It is to be made out as soon as feasible after an indictment has been returned or information filed, and is intended to give information only to the time of filing.

Item 1—*District*.—Enter the name of the judicial district, abbreviated where desirable. Always enter the full name of the district, for example: "Iowa, S.," not just "Southern."

Item 2—*Division*.—The entry under this item should show the division or place of holding court where the case was actually com-

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menced; that is, where the indictment was returned or the information filed. The place of filing should be shown regardless of where the case will go to trial in the normal course of events. If the grand jury sits at only one place in the district, all cases should be shown as filed at that place. If court is held in more than one place in a division, the place of holding court should be entered, rather than the division. The place where the docket is kept does not necessarily determine the place of filing.

Item 3—*Docket No.*—Enter the docket number assigned to the case when it is filed.

Item 4—*Defendant's name.*—Enter the full name, with last name first, for example, "Smith, John B." In case of a sealed indictment, label as such, until unsealed, at which time the name should be submitted on a new Form D. J. S. 2 but not counted with the other cards. This procedure applies only to those cases which extend from one reporting month to another. Where the sealed indictment covers more than one defendant, D. J. S. 2 cards should be submitted for the additional defendants. These additional cards, however, should be counted and entered in Column B of Form D. J. S. 4 for the month reported. The case itself should not be counted in Column A and only the additional defendants should be included in the count of defendants where the case has been included in a previous month's report.

Item 5—*Total number of defendants in case.*—This should be carefully indicated on each card since it affects the count of cases. Where one or more of the defendants in a multiple defendant case are dismissed by the grand jury, or in any other manner eliminated from the case, before an indictment is returned, such eliminated defendants should not be included in the number of defendants under Item 5. The names of the codefendants against whom indictments have been returned in the same case should be listed under Item 10, and all should be accounted for, to agree with number of defendants shown in Item 5.

Item 6—*Offenses.*—Enter here a brief but complete description of the alleged offense as stated in the indictment or information. Reference to particular statutes or code sections violated should not be used except to supplement actual descriptions of the criminal acts. Such descriptions should be definite and specific so as to facilitate the proper classification of the offense. Table 2-C of the Attorney General's Report for 1939 may serve to illustrate the principles governing the offense classification used by the Department. It must be kept in mind that this table does not by any

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means represent a complete list of offenses, but it does show why a detailed description is necessary for correct classification. For example, "Liquor, Internal Revenue" is not a satisfactory description of the offense. Further detail must be given before it can be properly classified. In conspiracy cases, the description must show a conspiracy to commit certain definite offenses. A simple statement of conspiracy is not sufficient for classification purposes. When a certain act covers only one specific type of violation, such as interstate transportation of a stolen motor vehicle, the title of the act may be entered, in this case "N. M. V. T. A." is sufficient. If, however, several types of violation are possible under the same act as in the "Second War Powers Act" the specific violation must be noted. Violations of the Selective Training and Service Act must show the offense committed, such as: "Failure to register, S. T. & S. Act" or "Failure to return questionnaire, S. T. & S. Act."

Item 7—*Date of initiation.*—The date when the case was initiated should be entered opposite the appropriate subitem, depending on the method of initiation. Enter month, day and year, thus: 6-30-53. If none of the methods shown on the card apply to the particular case, the date should be entered opposite "Other" and the method of initiation written in.

Item 8—*Names of codefendants.*—Enter the names of all codefendants, to correspond with the total number of defendants as shown in Item 5. If the number of defendants is unusually large, the names may be entered on only one card, and reference made to that card under Item 10 of the cards for the other defendants.

Final Criminal Docket Report, Form D. J. S. 3

A Form D. J. S. 3 is to be prepared for every defendant against whom court action is terminated during the month, whether or not the entire case is terminated. Instructions for determining when a case is to be considered closed as to a particular defendant will be found elsewhere in this section. Final cards should not be submitted when cases are retired or filed away with leave to reinstate.

Item 1—*District.*—See instructions for D. J. S. 2.

Item 2—*Division.*—This entry is to show the division or place of holding court in which the case is terminated. If court is held in more than one place in a division, the place of holding court should be entered, rather than the division.

Item 3—*Docket No.*—This should ordinarily agree with the docket number on Form D. J. S. 2 for the particular defendant. In case of a transfer within the district, the docket numbers assigned

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in both divisions should be entered, as explained in "Intra-district transfers."

Item 4—*Defendant's name*.—See instructions for D. J. S. 2.

Item 5—*Judges*.—Enter the names of all judges participating in the particular case. The last name of the judge is sufficient unless there is more than one judge of the same name, in which case the initials should also be given.

Item 6—*Offense of which found guilty*.—If the defendant was not found guilty, either by trial or by plea, the entry should be "None." If the defendant was convicted, the instructions for D. J. S. 2 should be followed in entering the offense.

Item 7—*Disposition*.—Check one. Note that "Guilty as charged" and "Guilty as to part" are no longer separated. If disposition is checked beside "Other," always specify the disposition. Item 7 should show the disposition of the case as to the defendant being reported, and not the plea. The entry of the plea is not called for by this form. Frequently, cards are received with "Nolo contendere" entered under "Other" disposition. "Nolo contendere" is a plea and should not be shown; if the plea is accepted and the defendant sentenced by the court, the card should be checked under subitem (1) to show a disposition of guilty. If a plea of "Not guilty" is accepted by the court and the case dismissed, the card should be checked as a dismissal under subitem (4). A number of districts report all cases resulting in a disposition of guilty as tried by the court or by a jury. This would indicate that there are no pleas of guilty entered in these districts, since a plea of guilty is not ordinarily followed by a trial. Except in the rare cases where a plea of guilty is not accepted and the case proceeds to a trial, the card for a defendant who enters such a plea should be checked under item 7 (1), showing a disposition of guilty and Item 8 (3), indicating that the defendant was not tried.

Item 8—*How tried*.—Check one for all cases, regardless of the type of disposition reported.

Item 9—*Date of final disposition*.—Enter month, day, and year, thus: 6-30-53.

Item 10—*Sentence or treatment*.—Entry is to be made only for defendants reported as found guilty under Item 7. Any sentence or any provisions in the sentence which does not fit into subitems (1) and (5) should be specified in the space provided for other sentence. If additional space is needed to clearly report the sentence imposed, the report may be continued on the back of the form. If probation is granted or if imprisonment or fine is suspended, this fact should

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be noted, and it should be made clear what part of the sentence is suspended.

**Statistical Report (Summary of Criminal and Civil Dockets)
Form D. J. S. 4 (Appendix, Form 17)**

Separate reports need not be made for criminal cases for each separate division or place of holding court. However, it is necessary that a report be made to the Department in what place the civil cases shown on lines 2 and 4, columns C and D of Form D. J. S. 4 were filed and terminated. This may be done by sending separate reports on Form D. J. S. 4 for divisions or places holding court in which there were civil cases filed or terminated during the month, or by listing them on the back of Form D. J. S. 4 for the district. Note that this separation is to be made only on civil cases filed and terminated. Pending civil cases need not be broken down by divisions. Columns C and D of Form D. J. S. 4 are to show only the civil cases in court actually handled by the staff of the United States Attorney. All cases handled by attorneys other than the United States Attorney and his assistants should be omitted entirely from the report.

In each column of this summary, the figures on line 1, plus those on line 2, minus those on line 3, must equal the figures on line 4.

The pending figures on line 1 should agree exactly with the corresponding figures on line 4 of the preceding report. However, since a file of civil docket reports is no longer being kept in the Department, a very careful check of pending civil cases should be made.

Figures on line 2 for criminal cases must agree with the D. J. S. 2 cards forwarded with the report.

Figures on line 3 for criminal cases must agree with the D. J. S. 3 cards forwarded with the report.

Pending figures on line 4 must agree with the number of cases actually pending on the docket at the close of the month, and must also be consistent with the figures on the lines above.

Item 5 (d) shows the number of complaints dismissed by the United States Attorney after investigation without further action. Complaints of an obviously trivial nature which do not necessitate any action by the United States Attorney should not be included in this report.

Proceedings reported under Items 5 and 6 are not to be counted on the basis of the number of defendants.

Under Item 7, count number of attorneys and days in the same manner outlined for Item 8 below.

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Under Item 8, report the number of attorneys (individuals) who made court appearances during the month. In other words if 2 out of 3 attorneys in a district make court appearances 20 days each during a month, report 2 under number of attorneys. Under number of days, report the number of days for all attorneys in which court appearances were made. For example, if two attorneys appear in court for 20 days each, the total number of days reported will be 40.

Complaints of violations of the Universal Military Training and Service Act (Selective Service Act) should be reported in the same manner as other criminal offenses. Complaints which have not reached the court docket should be reported under Item 5 of Form D. J. S. 4, and violators against whom indictments have been returned should be reported on lines 1 to 4 of Form D. J. S. 4 and on Forms D. J. S. 2 and 3.

Statistical Report (Financial Summary for the Month), Form D. J. S. 5 (Appendix, Form 18)

A report on Form D. J. S. 5 is to be forwarded each month for the entire district. It is not necessary to make separate reports for each division or place of holding court.

Items 1 to 5 show the amount of fines, judgments, etc., in favor of the United States imposed or obtained (col. A), collected (col. B) and remitted, suspended or compromised (col. C). If a fine is imposed and later remitted, it should be shown in column A at the time of imposition and in column C when it is remitted. A fine imposed and suspended by the court should be shown in columns A and C. If a judgment of \$1,000 is obtained and later compromised for \$600, the balance of \$400 should be entered in column C and the \$600 shown in column B when it is collected. Line 3 of this item should show amounts paid in restitution. The amount of restitution made to the United States or any agency thereof should be included, but amounts paid in restitution to, or for the benefit of, a private individual should not be included.

Item 6 shows collections which were made either before or after institution of court proceedings, but which were not the result of a judgment or sentence obtained in court. All collections which the United States Attorney was directly or indirectly instrumental in obtaining should be reported whether or not payment was made through the office of the United States Attorney. It should be noted that it is no longer necessary to send itemized statements covering civil collections shown in lines 4 and 6 (col. B).

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Item 9 covers the civil cases eliminated without reaching the court docket. It is not necessary to send a detailed list of these cases. This item should also include alien enemy matters heretofore reported on Form D. J. S. 4a (Revised). Applications formerly reported in Items 7 and 8 on Form D. J. S. 4a are not to be included on Form D. J. S. 5.

Item 11 shows the number of attorneys appearing before the appellate courts during the month and the total number of days for all attorneys. Count number of attorneys and days in the same manner outlined for Item 8 of Form D. J. S. 4.

At the end of each fiscal year, United States Attorneys will be furnished with a list of criminal cases and defendants pending on the dockets as shown by Departmental records at the close of a specified month. The list should be verified, making any changes necessary, and returned to the Department.

REPORT OF PENALTY INDICIA MATERIAL

Under 39 U. S. C. 321i the Department is required to make an annual report to the Post Office Department of the number of articles bearing the penalty mail privilege used during the fiscal year.

To assist the Department in obtaining this information, the United States Attorney should fill out and return to the Department of Justice, immediately after the close of the fiscal year, a report showing the amount of such material used or spoiled during the year (Appendix, Form 33).

COMMISSIONERS' REPORTS

Form No. 105 (Report of Proceedings before United States Commissioners) (Appendix, form 20) in triplicate is executed by the commissioner for cases he handles, and distributed as follows:

Original—to United States Attorney.

Duplicate—to United States Marshal.

Triplicate—retained by commissioner.

In those cases where the proceedings are not completed on the same day, two or more reports will be received, one covering the proceedings on the first day and additional reports showing the various steps or disposition of the case.

United States Attorneys are responsible for furnishing supplies of the form to the commissioners.

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REPORT OF TAXABLE COSTS

When costs are taxable in favor of the Government in cases handled by United States Attorneys, their Assistants, or other Department attorneys through the office of the United States Attorney, every effort should be made to see that all taxable items are reported to the clerk of the court. United States Attorneys must notify the Marshals in their districts immediately when it has been determined that application will be made for taxation of costs. Marshals will submit their lists of costs to the United States Attorney for inclusion in the bill of costs.

United States Attorneys shall execute Form No. A. O. 133-Revised (Bill of Costs) which may be secured from the clerk of court. All properly taxable items should be claimed as indicated by the form. Unusual items of expense with which the Government is charged through frivolous or unnecessary moves on the part of the opposition should be presented for taxation. The form must be filed with the clerk of the court within the time allowed in each instance.

United States Attorneys should study the changes made by 28 U. S. C. 1923 in the amounts of attorneys' fees which may be taxed as costs, particularly the increase from \$10 to \$20 in the docket fee for the trial without a jury. A fee of \$20 should be included in the attorney's bill of costs for default judgments when making up such bill for taxation purposes. This should be the rule whether the default judgment is entered by the judge or by the clerk pursuant to Rule 55 (b) (1), Fed. Rules Civ. Proc. If any clerk declines to tax costs as a matter of course in these amounts, the facts should be reported promptly to the Department in order that it may be determined whether to appeal the action of the clerk to the court to secure a judicial determination of the issue.

COOPERATION WITH MARSHALS

The following reports which the Marshal submits to the Department require information pertaining to the United States Attorney's Office:

- (1) Annual statement of outstanding liabilities
- (2) Monthly report of obligations (Form No. 106)
- (3) Report of seized property (Form No. 101)

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The first two deal with expenses and anticipated expenditures and the latter calls for probable disposition date of cases and the reasons for delay in termination.

United States Attorneys are directed to extend all possible cooperation to the Marshals in the compilation of these reports as well as in other matters on which the Marshal requests assistance.

All arrangement for the transportation of jurors must be made through the office of the United States Marshal.

FINGERPRINTING

United States Marshals are under instructions to fingerprint every Federal prisoner without delay after assuming custody. In cases

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where defendants surrender directly to the office of the United States Attorney or appear for arraignment on an information and no representative of the United States Marshal's office is present to take fingerprints, the United States Attorney should contact the Marshal and arrange to have the defendant fingerprinted before release on bond, probation, or payment of fine.

The FBI forwards to the United States Marshal, usually within 24 hours, the criminal record of each subject for whom a record is found. Marshals have been instructed to distribute fingerprint reports to United States Attorneys promptly. If such reports are not received by the time needed, the United States Attorney should check with the Marshal's office or notify the Department.

Persons applying for the return of their fingerprint records should be advised that such records will not be returned or destroyed. United States Attorneys are directed to oppose vigorously all petitions, applications, or motions filed in any district court seeking the return or destruction of such records and to advise the Department immediately of the filing of any such petition, application or motion and the steps being taken in opposition. It should be urged in opposition that the Attorney General is an indispensable party to such litigation. The action taken by the court on any such petition, application or motion should be immediately reported to the Department. In the event fingerprint records are ordered returned or destroyed, the United States Attorney should notify the Department immediately.

Registration and fingerprint records made in connection with alien registration or immigrant visas pursuant to the provisions of Title II, Chapter 8, Sections 221 (b), 223 and 262 of the Immigration and Nationality Act of 1952 (66 Stat. 163), are available to the United States Attorneys for use in connection with prosecutions conducted by them (8 U. S. C. 1301 (5), 1301 and 1302).

SERVICES, SUPPLIES, COMMUNICATIONS, AND SPACE

SUPPLIES, REPAIRS, AND SPACE

Procurement of Supplies and Equipment

Office supplies and equipment shall be ordered as follows:

1. Office machines such as typewriters, adding machines, dictating machines, etc.—from the Department of Justice in Washington.
2. Office furniture such as desks, chairs, file cases, tables, etc.—from the custodian of the building. If the custodian is unable to supply the necessary equipment, the Department should be notified.

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3. Office supplies marked with asterisks in the "Department of Justice List of Supplies and Forms Carried in Stock," July 1954 Edition and subsequent editions—from the Department of Justice in Washington.

4. All other office supplies *which are listed in the Department of Justice list*—from the General Services Administration regional warehouse, *except* that items, such as special forms, which are not stocked by the General Services Administration shall be requisitioned from the Department of Justice. It should be noted that unless an item is included in the Department of Justice list, it may not be ordered from the General Services Administration without prior Department approval.

United States attorneys were furnished GSA Stores Stock Catalog and Department of Justice List of Supplies and Forms Carried in Stock with Departmental Memo No. 74, April 21, 1954.

Supplies should be ordered at 3-month intervals, the order to be placed 30 days before the beginning of the calendar quarter in which the supplies are needed. One individual in each office should be assigned the responsibility of keeping and ordering the necessary supplies and of maintaining a simple inventory system. Caution should be practiced in ordering so as to prevent overstocking and to effect economies.

Items to be ordered from the General Services Administration must be included in the quarterly estimate for general expenses (Form 25-B, General Expenses) for operation of the office. Items requisitioned from the Department need not be so included.

Purchase Order Form approved by the Budget Bureau No. 48-R-101 (Appendix, form 37) (obtainable from the Department of Justice) must be used in placing orders with the General Services Administration. Complete instructions covering preparation of the purchase order form will be found in the GSA Stores Stock Catalog. Any reference to the "Administrative Assistant Attorney General" which may be printed on the purchase order form should be stricken out and the name, title and address of the ordering official should be inserted. The GSA stores depot may be contacted for any additional assistance that may be required in placing the order.

The original and one extra copy (C) of each order should go to the General Services Administration; one copy (A) should be forwarded to the Procurement Section of the Department of Justice; and one copy (B) should be kept by the ordering office. General Services Administration will submit its bill direct to the purchasing office for payment. After delivery has been effected, the signed copy (C) of the purchase order, indicating receipt of the supplies, and the General Services Administration bill should be presented to the Marshal for payment. The Marshal will prepare any additional voucher forms necessary to support the payment in his account. The Marshal will also pay transportation charges for supplies shipped on General Services Administration bills of lading.

Requisitions for supplies ordered from the Department should be submitted on Form 785-A (Appendix, form 27) addressed to the Procurement Section, Department of Justice, Washington 25, D. C. The

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requisition must be signed by the United States attorney and submitted in accordance with the following:

(1) The item number and letter or form number given to designate the article in the list of supplies should be placed in the first column. Use double space between items on requisition.

(2) The quantity on hand must be stated.

(3) Samples should be furnished in duplicate for envelopes, letterheads, special printing or other items which cannot be easily described, together with specifications as to size, type, quality of paper, etc.

(4) All requisitions for typewriters or other office machines should state whether the requested machines are for replacement purposes and, if so, should include descriptions of the machines to be replaced, their make, model, serial number, condition, and an estimate of the cost of the repairs presently required.

(5) Requisitions for supplies and special equipment not listed on the schedule must be supported by an explanation of the necessity for such items.

(6) Separate requisitions must be made for (a) supplies, (b) stock forms, (c) dockets, (d) envelopes, (e) other devices, (f) miscellaneous supplies not listed in the schedule. This procedure is essential to insure proper handling and avoid unnecessary delay.

When supplies or equipment are received from the Department, the original copy of the Invoice of Supplies must be signed as a receipt and forwarded immediately to the Department, attention Procurement Section.

Stationery

The names of officials will not be placed on letterheads, envelopes or blanks. No embossed stationery will be supplied.

Machine Repairs

United States Attorneys may have typewriters and other office machines repaired in the field within the approved quarterly authorization for expenses of their offices.

If the United States Attorney is in a district where a contract for such repairs has been executed by the General Services Administration and use of the contract has been made mandatory, the company holding the contract must be employed. In all other instances, estimates from two or more local repair agencies should be obtained and the lowest estimate accepted.

Space

Minor adjustments in the utilization of office space may be made at the local level but any request for a substantial increase or reduction in office quarters must be submitted to the Department of Justice for review and decision.

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TITLE 8: ADMINISTRATIVE DIVISION**CORRESPONDENCE****Preparation**

All communications should be answered promptly in a courteous manner, avoiding stilted and stereotyped phrases.

Correspondence to the Department should be addressed as follows:

Department of Justice
Washington 25, D. C.

On the communication itself, immediately above the salutation should be typed the name of the division, if known, or the name of the individual to whom the communication should be directed, i. e.,

Attention: Criminal Division, or,
Attention: John Doe, Civil Division.

Correspondence concerning personnel shall be directed as follows:

(1) United States Attorneys, regular and special assistants—to the Deputy Attorney General.

(2) Clerical or stenographic personnel—to the Administrative Assistant Attorney General.

All communications for the Federal Bureau of Investigation, Immigration and Naturalization Service, Bureau of Prisons, and Office of Alien Property should be addressed directly to each respectively. Communications addressed to officials of the Department for personal attention should be placed in envelopes addressed directly to the official by name and title, and marked "For Personal Attention Only." Personal mail as distinguished from official, mailed under postage stamp, should be marked "Personal."

All information necessary to identify the case or file should be included at the beginning of the letter. Complete information should be contained in the communication to avoid delay in response or the return of correspondence for additional information. All correspondence with the Department shall be submitted in duplicate. The following specific points should be noted:

(1) Confine each communication to one subject or case. If the correspondence covers more than one case or subject a carbon copy for each case or subject must be submitted.

(2) Immediately following the salutation the full title of the case should be quoted in such a manner as to include the given name, the surname and all known initials of the parties to the action, the Department of Justice file number if one has been assigned, and a brief outline of the subject matter if a docketed case or a statute is not involved.

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(3) The statute or offense involved should be completely stated. It is undesirable merely to quote title and sections from the Code. If a docketed case or a statute is not involved, then the subject matter should be briefly outlined.

(4) Enter the mail delivery station number 25 after the word "Washington", and before the abbreviation "D. C.", when directing correspondence to the Department or any branch of the Government at Washington, D. C. The United States Attorney should enter his own delivery station number on the letterhead of all Department stationery and wherever his address is given or appears.

(5) Carbon copies of letters and enclosures should be securely fastened or stapled to the letter of transmittal except that checks, money orders, cash, negotiable instruments, etc., should be fastened with paper clips to the face of the letter of transmittal. Form 200 (Appendix, form 22) in quadruplicate must accompany all remittances. (See Collections.)

(6) Whenever legal papers such as warrants, copies of indictments, etc., are forwarded to other districts for handling, the letter of transmittal should be forwarded in duplicate. This will provide a copy for both the United States Attorney and the Marshal of the receiving district.

(7) The name of the official signing each letter to the Department should be typewritten directly above his title, and beneath the space reserved for the autograph signature. All letters must be properly signed, but as the autograph signature is not always legible the name of the official should also be typewritten, as indicated above. All communications should be signed in person by the head of the office in which they originate, but when this is impracticable letters may be signed by a subordinate, with the knowledge and consent of the head of the office.

(8) Correspondence sent to other Government agencies or departments should be forwarded in duplicate and a copy of the communication should be sent to the Department of Justice.

(9) Letters requesting that information be obtained from any other department relative to Government cases should contain, if possible, a notation of the file or reference number in the department where the case arose, as well as the file number of the Department of Justice, if known, and such letters should be in triplicate in order that the extra copy may be referred to the department interested.

(10) Two copies of all papers filed by any party or by the court including pleadings, orders, proposed findings, judgments, opinions

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or other papers of record, briefs, memoranda, and offers in compromise, must be forwarded promptly to the Department.

SAMPLE TELEGRAM

DEPARTMENT OF JUSTICE
WASHINGTON 25, D. C.

ATTENTION: CRIMINAL DIVISION

IN RE HOWARD J. MASTERS VIOLATION
NATIONAL BANKING ACT FILE NUMBER 29-13-816
STOP TESTIMONY GEORGE A. ARNOLD NECESSARY
AS HANDWRITING EXPERT WITNESS 25 DOLLARS
PER DIEM AUTHORIZATION REQUESTED

PAUL MARTIN
UNITED STATES ATTORNEY

SAMPLE LETTER TO DEPARTMENT

Department of Justice
Washington 25, D. C.

ATTENTION: JOHN DOE, CRIMINAL DIVISION

Sir:

In re: U. S. v. Lewis C. Pitney
Violation U. S. Stolen Property Act;
Department of Justice File No. 122-51-43.

I have your letter dated January 4, 1953, concerning the above mentioned matter.

* * *

Respectfully,

George H. Roberts
United States Attorney

(signature)

By: John Doe, Assistant

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as books, maps, and relatively unimportant documents should not be sent by registered mail.

(9) Court documents, destined for Switzerland, should not be dispatched by ordinary mail but should be transmitted via the American Legation at Berne and the Federal Division of Police.

TELEPHONE SERVICE

United States Attorneys are required to submit requests on Form 25-B (Appendix, form 23) for authorization to incur expenses for *additional* telephone service or equipment regardless of whether such service is furnished over a joint switchboard operated by another Government agency or by a telephone company under contract. The

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The foregoing sample letter and telegram will illustrate the above mentioned points.

Transmittal

The following regulations apply to the forwarding of mail:

(1) Envelopes, labels, wrappers, cards and other articles bearing penalty indicia should not be used for other than official mail to be forwarded through the United States Post Office. Use of franked material for personal correspondence is strictly prohibited.

(2) Since all penalty envelopes must be accounted for, extreme care should be taken to avoid spoilage or misuse.

(3) Unfranked envelopes should be used for transmitting correspondence by air mail.

(4) Air mail and special delivery postage must be fully prepaid.

(5) All mail between the Department of districts outside the continental United States should be sent via air mail.

(6) Whenever possible, correspondence addressed to the Department of Justice not transmitting bulky enclosures and not of an urgent nature should be held until the close of each business day and placed in one or several large envelopes. This procedure will effect a saving in postage and will expedite the handling of mail in the Department. Air mail should be used when speed of delivery is essential and in preference to more expensive forms of communications (telegrams, long distance calls, etc.). Mail schedules should be consulted in order that the proper means of communication may be used to insure delivery within the time limit in which action is to be taken. All communications to the Department meeting a "deadline" or where immediate action is required should be conspicuously marked so that they may be given special handling. Words such as "DEADLINE," "IMMEDIATE ACTION REQUIRED" typed in caps on a tag and securely stapled to the communication will be of assistance in identifying and expediting this mail.

(7) Packages weighing in excess of 4 pounds cannot be sent under penalty frank. Such packages should be sent by parcel post whenever possible, or by express on governmental bills of lading. Authority for payment of the estimated expense thereof should be requested at the beginning of each quarter on Form 25-B (General Expenses). (See Shipments.)

(8) Care should be exercised in mailing or shipping important files, documents, and papers, valuable merchandise, checks and currency. Attention should be given to the manner of wrapping and method of transmittal, using first-class mail, special delivery, special handling, registration, express, etc. when it is deemed necessary. Material such

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as books, maps, and relatively unimportant documents should not be sent by registered mail.

(9) Court documents, destined for Switzerland, should not be dispatched by ordinary mail but should be transmitted via the American Legation at Berne and the Federal Division of Police.

TELEPHONE SERVICE

United States Attorneys are required to submit requests on Form 25-B (Appendix, form 23) for authorization to incur expenses for *additional* telephone service or equipment regardless of whether such service is furnished over a joint switchboard operated by another Government agency or by a telephone company under contract. The existing authorization remains in effect until there is an increase in service, without regard to the fiscal year in which the expense is authorized. The most recent authorization will be cited in payment vouchers as the existing authority for telephone expenses.

The following information should be shown on any request for authorization:

1. Itemization of the present equipment.
2. Present total monthly rate for the existing service.
3. Description of the additional item.
4. Monthly rate applicable thereto.
5. Nonrecurring charge, such as a service connection, installation or other flat charge.

In addition, the request on Form 25-B for additional service or equipment should fully explain the need for such service so that it can be administratively determined whether the expense involved is justified in terms of increased efficiency.

The Department forbids the use by any of its personnel of any mechanical or recording device attached to telephones.

United States Attorneys will be advised in any case where a contract for telephone service may have to be executed. If the Form 25-B contains the required information, it will not usually be necessary to execute a contract. Any contracts executed for telephone service must be on Standard Form No. 40—Revised, under the terms and conditions, and instructions incorporated in the Form. The original and one copy of each contract should be forwarded to the Administrative Assistant Attorney General, one copy retained for the United States Attorney's file, and such other copies retained as may be necessary for the telephone company and the contracting official. The contract should show each item separately for which a charge is made.

Any additional expense involved in an authorization for additional

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service or equipment must be absorbed in the approved quarterly authorization for expenses of the office.

It is not necessary to secure an authorization to incur expenses for local or long distance telephone calls made on official business. Long-distance calls should be made only when time does not permit the use of less expensive means of communication. (See Telephone and Telegraph concerning payment of telephone bills.)

TELEGRAMS**Economy**

Particular attention should be paid to effecting economies in use of the telegram, especially in the transmittal of long and expensive telegrams. It is important that messages be sent at the cheapest rate compatible with the required speed; regular service should not be used when day or night letters will suffice.

Government Facilities

Official telegrams, radiograms, etc., must when possible, be transmitted over Government facilities. The Public Buildings Administration Teletypewriter Service, a Government facility, through its centers in over 50 principal cities of the United States and refiling arrangements with Army and Navy Radio, privately owned telegraph, radio and cable companies, handles the transmission of all types of official messages. When necessary to refile a message for delivery to the addressee, the Public Buildings Teletypewriter Service Center uses the most economical medium available, unless otherwise instructed by the sender.

Public Buildings Teletypewriter Service Centers are located in the following cities:

Albany, N. Y.	Columbus, Ohio.
Albuquerque, N. M.	Dallas, Tex.
Atlanta, Ga.	Denver, Colo.
Baltimore, Md.	Des Moines, Iowa.
Birmingham, Ala.	Detroit, Mich.
Boise, Idaho.	El Paso, Tex.
Boston, Mass.	Fort Worth, Tex.
Buffalo, N. Y.	Hartford, Conn.
Charleston, W. Va.	Helena, Mont.
Chicago, Ill.	Houston, Tex.
Cincinnati, Ohio.	Indianapolis, Ind.
Cleveland, Ohio.	Jacksonville, Fla.
Columbia, S. C.	Kansas City, Mo.

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Little Rock, Ark.	Portland, Oreg.
Los Angeles, Calif.	Raleigh, N. C.
Louisville, Ky.	Richmond, Va.
Memphis, Tenn.	St. Louis, Mo.
Miami, Fla.	Salt Lake City, Utah.
Milwaukee, Wis.	San Antonio, Tex.
Minneapolis, Minn.	San Diego, Calif.
Nashville, Tenn.	San Francisco, Calif.
New Orleans, La.	Seattle, Wash.
New York, N. Y.	Spokane, Wash.
Oklahoma City, Okla.	Syracuse, N. Y.
Omaha, Nebr.	Tucson, Ariz.
Philadelphia, Pa.	Tulsa, Okla.
Phoenix, Ariz.	Washington, D. C.
Pittsburgh, Pa.	Wichita, Kans.

Messages originating at a point where there is no center or other Government facility, should be sent via commercial telegraph facilities to the nearest Public Buildings Teletypewriter Service Center. Indicate at the beginning of the message, the office or agency and address to which it should be forwarded. When applicable the following code addresses should be used to assure more rapid and economical transmission.

JUSTICE_ Department of Justice
 JOAP.... Department of Justice, Office of Alien Property
 JINS.... Department of Justice, Immigration and Naturalization
 JBIA.... Department of Justice, Board of Immigration Appeals
 JBOP.... Department of Justice, Bureau of Prisons
 JFPI.... Department of Justice, Federal Prison Industries, Inc.
 JUSA.... Department of Justice, United States Attorney
 JUSM... Department of Justice, United States Marshal

Sample Telegram

TUCSON, ARIZ.

JUNE 22, 1954

PUBLIC BUILDINGS ADMINISTRATION SERVICE CENTER
 309 ELLIS BUILDING
 137 NORTH SECOND AVE.
 PHOENIX, ARIZ.

JUSM, OMAHA, NEBRASKA, REQUEST YOU ADVANCE
 FUNDS WITNESS JOHN A JONES, 10 SOUTH STREET,
 OMAHA, NEEDED HERE JUNE 30, US VS. COBB.

ALFRED MILLER
 UNITED STATES ATTORNEY

Aug. 1, 1954

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"PAID"
ALFRED MILLER
UNITED STATES ATTORNEY
TUCSON, ARIZ.
DEPARTMENT OF JUSTICE

The Public Building Administration Teletypewriter Service bills the Department at Washington for services rendered to field offices. Commercial companies bill the offices for which the service was rendered.

PREPARATION AND TRANSMISSION

All official telegrams transmitted through regular commercial companies must be marked in the lower left-hand corner "Paid" or "Collect" (as the case may be), together with full name and title of sender and department under which employed. Telegrams sent by an employee while traveling to an office in his own district should be sent "Collect." However, if the telegraph agent refuses to receive and forward the telegram "Collect," the sender may pay for it in cash and charge it to his expense account.

Under no circumstances should two copies of a telegram be furnished to or filed with a telegraph agent. The original of a telegram must be attached to the payment voucher. A copy of each message sent should be retained for filing.

Government telegrams to and from Honolulu, Hawaii, must be marked "Send by Government radio, San Francisco." Such messages must carry as the first two words of the address, the specific prefix "Govt. Jus." Government telegrams to and from Puerto Rico must be marked "Send via Government radio, Washington," and must have a similar prefix. Charges for such messages will be the official land rate to the naval radio station, plus delivery charges if sent to points outside of the radio terminals.

In preparing telegrams all unnecessary words, initials, and figures in the body of the telegram, and also following the signature, should be omitted.

The word count upon which charges for domestic commercial telegrams are based, consists of the words in the body of the message, but does not include the addressee's name, address and destination or the sender's signature and title. Additional matter such as an alternate address or destination or the sender's address following his signature will be counted as chargeable words. The sender should not include his address except when the message is addressed to state or county officials or other persons who would not otherwise have this information.

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Punctuation marks are neither counted nor charged for but words in lieu of punctuation marks are counted.

Numbers and amounts should not be written in words but should always be written in figures. Groups of figures or letters or combinations of figures and letters, when not dictionary words, are counted at the rate of 5 (or fraction thereof) figures, letters or combination of figures and letters to a word. In certain cases small groups may be combined to save words. Geographical names, although made up of more than one word, are counted as one word.

The following are examples:

	Count
THIRTY-FIRST or THIRTYFIRST.....	2
31 or 31st.....	1
ONE FORTY SIX DASH TWELVE DASH ZERO.....	7
146-12-0.....	2
10 AM.....	2
10AM.....	1
KANSAS CITY (however it is better to write it KANSASCITY).....	1

Requests for further information regarding preparation, transmission of telegrams, addresses of Public Buildings Administration Centers, as well as costs, should be directed to the Administrative Assistant Attorney General, Attention: Records Administration Branch, Department of Justice, Washington 25, D. C.

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In preparing telegrams all unnecessary words, initials, and figures in the body of the telegram, and also following the signature, should be omitted.

Numbers and amounts should not be written in words. Figures should be used at all times. Figures, decimal points, bars of division and letters are each counted separately as one word. All pronounceable groups of letters, when such words are not dictionary words, are counted at the rate of five letters or fractions of five letters to a word, but when such groups of letters form dictionary words each combination so used is counted as one word.

In counting the words of a telegram exclude the date, address, and place from which sent, and count the entire name of a city, town, village, State, or Territory when in the body of a message, as one word.

Punctuation marks are neither counted nor charged for but words in lieu of punctuation marks are counted.

Disallowances

The following rules govern the disallowance of charges covering unnecessary expenses in sending telegrams:

(1) Unnecessary telegrams charged in expense accounts will be disallowed.

(2) When such telegrams are charged in accounts of the telegraph companies, the auditing or disbursing officer making settlement therefor will collect the charges for the telegrams from the senders and pay the amounts so collected to the telegraph companies.

(3) When day messages are sent when night messages would answer the same purpose, the difference between the day and night rates will be disallowed or collected, as indicated in the preceding paragraphs.

(4) Charges for unnecessary words and figures in telegrams will be disallowed or collected, as indicated above, and settlement with the companies made with moneys as collected.

TRANSPORTATION REQUESTS

Issue and Use

All official travel by common carrier such as railroads, airlines, bus lines, steamship, and Pullman companies should be obtained by use of Government transportation requests if the amount exceeds \$1.

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Transportation requests are issued in books of ten each for use by United States Attorneys and their subordinates for official travel only. *They must not be used for personal travel.* When travel is to be performed, a sufficient number of requests for the proposed travel should be detached and furnished to the employee, after first being signed by the United States Attorney or a designated Assistant as issuing officer.

Responsibility

Transportation requests are virtually blank checks on the transportation companies and as such represent real money. Therefore, the same caution should be used in protecting them as one would use in respect to the safeguarding of one's own money and valuables. The Comptroller General has held that each person to whom transportation requests have been issued will be held responsible for the improper use thereof resulting from his fault or negligence.

Supply

Applications for additional supplies of the requests should be made by *letter* addressed to the Accounts Branch, Department of Justice, Washington 25, D. C.

Preparation

The green original and white carbon of each transportation request must be executed simultaneously by typewriter, indelible pencil, or pen. The cost of the ticket must be secured from the local ticket agent and the quoted rate inserted on the carbon copy in the place provided. The white or carbon copy of the transportation requests must be legible and should be detached and forwarded to the Accounts Branch, Department of Justice, Washington 25, D. C., promptly. It is not necessary to retain such carbons until vouchers have been rendered as the flyleaf in the book will furnish necessary information.

In view of the many classes of transportation and accommodations available, all copies of transportation requests must clearly show the class of transportation or accommodation desired, detailed routing, value, etc.

A separate transportation request must be issued to the Pullman Company for sleeper or chair-car accommodations.

Group Travel

Only one transportation request is necessary in obtaining transportation for group movements. An additional transportation request must, of course, be used in obtaining Pullman accommodations.

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Practically all transportation companies offer round-trip tickets at reduced rates and generally permit diverse and optional routings on such tickets. The charges of the Pullman Company are based on accommodations furnished and are generally for one-way rates although in a few instances reduced round-trip rates are available. It is imperative that all officials and employees obtain round trip transportation whenever possible.

Should the traveler purchase a one-way ticket for the going trip and a separate ticket for the return trip where reduced rate round trip tickets are available, he will be personally charged with any excess cost to the Government in the absence of a satisfactory explanation as to why such reduced rate round-trip ticket was not obtained. In the event a traveler holding a round-trip ticket is unable to complete his journey within the time limit of the ticket, he should tender the carrier an additional transportation request for the purpose of extending the time limit to the next longer limit available.

Classes of Accommodations

All railroads offer "first class" and "coach" rates for both one-way and round-trip fares. Certain far-western railroads have an "intermediate" rate on both one-way and round-trip fares. In view of the many classes of transportation and accommodations available, the transportation requests must clearly show the class of transportation or accommodations desired.

The Government travel regulations allow one standard lower berth when rail transportation is used. When lower berths are not available, the next highest accommodation may be purchased but a statement to that effect must appear on the voucher. All travel on an extra-fare train must be approved by the Administrative Assistant Attorney General prior to the date of travel if at all possible.

Cancellations

All spoiled or canceled transportation requests, both original and copy, must be forwarded promptly to the Accounts Branch, Department of Justice, Washington 25, D. C.

All Pullman sleeper space not to be used must be canceled before the train departs in order to insure that refund may be secured. Where cancellation of sleeper space is not made in accordance with the above, the traveler may be required to bear the cost of the ticket.

Refunds for unused seat space will be made by the carrier provided the space covered by the ticket is released and replaced on sale any time in advance of the departure of the train.

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For any unused space on airlines, the companies impose a penalty when such space is not canceled prior to flight time. The traveler will be held responsible for any negligence in cancelling reservations for air travel unless official necessity prevented adequate notice.

Unused Tickets

Any ticket secured in exchange for a transportation request and unused, in part or in whole, should be transmitted promptly to the Accounts Branch, Department of Justice, Washington 25, D. C., together with the number of the transportation request and a brief explanation as to what portion of the ticket was used or not used, the date, time, place of cancellation, and the name or number of the cancelling ticket agent. In the event that a ticket, only partially used, is retained by the carrier, notice to that effect should be furnished the Department. Redemption of unused or partially used tickets will be handled entirely by the Department.

Loss

The loss of any transportation requests or of tickets secured in exchange therefor must be reported immediately to the Accounts Branch, Department of Justice, Washington 25, D. C., together with all available information relative to the approximate date and locality where the loss occurred. In the event that a ticket secured on a government transportation request is lost and subsequently used by the finder, the person securing the ticket is personally responsible for the value of it.

Payment of Bills and Vouchers

The bills of the several transportation companies will be settled by the Department in Washington.

Information relating to transportation requests used should be included in reimbursement vouchers.

SHIPMENTS (GENERAL)

Packages weighing in excess of 4 pounds cannot be sent under penalty frank by mail. Such packages should be sent by express, charges prepaid. Authority for payment of the estimated expense thereof should be requested at the beginning of each quarter on Form 25-B (General Expenses).

Although shipment by freight is generally cheaper than by express, it should be borne in mind that freight charges are based on a minimum of 100 pounds and care should be exercised to ship by the cheaper rate.

All shipments of Government property by freight or express must be made on Government bills of lading, which may be secured from
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the Procurement Branch of the Department. The original of each bill of lading must be forwarded to the consignee when shipment is made, and upon delivery of the shipment this copy, properly executed, should be surrendered to the last carrier.

It is important that the original of the bill of lading be filled in properly as to the appropriation chargeable for the expenses. Failure to do this will result in improper billing by the carrier.

In order to assist the Department in the audit of transportation vouchers covering freight shipments, one memorandum copy (yellow) of all bills of lading issued must be forwarded at the time of shipment to the Accounts Branch, Department of Justice, Washington 25, D. C.

Compliance with the above instructions together with the instruction contained in paragraphs 2 and 6 on the reverse of the bill of lading will aid materially in the handling of these accounts.

The transportation companies' bills, supported by the original bill of lading, should be forwarded to the Department of Justice in Washington for payment, and no payments should be made in the field.

Every effort should be made to secure Government-owned vehicles for shipments by motor transportation if such vehicles are available from another branch of the Government at the point where needed. No commercial vehicle may be hired until the United States Attorney is satisfied that the need cannot be supplied by Government-owned vehicles.

SHIPMENT OF HOUSEHOLD GOODS AND CHANGE OF DUTY STATION

Under Executive Order No. 9805, November 25, 1946, as amended, an employee who is transferred to a new official station for permanent duty is entitled to travel expenses for himself and members of his family and to be reimbursed for the cost of transporting his household goods and personal effects, provided that no expenses shall be allowed in any case where the transfer is solely for the convenience of the employee.

Persons appointed for duty outside the continental United States are also entitled to such expenses, under certain conditions. (See Appointment for Duty Outside the United States in the section on Travel.)

Complete regulations and rates allowable in such cases are contained in Departmental Memo No. 60, January 13, 1954. Information or advice concerning the regulations may be obtained upon request to the Administrative Assistant Attorney General.

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COLLECTIONS, EXPENDITURES, AND PREPARATION OF RELATED PAPERS

COLLECTIONS

General

United States Attorneys will not receive payment of any demand due the United States except where specifically authorized by law. Any person offering payment which the United States Attorney cannot accept should be referred to the clerk of the court for deposit of funds to the court registry if permissible.

Payment of amounts due the Government, or as offers in compromise, shall be made in the form of check, draft, money order, etc., payable to the *Treasurer of the United States* (Office of Alien Property excepted—see "Disposition" below).

Payments offered pending prospective settlement or in proposed compromise should be accepted only when there are no stipulations, written or printed thereon, concerning the claim to which they relate. No checks should be accepted with an understanding, oral or otherwise, that the deposit or cashing of them constitutes an acceptance of offer of compromise on the part of the Government.

Under no circumstances shall official collections be deposited in a bank to personal credit or exchanged for a personal check.

Disposition

Collections as received shall be transmitted promptly as follows:

(1) If court action has been completed and the collection represents partial or complete satisfaction of judgment, penalties, interest thereon, costs, fines in criminal cases, etc.—*to the clerks of the courts.*

(2) If (a) debt or claim is paid prior to court action, or (b) collection is made, either prior to or during court action, of offer of compromise which the United States Attorney is authorized to accept—*to the department, agency, or officer who submitted the case to the United States Attorney for collection.* Thus, collections effected in cases submitted to the United States Attorney by the Department of Justice should be forwarded to the Department of Justice regardless of the agency in which the case originated. Only in those cases where an agency submits the case direct to the United States Attorney should collections be forwarded to that agency.

(3) If the collection is an offer in compromise required to be approved by the Attorney General—*to the Department of Justice.* Such collections should be accompanied by a letter of explanation and recommendation from the United States Attorney.

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(4) If law provides special disposition of funds—to *department, agency or individual designated* (i. e., Walsh-Healey Public Contracts Act (41 U. S. C. 36) which provides that certain sums so recovered shall be paid through the Secretary of Labor to the employees, etc.

(5) If money, checks, drafts, etc., are collected on behalf of the Office of Alien Property—to *the Office of Alien Property, Depart-*

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ment of Justice, Washington 25, D. C., unless otherwise indicated in correspondence with that office. All such collections, as well as registered securities, obtained for that office shall be made payable to or registered in the name of "The Attorney General of the United States, Account No." The proper account number, assigned by and obtained from the Office of Alien Property, should always be designated.

(6) If it is deemed necessary to cash a check to insure its collection or in unusual circumstances to permit its division—to the *United States Marshal* for clearance through his deposit fund checking account. Disposition of the moneys will be made by the Marshal pursuant to instructions of the United States Attorney. The duplicate and triplicate receipt copies will be given to the Marshal.

Receipts

All collections shall be receipted for on Form 200 in quadruplicate (Appendix, form 22). Prenumbered receipt books are furnished by the Department upon requisition.

Disposition shall be as follows:

Original—to the party making tender.

Duplicate—to be transmitted with the collection as indicated above. It will be retained by the recipient.

Triplicate—to be transmitted with the collection as indicated above. It will be receipted and returned to the United States Attorney, where it will be stamped with date of return to the United States Attorney's office, and filed in the case folder.

Quadruplicate—retained by United States Attorney. Filed in numerical sequence as his record of collection. It will be stamped with date of return of triplicate and placed in closed files. (See Office Files and Records.)

Any spoiled forms should be retained and accounted for by fastening the original marked "spoiled" to the quadruplicate copy of the same number.

Transmittal to Department

When checks, money orders, etc., are to be sent to the Department, they should be transmitted by means of Form 201 (Appendix, form 21a) in an original and three copies. This is in addition to any letter of explanation accompanying the remittance. The printed instructions on the form are self-explanatory and should be followed closely.

Except when required by the circumstances of a particular case, no property other than money should be accepted in full or part

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payment of a claim, compromise or judgment in favor of the United States and in no event should property other than money be accepted until all incurred court costs are paid. However, when such property is accepted as payment it should be delivered to the local representative of the interested agency or department, a receipt taken, and the fact of its acceptance and its estimated value reported to the Department.

APPROPRIATIONS

The appropriation "Salaries and Expenses, United States Attorneys and Marshals, Department of Justice, 195-", symbol 15-0322, is chargeable with expenses of operating the United States Attorney's office. The third digit of the symbol (left blank in the figure above) indicates the fiscal year for which the appropriation is made. The figure "3" should be inserted in the blank space following title of the appropriation for the present fiscal year (1953). Every July 1st it should be changed to show the last digit of the appropriate fiscal year.

The date or dates on which fees are earned, services rendered, or expenses incurred, and not the date of certification or payment, determines the fiscal year from which payment shall be made, except that bills for metered commodities or services such as electricity, telephone, etc., shall be paid from the appropriation current at the end of the billing period.

The following specific expenses are chargeable to the United States Attorneys appropriation:

- (1) Salaries of the United States Attorneys, Assistants and clerical force.
- (2) Interpreters.
- (3) Consultants obtained by United States Attorneys.
- (4) Expenses of hearing officers, conscientious objector cases.
- (5) Guardians ad litem, appraisers, if obtained by United States Attorney.
- (6) Travel and subsistence expenses of United States Attorneys, Assistants, and clerical force.
- (7) United States Attorneys' communication expenses.
- (8) Storage expenses for United States Attorneys' offices.
- (9) Advertising, under name of United States Attorney or clerk.
- (10) Post office box rentals, lock boxes, safes, etc., for United States Attorneys' offices.
- (11) Rental of office space for United States Attorneys.

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(12) United States Attorneys' miscellaneous office expenses as authorized by the Department.

(13) Transcript and grand jury reporting.

(14) Filing and recording fees in State or local courts.

(15) Depositions, notary fees, etc.

(16) United States Attorneys' printing and binding.

(17) Expenses of producing records under a subpoena duces tecum.

(18) Physical examination of plaintiffs in tort claims cases, and of defendants in criminal cases and witnesses who allege illness for the purpose of delaying trial, reason for not appearing, etc.

(19) Expenses of defending Government employees in State or Federal courts for acts done in the performance of their official duties.

The following expenses are payable from the appropriation "Fees and Expenses of Witnesses":

(1) Fees for attendance, per diems in lieu of subsistence, and mileage for travel of witnesses incident to attendance upon United States courts or United States Commissioners hearings.

(2) Per diems in lieu of subsistence, and traveling expenses of Government employees attending upon court when properly payable.

(3) Fees, per diem in lieu of subsistence, and traveling expenses of expert witnesses (other than Lands or Antitrust).

(4) Physical examinations of plaintiffs, witnesses, or defendants in contemplation of testimony in court.

(5) Expenses of examining prisoners to determine sanity as provided for in Sections 4244-4248, Title 18, U. S. C. (including employment of psychiatrists, hospital expenses incident thereto and testimony).

The above lists do not prohibit payment of other legal expenses when properly payable. Neither shall the listing be considered an authorization for paying any of the above expenses when they must be previously authorized or approved by the Department.

ECONOMY OF OPERATIONS

In all instances, expenses of operating the United States Attorney's office should be kept to a minimum.

Among the economies which should be effected by United States Attorneys are:

(1) Reducing the number of Assistants and clerical personnel traveling to places of holding court;

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- (2) Keeping under control the number of witnesses subpoenaed and limiting the number to those without whom the case could not be litigated successfully;
- (3) Notifying witnesses promptly of postponements;
- (4) Calling of cases to trial as promptly as the state of the docket and legal problems permit, particularly actions involving seizures;
- (5) Using every expedient available to reduce storage expenses on seized automobiles, foodstuffs, and the like;
- (6) Utilizing Government physicians whenever possible for medical examinations;
- (7) Negotiation of fees of expert witnesses in order to keep them as moderate as possible;
- (8) Limiting transcripts purchased to essential needs, and
- (9) Using the most economical means of communication for transaction of official business.

REQUEST TO INCUR EXPENSES

Obligation Limitation

31 U. S. C. 665 provides that no officer or employee shall make or authorize an expenditure, or create or authorize any obligations in excess of an appropriation or apportionment thereof. Any officer or employee violating this section shall, upon conviction, be fined not more than \$5,000 or imprisoned not more than 2 years, or both.

Under the above statute, full responsibility is placed upon the person who makes or authorizes an expenditure. Expenses incurred contrary to regulation will be at the individual's risk and he will be personally liable for the charge and subject to disciplinary action.

Congress has required that each appropriation be apportioned among the four quarters of each fiscal year, thereby establishing four individual fiscal periods. The obligations for the 94 judicial districts collectively for any quarter cannot exceed the apportionment for such quarter.

Authority To Incur Expenses

Unless general authority exists for certain types of expenses, authority to incur obligations must be secured from the Department *prior to actual incurrence of any expense*. In emergency cases, telegraphic authority may be requested but the required Form 25-B must be submitted immediately thereafter. (See Requests for Individual Authorizations.)

General authority has been granted to United States Attorneys to incur all general expense obligations under the appropriation "Salaries and Expenses, United States Attorneys and Marshals, Department of Justice" within the amount of an approved quarterly authorization, *except* that specific authority is required for:

1. Additional telephone service or equipment.

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2. Travel of United States Attorneys or their Assistants to points outside of their judicial districts other than when it is necessary for them to appear before appellate courts.
3. Travel of more than one clerk at a time from any United States Attorney's office for the purpose of attending court.
4. Printing and binding amounting to \$1,000 or more.

In these exceptions, specific authority must be requested in advance. If approved, the expense will be considered a charge against the quarterly general expense authorization and may not be considered as an additional amount made available for expenditure.

Authority to incur general expenses as mentioned above, will be granted to each United States Attorney and Marshal at the beginning of each calendar quarter. Each such official shall submit a quarterly estimate of his anticipated expenses for the ensuing quarter on Form 25-B (General Expenses) in an original and two copies (Appendix form 34). The estimate must be received in the Department not later than March 15, June 15, September 15, and December 15 of each year. The original and one copy will be returned showing the total amount approved by the Department. The *total* obligations for the quarter may not exceed the *total* amount approved on the quarterly authorization without prior approval of the Department. However, within the approved total allotment, adjustments or interchanges may be made between any or all individual items at the United States Attorney's discretion.

If, due to unusual circumstances, it is found that the approved allotment will be insufficient to meet all obligations for the quarter, a supplemental request should be submitted on Form 25-B (General Expenses) in triplicate. The form must be supported by ample justification for increase in the allotment, a statement of the current total balance and anticipated obligations through the end of the quarter. Obligations *must not be* incurred against any supplemental requests prior to approval by the Department.

Specific instructions for preparation of the quarterly authorization request are:

1. All estimates must be as accurate as possible, and must not be inflated.
2. Request authorization for only those items which apply to the United States Attorney's office.
3. Estimates for supplies and equipment should cover only those items purchased locally (e. g. city directory, etc.).
4. Include estimates for expense of communication service in Item 3 even though bills may be paid by the Department. How-

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ever, exclude items on which the Department is billed directly by the supplying agency.

5. Post Office box rental should be shown under Item 3 (b).
6. Only printing and reproduction work which is performed locally for the United States Attorney's office should be included in Item 5.
7. Any special or nonrecurring expenses should be explained in the "Remarks" space on the form.

Obligation Control Record

An accounting control for the "General Expenses" quarterly authorization under the appropriation "Salaries and Expenses, United States Attorneys and Marshals" should be maintained in each United States Attorney's and Marshal's office. A sample control sheet is included in the Appendix (form 35). Specific instructions for maintaining this control are as follows:

1. The "Date" column shows the exact date the obligation was incurred or the expense paid.
2. The "Description" column shows sufficient information so that each item may be readily identified.
3. All obligation items are numbered consecutively during the quarter starting with No. 1 and shown in the "Transaction No." column. This is done in order that each payment may be cross-referenced to the appropriate obligation.
4. The "Memo Payment Information" column shows the date of payment or partial payment opposite the obligation and the exact amount of the voucher or vouchers in chronological order when payment is made.
5. The "Obligations" column reflects obligations as incurred and the net increase or decrease in obligations resulting in expenditures of amounts different from the original estimate.
6. The "Balance" column shows at all times the balance remaining in the quarterly authorization.

It is suggested that recurring expenses, such as travel, telephone, telegraph, etc., be carefully estimated at the beginning of the month and funds reserved at that time. In most Attorneys' offices travel may be obligated by individual trip or by individual traveler for the month. In some of the larger offices, however, it may be advisable to obligate travel in a lump-sum for all travelers for the month, in which case the estimate should be adjusted at least biweekly based on actual travel expenses. In this case travel payments need only be shown in

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a lump sum at the end of the month covering total travel expenses paid during the month plus value of TRs issued (Items 2 (a), 2 (b) and 2 (c) of Form No. 111). Obligations for expenses of a non-recurring nature should be established at the time the obligation is incurred (i. e. at the time the service or product is ordered).

At the end of the month before the columns are totaled, all transactions should be reviewed to determine if any obligations should be adjusted or cancelled or additional obligations established to cover outstanding liabilities not previously considered. After columns have been totaled, the difference between the "Obligations" and "Memo Payment Information" shows the unpaid obligations at the end of the month and will be reported on Form No. 111 as "Outstanding Liabilities."

At the beginning of each succeeding month, the totals should be brought forward and the entire process repeated, thereby providing current information at all times. The situation should be reviewed periodically and if some unforeseen emergency arises or if for any other reason there is a sound basis to indicate that there will be an overobligation of the quarterly authorization, the United States Attorney should submit a supplemental Form 25-B (General Expenses) immediately as specified under "Authority to Incur Expenses."

Balances left over at the end of the quarter are available for use in succeeding quarters. For example, in the second quarter the United States Attorney would be permitted to incur general expenses in the amount of the approved current quarter authorization plus any balance left over from the previous quarter unless he is formally notified by the Department that such balance is being withdrawn.

Requests for Individual Authorizations

When regulations require that prior approval must be secured for certain expenses, application for authority to incur such expenses should be made to the Administrative Assistant Attorney General on a regular Form 25-B prepared in quintuplicate (Appendix, form 23). The original and one carbon copy will be returned to the United States Attorney, and the other three copies will be retained for departmental records. Form 25-B should be prepared in the following manner:

- (1) The estimated total expenses, the nature, and purpose should be clearly stated. Estimates should be as accurate as possible. Requests to cover travel should include the value of Government transportation requests if travel is by common carrier.

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(2) The exact date the obligation will be incurred must be stated. If this is impossible, the approximate date must be shown.

(3) File initials, title of case, names of individuals, etc., should be included if known.

(4) If the estimated expense for services or supplies exceeds the sum of \$500, the application should be accompanied by competitive bids (see Contract Services), or by an explanation showing why it is impracticable to procure such bids.

(5) After the expense has been incurred pursuant to authority on Form 25-B, vouchers should be prepared and submitted promptly for payment (see Vouchers).

Special Assistants, Special Attorneys or other individuals temporarily assigned to the field in connection with a case will clear Forms 25-B or other authorization media (when necessary) through the United States Attorney's office so that the latter may have a record of the anticipated expenses in the case.

The United States Attorney for the district *in which a case is pending* will be responsible for forwarding Form 25-B when required by the regulations, even though the service may have been performed in another district.

Whenever authorizations are not used or can be canceled, the Department should be notified promptly. This should be done by merely writing the word "Cancel" in bold script across the face of the 25-B and returning it to the Department, Attention: Administrative Assistant Attorney General.

CONTRACT SERVICE AND FORMS

Procurement of services and supplies, in excess of \$500 per year, must be secured by contract from the lowest responsible bidder after the widest possible advertisement. If the needs of the service are of a continuing nature and the amount thereof for a fiscal year reasonably can be anticipated and will exceed \$500, they should be procured by contract after advertising, even though the individual purchases or deliveries, or the service during any month or quarter do not exceed \$500.

Advertising may be by any means of giving publicity, i. e., by circulars, letters, posted notices, even oral solicitation *when other means of obtaining bids are impracticable and the impracticability is established by certificate.* (The accepted oral bid must be confirmed in writing.) The General Accounting Office requires, however, that regardless of method of advertising, notices must be posted in public places, unless all available sources of competition have been contacted.

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By a "public place" is meant any place to which the general public has access, such as lobbies of Federal buildings, post offices, court houses, customs houses, etc. If notices are not posted, the fact must be explained on Standard Form 1036 Revised by a statement that all available dealers were contacted, or a similar statement. Publication in newspapers is not broad enough to comply with the term "advertising," and such will not be approved by the Department when employed for the procurement of supplies and services.

The General Accounting Office has questioned the adequacy of soliciting quotations from only two, three or four prospective bidders when it is apparent from the nature of the invitation that wider competition could have been obtained. Contracting officers are therefore requested to observe the spirit as well as the letter of the statute and to afford an equal opportunity to quote to all suppliers in a position to furnish satisfactory articles or work.

41 U. S. C. 5 requires that purchases be made or services obtained on advertised specifications prepared by the contracting officer which set forth minimum Government needs clearly and accurately and admit all bidders to competition upon an equal footing. As the lowest bid complying with the specifications must be accepted, *United States Attorneys should prepare specifications clearly describing their exact needs and submit identical invitations to all prospective bidders on Standard Form 33.*

The following forms for executing contracts have been prescribed:

- (1) Standard Form 32—General Provisions.
- (2) Standard Form 33—Invitation, Bid, and Award.
- (3) Standard Form 36—Continuation Sheet.
- (4) Standard Form 1036 Revised—Statement and Certificate of Award.

Solicitation of bids will be made on Standard Forms 33 and 36.

To facilitate bidding by concerns regularly doing business with the Government, and to eliminate unnecessary distribution of Standard Form 32 General Provisions, contracting officer may incorpo-

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rate the General Provisions by reference in the invitation rather than attach them to the invitation. This may be done by the use of the following clause in the schedule or continuation sheet:

Standard Form 32, General Provisions (Supply or Service Contract), prescribed by the General Services Administration, November 1949 edition, is incorporated herein by reference and made a part hereof and receipt of the form is hereby acknowledged. (A copy of Standard Form 32 is obtainable upon request.)

All contracts will be executed in quadruplicate showing all conditions or terms. The *original* and *duplicate* will be signed by the United States Attorney and forwarded to the Administrative Assistant Attorney General for numbering under the uniform system prescribed by the Comptroller General.

Standard Form 1036, Revised, *in duplicate*, properly signed and with all necessary certificates completely executed should be submitted with every contract sent to the Department. If other than the lowest bid is accepted, the action taken must be explained on Standard Form 1036 (Revised) by the facts on which it was based—not conclusions. (10 Comp. Gen. 165.)

The United States Attorney will be advised of the contract number assigned, which number should be placed on the copies retained by him and the contractor, and must appear on each voucher covering services procured under the contract.

CERTIFYING OFFICERS

Based on 31 U. S. C. 82b et seq., and applicable regulations, vouchers involving expenses of the United States Attorney's office must be certified by an authorized certifying officer of that office before submission to the United States Marshal for payment.

There should be two certifying officers in each United States Attorney's office. It is desirable that the United States Attorney qualify as one of the certifying officers.

When a new United States Attorney enters on duty, the Department sends out appropriate forms and instructions so that he may qualify as a certifying officer. The employee who is already a certifying officer continues on in such capacity unless the United States Attorney requests the termination of that designation and the designation of someone else. Authorized certifying officer designations remain in effect until revoked by the Administrative Assistant Attorney General.

As a matter of general information, authorized certifying officers are required to furnish surety bonds in the minimum amount of \$5,000. The premium on the bond is payable annually by the employee. The

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Department furnishes the appropriate bond form and signature cards. These forms should be executed and returned to the Department for approval. Upon receipt of authority from the Department, the officer may begin to certify. The bond itself must be renewed in its entirety every 4 years.

Vouchers for payment must be signed by an authorized certifying officer and the following information must be typed or stamped thereon: the name of the authorized certifying officer, the words "Authorized Certifying Officer," and the date of certification.

Certifying officers are notified of exceptions in the audit of their vouchers by the General Accounting Office on Standard Form No. 1100—Revised ("Notice of Exception" and "Reply to Exception") and informal "Request for Information." These should be answered immediately. If there will be a delay in securing the necessary information or collection, the General Accounting Office should be so advised.

The reply should be made on the forms mentioned above, signed by the responsible officer and forwarded to the General Accounting Office. If a collection is involved, the collection schedule number, name of disbursing officer, and the disbursing symbol number must be shown. The Marshal's office will furnish that information upon request.

VOUCHERS (GENERAL)**Preparation**

If possible, vouchers should be prepared and submitted for payment within the week in which the expenses are incurred. Marshals are required to submit reports of obligations weekly, and the United States Attorneys' prompt submission of vouchers is absolutely essential.

Each original voucher must be complete in every respect as to appropriation symbol and title, signature, certification, and detailed description of the article or service involved to permit the Department to classify the expenditure accurately for budget purposes. It must also contain a notation as to whether the payment will be complete, partial, or final. Vouchers covering payments to individuals must show the full given name, the additional initials, if any, and the surname of the payee. The signature should conform to the name of the payee typed on the top of the voucher.

All copies of vouchers must bear a reference to the authority for payment of the expense. When authorization is made on Form 25-B a copy of the authorization may be attached; or in lieu thereof, a

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reference to the fiscal number stamped on the lower right-hand corner of the 25-B should be noted on the face of the voucher. If general authority exists for payment of certain expenses, a specific reference to the United States Attorneys' Manual, circular, contract, or other authority should be indicated.

In maintaining the account for the appropriation, "Salaries and Expenses, United States Attorneys and Marshals, Department of Justice," it is necessary for the Department to be able to distinguish, for statistical and budgetary purposes, expenditures resulting from the activities of the United States Attorneys' office from those of the Marshals'. Accordingly, *vouchers covering expenditures relating to the United States Attorneys' offices must be plainly coded at the time of preparation with the letter "A," as "A 1530322 Salaries and Expenses, United States Attorneys and Marshals, Department of Justice, 1953."*

Vouchers covering expenses incurred during different fiscal years must be separately prepared. See instructions relating to the fiscal year to be charged in appropriations.

Contractors or vendors may include the following certificate on bills or invoices submitted:

I certify that the above bill is correct and just and that payment therefor has not been received.

When such certification has been made on the bill or invoice, the certificate on the voucher need not be signed, but a notation that the certificate appears on the invoice should be included.

United States Attorneys and their certifying officers are responsible for the accuracy of vouchers in order to eliminate disallowances by the General Accounting Office. (See Certifying Officers.)

Forms

Vouchers of all types shall be prepared in triplicate (more copies if necessary). The following voucher forms should generally be used for the payment of expenses:

- (1) Standard Form No. 1084 Revised, miscellaneous office or general expenses.
- (2) Standard Form No. 1012 Revised (Appendix, form 26), all travel and subsistence expenses.
- (3) Standard Form No. 1128 Revised (Appendix, form 25), salaries of regular employees.
- (4) Form 5½ D. C. Revised (Appendix, form 1), compensation of special Assistants. (See Special Assistantants.)
- (5) Form 5½ D. C. Revised (Appendix, form 36) compensation of expert witnesses, stenographic reporters, or other part-time or intermittent employees.

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Copies of 25-B authorization and receipts if necessary shall be attached to the original copies of vouchers.

Submission and Payment

General expense vouchers payable from appropriations under the control of the Marshal should be submitted to him for payment, unless specific instructions exist for submission to the Department for payment. Expenses in connection with cases handled by special Assistants or other attorneys temporarily assigned to the field are considered "field expenses" and will ordinarily be paid in the field except in those instances where the expenses are authorized to be paid from appropriations not advanced to the Marshal. Even though the request for authorization may necessarily have to originate in Washington and the vouchers be sent there for certification, the vouchers will be returned to the United States Attorney's office for payment by the Marshal.

Record of Expenses and Taxing Costs

In order that a complete report of all taxable items in a case may be submitted when necessary (see Cooperation With Marshals), it is required that each voucher (payable by either the Marshal or the Department) should be noted as it passes through the office and a proper record made. Regulations under Request to Incur Expenses require that all authorizations for "field expenses" be routed through the United States Attorney's office so that he will be on notice of expenses to be incurred which may be taxable. If in unusual circumstances the vouchers do not clear through the United States Attorney's office, he should ascertain the amount involved from the Department.

ADVANCE PAYMENTS

In accordance with 31 U. S. C. 529, prohibiting advance payment of public moneys, no disposition of funds should be made for services rendered, purchases made, etc., until the transaction has actually been accomplished. The only exception to this rule permits advance payment of fees for services in legal proceedings in State or local courts when required by local law (see State or Local Litigation Fees) or post office box rentals (see Miscellaneous Office Expenses). Where the State law requires that the fees of State, county, or municipal officials for certain services be paid in advance, the appropriation may be charged, upon a showing of necessity.

The voucher covering fees in legal proceedings should be supported by a reference to this section of the Manual, as well as the reference October 1, 1953

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to the State statute(s) prescribing the fee and requiring the advance payment. In addition, the voucher should contain a certificate, signed by the official procuring the services,

I certify that this advance payment is necessary in the public interest.

If payments may be made after the services have been rendered, there can be no change in the procedure prescribed by 81 U. S. C. 529.

TELEPHONE AND TELEGRAPH**General**

United States Attorneys are authorized generally to incur expenses for telegrams and long distance telephone messages sent in accordance with regulations. (See Telephone Service regarding authorization for change in rates or type of service.)

The cost of telegrams and long distance telephone messages is payable as follows:

- (1) When sent by a United States Attorney, or any of his regular Assistants, on official business; by the Marshal, from "Salaries and Expenses, United States Attorneys and United States Marshals, Department of Justice."
- (2) When pertaining to leave of absence from duty, by the sender, personally. (6 Comp. Gen. 422.)
- (3) When sent under ordinary circumstances to reserve rooms, sleeping car or other accommodations, by the sender, personally. (21 Comp. Gen. 292.)

Telephone

All telephone companies should be requested to render bills promptly at the close of the month. The appropriation current at the end of the billing period should be charged with the expense.

Bills rendered by telephone companies upon their regular form should be accepted provided the following certificate of payee, as required by law, is properly executed:

I certify that the above bill is correct and just and that payment therefor has not been received.

Telephone Company name; signature.

The General Accounting Office has approved the use of mechanically prepared statements in billing Government agencies for toll messages. Such bills show the date, place called, and the charge for each toll message.

Standard Form No. 1084 Revised (Appendix, form 24) and 1084a (or Standard Form No. 1085 and 1085a where more space is necessary) should be used for vouchering telephone expenses. Bills received,

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for telephone services which are properly certified, as noted above, should be attached to the voucher form. The certificate of the payee on the bill will make it unnecessary that the voucher form also be certified.

All vouchers supporting payment for official long-distance telephone tolls should bear the following certificate: "Pursuant to Section 4 of the act approved May 10, 1939 (31 U. S. C. 680a), I certify that the use of the telephone for the official long-distance calls listed herein was necessary in the interest of the Government." This certificate must be signed by an authorized certifying officer.

Officers charged with the duty of approving telephone bills should maintain a record system of all toll messages, preferably on separate slips in the form similar to that used by the companies themselves, showing when each message was sent, to whom and by whom, and whether on personal or official business, in order that the bills, when received, may be, by reference to the slips, audited for approval and payment and charges payable by the Government distinguished from those payable by individual officers or employees. However, in those offices located in Federal buildings equipped with a central switchboard, the memorandum slips or "tickets" submitted to the United States Attorney by the General Services Administration may be used in lieu of the above record for verifying toll calls.

Whenever personal telephone calls appear on official bills, it is directed that charges for all such personal calls be indicated on the telephone bills and only the amount properly chargeable to the Department appropriation be paid therefrom. The amount of the personal calls, plus the required Federal tax thereon, should be collected from the employee and paid over to the Marshal at the time the voucher is submitted to him for payment. The total amounts for (a) official calls, (b) personal calls, and (c) tax should be separately stated on the voucher covering payment of official calls.

Telegraph

Standard Form No. 1034 Revised (Appendix, form 24) shall be used for vouchering expenses of telegrams.

Vouchers must be supported and accompanied by the *originals of outgoing telegrams*, filed with the agents of the telegraph company and bearing the distinctive marks of transmission, and by *carbon or tissue copies* of received or collect telegrams. If charge is made for telephone service in connection with a telegram, this fact must be stated on the voucher and the additional cost specified.

Telegrams should be sent only when necessary, and Public Buildings Administration facilities should be used whenever possible. (See

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Telegraph.) Charges for manifestly unnecessary telegrams or unnecessary words therein are subject to disapproval and disallowance.

TRAVEL**Authority**

Travel is governed by the Standardized Government Travel Regulations and regulations of the Attorney General.

United States Attorneys and their regular Assistants may travel within their respective districts or outside the district when it is necessary for them to appear before appellate courts without Departmental approval or authorization. All other travel by these persons, including travel to Washington, D. C., must be authorized in advance of the travel.

Travel of *one* clerk at a time from any United States Attorney's office for the purpose of attending court is also authorized. All other travel by clerks and all travel by Special Assistants must be authorized by the Department in advance of the travel.

Selective Service hearing officers will be subject to the same travel and per diem allowances and restrictions as United States Attorneys. Requests for authority to travel should be submitted through and in the name of the United States Attorney.

Requests for authorization to travel will be submitted to the Administrative Assistant Attorney General on Form 25-B, with the following information:

- (1) The necessity for incurrence of expenses must be fully explained.
- (2) The value of transportation requests should be included in the total estimated expenses.
- (3) If transportation is by other than common carrier, the approximate cost should be included.

In cases of emergency, telegraphic authority from the Department may be requested but Form 25-B must be submitted immediately thereafter in the usual manner. Trips made in anticipation of authorization to be issued will be at the expense of the individuals making such trips.

Allowances

The following per diem in lieu of subsistence allowances are prescribed for travel within the continental United States:

- (1) For official travel away from the official station, not involving absence overnight, \$6 per diem.

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(2) For official travel involving absence overnight, \$9 per diem for the first 14 calendar days duty at any one place (including travel) and \$8 thereafter.

The following maximum rates established by the Budget Bureau under authority of the Standardized Government Travel Regulations will apply outside the continental United States:

(1) Alaska (4 Divisions), \$11; Hawaii, \$11; Canal Zone, \$13; Puerto Rico, \$11; Guam, \$11; Virgin Islands, \$11.

(2) For boat travel to and from the above districts, \$7 per diem.

(3) For air travel to and from the above districts, \$6 per diem.

A per diem of \$7 in lieu of subsistence is specially authorized in connection with travel on steamships, where the price of passage includes meals, for the period on board ship, provided the number of days does not exceed ten on any one trip (each way). When the period on board ship on any trip exceeds 10 days, authority for a per diem allowance in lieu of subsistence while on shipboard must be obtained from the Department.

Allowance will be made for fractional days of travel on a basis of quarter days. (See Paragraph 5, S. G. T. R.)

No allowance in lieu of subsistence will be made for time spent at a designated official station; while absent on official business but because of illness no official duties are performed; or incident to delay upon private business.

Whenever a traveler takes leave of absence of any kind because of incapacitation due to illness or injury not caused by his own misconduct, the prescribed per diem in lieu of subsistence, if any, shall be continued for periods not to exceed 14 calendar days (including fractional days) in any 1 period of absence unless, under the circumstances in a particular case, a longer period is approved by the proper administrative official. No additional evidence of the illness or injury need be submitted with the travel voucher but the type of leave and duration thereof must be shown on the voucher.

Appointment for Duty Outside the United States

When appointment is made in the continental United States for duty outside the continental United States, travel and expenses of transporting members of the appointee's family and household goods will be allowed, under certain conditions. As a condition to payment, the employee must sign an agreement to remain in the government service for 12 months. Such expenses for return to the United States are also allowable, provided the employee has served a minimum pe-

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riod of two years following appointment, unless separation is for reasons beyond his control and acceptable to the Department.

The regulations and rates applicable to changes in official duty station shall govern in such cases. (See Shipment of Household Goods and Change of Duty Station.)

Mileage

United States Attorneys, Assistant United States Attorneys and clerical employees will be allowed reimbursement at the rate of 7 cents per mile for the use of privately owned automobiles within their judicial districts, it having been determined that such mode of transportation is more advantageous to the Government. They will be

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allowed reimbursement for the use of privately owned automobiles for travel to points outside of their district at the rate of 7 cents per mile, computed from official station not to exceed the cost of travel by common carrier plus incidental expenses. In computing the total allowance to the employee, the common carrier time and per diems will be considered along with the common carrier expense. Excess per diems in travel by automobile will not be allowed unless such travel is more advantageous to the Government. Otherwise, the excess time consumed in travel by automobile over common carrier (exclusive of Saturdays, Sundays, and holidays), will be charged to annual leave or leave without pay.

The vehicle used for official travel need not be registered in the name of the traveler nor be owned by him.

Mileage shall be payable to only one of two or more employees traveling together on the same trip and in the same vehicle, but no deduction shall be made from the mileage otherwise payable to the employee entitled thereto by reason of the fact that other passengers (whether or not government employees) may travel with him and contribute to defraying the operating expenses. (See Paragraph 89, S. G. T. R.)

If transportation is procured free of any expenses the traveler may not be paid mileage for the performance of such travel in a privately owned vehicle. (20 Comp. Gen. 913)

Speedometer readings must be shown in connection with all claims for mileage.

Tolls

Reimbursement will be allowed for the actual cost of ferry, bridge, road, or tunnel tolls. No receipts will be required.

Telephone and Telegraph

Long distance telephone calls made by employees to their own offices while away from headquarters should be made "Collect." Reimbursement will be allowed for all cash payments for telephone or telegraph messages. No receipts will be required for local telephone calls or for long distance calls of \$3 or under. Copies of telegrams are required in lieu of receipts.

Attendance at Meetings

The appropriation for salaries and expenses of United States Attorneys contains no language authorizing payment of expenses of attendance at meetings as required by 5 U. S. C. 83. Any attendance must be at personal expense and under the conditions outlined under Leave for Attendance at Meetings, this Title.

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TITLE 8: ADMINISTRATIVE DIVISION**Travel by Common Carrier**

All travel by common carrier (except locally or not exceeding \$1) must be secured by Government transportation requests furnished by the Department. (See Transportation Requests concerning the requisitioning and use of transportation requests.)

Auto Hire

Special conveyances may be hired when public or regular means of transportation are not available or when regular means of transportation cannot be used advantageously in the interest of the Government.

Whenever a charge of more than \$3 for the hire of an automobile or other vehicle is included in an expense account, the charge must be supported by a receipt indicating the places and points between which the vehicle was used. If the vehicle is used for travel between several points, all of such points should be indicated in the receipt. Such itemization may be shown on the reverse of the receipt. If it is impracticable to obtain a receipt, the failure to do so must be fully explained in the expense account.

Local Transportation

Employees are entitled to reimbursement for local streetcar, bus, and taxicab fares paid in connection with official business. However, transportation between places of lodgings or where meals are taken and places of duty are not reimbursable and should be paid out of the per diem in lieu of subsistence (paragraph 44, S. G. T. R.).

In the case of taxicabs, reimbursement will be allowed for the actual fare plus tips of 10 cents where the fare is \$1 or less, or 10 percent of the fare increased to the next multiple of five where the fare exceeds \$1. Care should be taken in all cases to see that the rates charged for taxicab fares are not in excess of the locally authorized or prevailing rates.

No receipts will be required for local transportation. Use of taxicabs locally or to areas surrounding a municipality, even though the amount exceeds \$3, is not considered auto hire which requires a receipt.

Receipts

Receipts are required for expenses in excess of \$3 except where special regulations elsewhere in this section provide to the contrary.

Pages 113-114 were not included in the original print copy.

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J. C. P. (Joint Committee on Printing) Form No. 2 of all authorized field printing accomplished. Forms may be obtained from the Department upon request.

A sample of each job, unless it be of a strictly confidential nature, must accompany the quarterly report. A memorandum in lieu of confidential matter shall be attached. Each sample shall carry thereon the total cost, including paper, composition, and illustrations.

A report must be made at the close of each quarter whether or not there has been any printing or binding procured. All reports must be submitted to the Department and not to the Joint Committee on Printing.

Authority to Incur Expense

In those cases where an appeal has been approved it will not be necessary for United States Attorneys to request authority to pay for printing briefs, records, etc. *unless* the cost of any one job will equal or exceed \$1,000. When the cost is \$1,000 or more, a Form No. 2 should be submitted to the Administrative Assistant Attorney General for authority in advance of the printing. Any such request should be complete in all respects, including the title of the case and as careful an estimate as it is possible to obtain.

Economy

While it is realized that at times some corrections will be necessary, an earnest effort should be made to see that briefs are complete before being sent to the printer, so as to make alterations after proofs unnecessary. Every effort must also be made to have briefs prepared in sufficient time so that the printing may be done without incurring charges for overtime.

Vouchers

Upon completion of the work by the printer, he should execute a voucher on Standard Form 1034-Revised (Appendix, form 24). The printing charges must be itemized therein, in accordance with the contract rates, if any, and reference should be made to the 25-B authorization, if required. The certificate on the face of the voucher should be executed by the printer. In addition, the following certificate must accompany all vouchers covering printing not performed by the Government Printing Office:

I hereby certify as responsible officer in the field that the printing and/or binding covered by this voucher was, in my opinion, urgent or necessary to have done elsewhere than at the Government Printing Office; that it is for use primarily by a field office of this Department; and that same is of the class and within the limitation speci-

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defined in paragraph 48 of Government Printing and Binding Regulations No. 5 of the Joint Committee on Printing.

Signed _____
United States Attorney

Vouchers, Standard Form 1034-Revised, imprinted with this certificate, may be obtained upon requisition from the Procurement Section of the Department in the usual manner.

The voucher should be certified by an authorized certifying officer and transmitted to the Marshal for payment in the usual manner.

MISCELLANEOUS OFFICE EXPENSES

Under 28 U. S. C. 509, necessary office expenses of United States Attorneys shall be allowed when authorized by the Attorney General.

Stationery, blank forms, and other miscellaneous supplies or equipment for office use are furnished, upon requisition, by the Procurement Section, Department of Justice.

General authority is granted to United States Attorneys to incur all other office expenses, except that additional telephone service or equipment, or printing for \$1,000 or more must have prior approval. (See also special sections on Telephone Service and Printing).

Payment of post office box rentals may be made annually in advance. If a post office box on which advance annual rental has been paid is surrendered during the year, a refund should be secured for any quarterly period beyond that in which the box is surrendered, no refund being required for that quarter.

All payments for office expenses shall be vouchered on Standard Form 1034-Revised (Appendix, form 24), citing this section of the Manual as authority for the payment (except telephone service and printing).

REGULAR WITNESSES AND SUBPOENAS**General Regulations**

When necessary, the court or other proper official may be requested to issue subpoenas for witnesses to appear before the court, grand jury, or in proper cases before a master, referee or commissioner. "Request subpoenas" directing a witness to appear before the United States Attorney or his Assistants are not permissible. Witnesses should be limited to the number actually necessary to the successful prosecution of the case.

Praecipes for subpoenas for witnesses are not required by Rule 17 (a), Fed. Rules Crim. Proc., and Rule 45 (a), Fed. Rules Civ. Proc. Praecipes for subpoenas should not be prepared unless local rules or

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practice makes their use mandatory. Any praecipies necessary should be prepared by the United States Attorney or the Assistant in charge of the case.

To facilitate services of the subpoena, proper addresses of witnesses desired should be furnished in each instance. If the witness' office and residence addresses are known they should both be given. The Marshal should be advised as to the race, height, weight, age, and any unusual mark or identification of the witness wanted so that the proper service may be made from the description given.

In any procedure relating to security matters, United States Attorneys and their Assistants are cautioned that they are not to interview or subpoena confidential informants of the FBI without prior consultation and consent of the Department of Justice.

Depositions

Depositions should be taken whenever possible in order to reduce expenditures. Particularly should this rule be applied when it is necessary to secure testimony of a witness living more than 100 miles from the place of trial.

Depositions should be taken before notarial officers or other officers authorized to administer oaths. Depositions before commissioners should be taken only when such other officers are not available.

United States Attorneys are authorized to incur the necessary expenses of taking depositions. Payment for stenographic service should be at the rates allowed in the State for such work. Whenever a salaried reporter takes a deposition, he is entitled to compensation for the original transcript and for such number of copies as are ordered at rates to be agreed upon with the United States Attorney. The salaried reporter is not controlled by the court reporting law as to charges he may make for work not regulated by that statute.

No payments from Department appropriations will be made to commissioners or stenographers before a commissioner, for taking depositions. The commissioners' fee (established by 28 U. S. C. 633) is held to include the writing of the deposition either by himself or his stenographer and is allowed in his account, payable from court funds.

Payment for depositions will be made from the appropriation "Salaries and Expenses, United States Attorneys and Marshals, Department of Justice." Voucher, Standard Form 1034 Revised (Appendix, form 24), should be used. Vouchers covering payment for notarial fees must be submitted in the name of the individual rendering the service since firms cannot be notaries.

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The district which requires or uses the deposition is chargeable with the expense even though the deposition may have been taken in another district.

Regular Witnesses

Regular witnesses (other than a Government employee or a person convicted under any law) attending in any court of the United States, or before a United States Commissioner, or person taking their depositions shall be allowed the following (28 U. S. C. 1821):

- (1) A per diem of \$4 for each day's attendance.
- (2) 7 cents per mile for time necessarily occupied in going to and returning from their places of residence.
- (3) Per diem of \$5 per day for expenses of subsistence including the time necessarily occupied in going to and returning from the place of attendance, where attendance is at points so far removed from their respective residences as to prohibit return thereto from day to day. In no case does the statute authorize the above subsistence allowance when the absence from the residence of the witness is confined to one calendar day (6 Comp. Gen. 835).

The term "residence" is not limited in its application to the legal residence, but includes as well any place at which the witness is actually residing either permanently or temporarily and to which the subpoena or summons is sent. (27 Comp. Dec. 149.)

Fees in Alaska are different from those allowed in the continental United States. Attorneys should consult the Alaska regulations for fees in that District.

In lieu of mileage allowances specified above, witnesses required to travel between the Territories (except Alaska), possessions, or to and from the continental United States, are entitled to the actual expenses of travel at the lowest first class rate available at the time of reservation for passage by means of transportation employed.

The following miscellaneous rules are in existence regarding allowance of witness fees:

- (1) Allowances for per diems for travel and attendance and subsistence of witnesses are to be computed upon the calendar day. (6 Comp. Gen. 480.)
- (2) No constructive or double mileage fees shall be allowed by reason of any person being summoned both as a witness and a juror. (28 U. S. C. 1824.)
- (3) When a witness is subpoenaed in more than one case between the same parties, at the same court, only one travel fee and one per

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diem compensation shall be allowed for attendance. Both shall be taxed in the case first disposed of, after which the per diem attendance fee alone shall be taxed in the other cases in the order in which they are disposed of.

(4) The appropriation acts provide that no witness is to be paid more than one attendance fee for any 1 day. This also applies to witnesses before United States commissioners.

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Government Employees

Marshals have been instructed that expenses of travel and subsistence solely for the purpose of serving subpoenas upon Government officers, agents or employees should not be incurred. The United States Attorney may be called upon by the Marshal to have said subpoenas delivered by mail directly to the officer whose attendance is desired, or in the case of agents or other employees, to the head of the office in which they are employed, in sufficient time to enable them to acknowledge the receipt of the subpoenas and to reach the place at which their attendance is desired at the time specified.

Special Agents of the FBI and Government agents generally should not be subpoenaed from distant points unless their testimony is material and there is every reason to believe that there will be no postponement of the trial.

Any officer or employee of the United States or any agency thereof, summoned as a witness on behalf of the United States, shall be paid his necessary expenses incident to travel by common carrier, and if travel is made by privately owned automobile, mileage at a rate of 7 cents per mile, together with a per diem allowance of \$9 in lieu of subsistence under regulations prescribed by the Attorney General. Such expenses for appearing as a witness in any case involving the activity in connection with which such person is employed, shall be payable from the appropriation otherwise available for travel expenses of such officer or employee upon proper certification by a certifying officer of the department or agency concerned. Such employees shall not be paid witness fees, but the period of such service shall be without loss of salary or compensation and shall not be deducted from any authorized leave of absence with pay. (28 U. S. C. 1823 (a) and (b).)

The following Federal officers or employees who testify on behalf of the United States in cases handled by United States Attorneys on days on which they are *not in a duty status and receive no compensation in their Federal position* are entitled to the same fees, mileage, and allowances as regular witnesses under 28 U. S. C. 1821:

- (1) Persons employed without compensation, except Selective Service personnel—see Selective Service Cases.
- (2) Temporary or substitute employees (4 Comp. Gen. 748).
- (3) Employees compensated wholly by fees.
- (4) When-actually-employed persons.

Payment shall be made from the Department of Justice witness appropriation without regard to the nature of their testimony.

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In those cases where expenses are properly payable from the Department of Justice appropriation, Government transportation requests should be issued to the witness by the Marshal or United States Attorney to cover any transportation by common carrier. The appropriation on the transportation request should be changed to read "Fees and Expenses of Witnesses, Department of Justice." Where expenses are payable by *another* department, the witness should be advised to secure Government transportation requests from his own department. If, however, his office is unable to furnish him the transportation requests, they may be furnished from books of the United States Attorney or Marshal. Reimbursement for the cost thereof will then be handled by the Marshal in accordance with the instructions for billing other Government agencies.

Officers and employees must not be "reimbursed" for return fare and per diem until after the expense has been incurred and proper slip furnished, and an effort should be made to secure the employee's consent to have settlement in full for all expenses deferred until after his return to his official headquarters. This will eliminate the necessity of preparing two accounts.

An employee directed, while on leave, to perform temporary duty at a place other than his regular duty station and permitted to return to the place where he was on leave to resume his vacation, is entitled to reimbursement of the authorized expenses of the travel involved, but if his leave status is terminated at the completion of the temporary duty and he is required to return to his regular duty station, he may be allowed only such travel expenses as represent the difference between cost of return to official headquarters via temporary place of duty and cost of direct return from place where on leave. (16 Comp. Gen. 481.)

An employee on leave of absence, who, while on leave, performs temporary duty en route to his regular station, is entitled to per diem in lieu of subsistence for the period of temporary duty but not to transportation from place of temporary duty to official station. (16 Comp. Gen. 431.) The above two rulings are applicable in the case of a Government employee serving as a witness.

Members of Armed Forces

If the witness is a member of the armed forces and is known to be stationed within the United States Attorney's district, the subpoena should be mailed directly to the commanding officer of the camp or naval command for service on the individual.

In order to obtain a member of the armed forces who is not stationed within the district, a memorandum should be sent *promptly*

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to the office of the Administrative Assistant Attorney General, giving the following information:

- (1) The individual's name, rank, serial number and present station.
- (2) Style of case.
- (3) Place, time and date of trial.
- (4) A brief explanation of the violation involved.
- (5) The witness' previous connection with the case.
- (6) Nature of the evidence or testimony he will contribute at the trial.
- (7) Amount of money, if any, involved.

No other procedure may be followed where the witness is stationed outside the district of trial.

Requests for attendance of Army or Navy personnel as witnesses must be received in the Department two weeks before the date of the desired appearance.

The regular certificate of attendance must be furnished the serviceman who will be instructed to contact the Marshal regarding payment.

Federal Prisoners

A Federal prisoner serving a sentence may be produced to testify or to be prosecuted in another district only upon a writ of habeas corpus in proper form.

Writs ad testificandum must not be used to produce Federal prisoners for examination by United States Attorneys or investigative agencies.

The Marshal serving the writ and the warden or superintendent having custody of the prisoner must be named in the writ. Departmental regulations specify that the Marshal of the district in which the prisoner is in custody should serve the writ or if this is impossible the Marshal in the issuing district may serve the writ requiring production of the prisoner. The United States Attorney should consult with the Marshal for his district to insure that the writ will be directed to the proper individuals.

Prisoners in Alcatraz Penitentiary may not be produced in response to such writs unless the matter has been first submitted to the Department, and only in cases in which the necessity for such production is clearly established.

Except in the most meritorious cases, United States Attorneys will oppose the granting of writs of habeas corpus ad testificandum in civil cases.

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United States Attorneys are directed to arrange for the prisoner's trial or testimony as soon as possible after arrival so that the prisoner may be returned to the institution without undue delay.

Witnesses From Foreign Countries

Requests for the attendance of persons from foreign countries should be forwarded to the Administrative Assistant Attorney General by letter or memorandum giving the following information:

- (1) Name and address of witness.
- (2) Country of which witness is a citizen.
- (3) Style of case, including its importance.
- (4) Place, date, and time of trial.
- (5) Date and time of witness' appearance.
- (6) Nature of evidence to be contributed by the witness.
- (7) Approximate duration of witness' stay in this country.
- (8) Fee proposed to be paid to witness. Round trip air transportation is allowable and customarily a fee of \$10 per day, which includes per diem in lieu of subsistence.

Although American citizens outside the United States may be subpoenaed, it is requested that the Administrative Assistant Attorney General be notified when it is contemplated that a subpoena will be issued. The State Department will be requested to instruct the appropriate embassy or legation to furnish transportation funds.

Arrangements for witnesses from Canada or Mexico may be made direct with the witness. It is unnecessary to obtain clearance from the Department if the witness is willing to accept the statutory fees and allowances allowed regular witnesses.

Detained Witnesses

When a witness is detained in prison for want of security for his appearance, he shall be entitled, in addition to his subsistence, to a compensation of \$1 per day (28 U. S. C. 1821).

Selective Service Cases

Since Hearing Officers in conscientious objector cases have no power to subpoena witnesses, any testimony given by individuals appearing at a hearing on behalf of the registrant is voluntary and does not entitle the witness to any attendance fees, subsistence, or expenses of travel.

In Selective Service cases handled by United States Attorneys in court, uncompensated Selective Service personnel and local board

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members are entitled to the regular witness fee of \$4 for each day's attendance and travel time, payable from the Justice appropriation. Travel expenses and subsistence for such employees will be paid by the Selective Service system (21 Comp. Gen. 886).

Physical Examination of Witnesses

See **Medical Examinations** relating to physical examinations generally.

Discharge of Witnesses

In ordinary cases witnesses should be discharged as soon as possible after their testimony has been completed. In any case involving

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security matters, witnesses shall not be released without the prior approval of the Department of Justice until the proceeding in which the witnesses have been subpoenaed has been concluded.

Certificate of Attendance and Payment

Form 563 is issued to a witness at the time a subpoena is served. It should be presented to the United States Attorney for his certification that the witness attended and the dates of attendance should be properly "punched" on the form by a representative of the office of the United States Attorney. Upon discharge of the witness this form should be retained in the office of the United States Attorney.

A Certificate of Attendance of Witness (Form No. 798) should be prepared in duplicate from Form 563 which form should be attached to the duplicate copy of Form 798. The original of Form 798 should be forwarded to the Marshal or given to the witness for presentation to the Marshal as his claim for allowances. The following regulations govern the certification of attendance on Form 798:

(1) When cases are handled or controlled by attorneys under the supervision of the Department of Justice, certification must be made by the United States Attorney or an Assistant United States Attorney.

(2) When cases are handled by attorneys of other Government agencies under their own authority, the United States Attorney is not required to certify attendance since he would not normally have personal knowledge of attendance of the witness. However, if the Department of Justice appropriation is chargeable with the payment of witnesses, the United States Attorney or an Assistant United States Attorney must certify and in this connection shall secure information from the appropriate attorney on which to base his certification.

(3) The United States Attorney or an Assistant United States Attorney must certify to attendance of indigent defendants' witnesses subpoenaed under Rule 17 (b), Fed. Rules Crim. Proc. in the same manner as for regular witnesses subpoenaed on behalf of the United States.

(4) The certificate must be signed personally by either a United States Attorney or an Assistant United States Attorney. There is no authority to delegate the making of such certification to any person and no clerk or other unauthorized person should sign it. Certificates should not be signed in blank but only after the certificate of the witness has been fully executed.

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United States Marshals will refuse payment of witness fees and mileage where the certification of attendance has not been executed legally.

Witnesses Before Commissioners

Commissioners are required to certify as to the attendance of witnesses appearing before them. However, in any criminal case before a commissioner where more than four witnesses are necessary, the approval of the United States Attorney must be obtained before the commissioner can certify the attendance. The United States Attorney should furnish a certificate of approval to commissioners, upon request, after determining to his satisfaction that the necessity for an appearance of such witnesses is justified (28 U. S. C. 1922).

Advances

If it should become apparent that any important witness regularly subpoenaed, or otherwise retained, on behalf of the United States *and absolutely essential to the proper presentation of the case*, is unable to attend court for want of sufficient funds with which to defray expenses of travel and subsistence, the United States Attorney may himself communicate (by wire if necessary) with the Marshal for the district in which the witness resides requesting the Marshal to locate the witness and supply sufficient funds to enable him to attend. (See sample telegram in section on preparation by telegrams.) The United States Attorney will also notify the Marshal of his own district that such action has been taken stating where the witness is to testify.

Witnesses subpoenaed to attend before a commissioner will not be given advances without specific authority from the United States Attorney in the district where the witness is to appear.

Advances to witnesses are optional and are made at the discretion of the Marshal.

United States Attorneys will be held strictly responsible for limiting their recommendations for advances to those cases in which the witness is absolutely essential.

Subpoena Duces Tecum

Expenses for producing records in court under a subpoena duces tecum are payable from the appropriation "Salaries and Expenses, United States Attorneys and Marshals." Authorization to pay such expenses need not be requested from the Department.

Whenever a subpoena duces tecum is served upon a United States Attorney or other officer or employee of the Department to produce any official file, document, record, etc., he should proceed as outlined

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in Department Order No. 3229, set forth in Government Property, Records, and Safeguarding.

Whenever a subpoena duces tecum is served upon a representative of the Armed Forces to produce official documents or records, the United States Attorney should indicate that such documents or records will be acceptable if properly certified and forwarded under the seal of the department involved without the personal appearance of a representative. In exceptional cases where it is absolutely necessary for a member of the armed forces to produce the documents personally, the procedure for attendance of military witnesses in this section should be followed.

Personnel of the State Director's Office of Selective Service Records who produce records of the Selective Service System in Federal courts in obedience to subpoenas duces tecum are entitled in all cases to the witness fee for each day's attendance and travel and subsistence expense in the manner as salaried employees and officers of the United States. The production of such records is not a part of the official duties of the personnel of the Office of Selective Service Records so as to charge such expense to that Office and accordingly, such expense will be paid from the Department of Justice appropriation for witness fees.

EXPERT WITNESSES**General**

Whenever, in the trial of a case in which the United States is a party or interested, the United States Attorney expects to find it necessary to use expert testimony of any kind, he should make every effort to secure employees of the FBI to serve as witnesses. (See FBI Services, below.) If it is impossible to secure services of the FBI, Government or private specialists may be obtained as expert witnesses to conduct examination, to testify or to assist in the preparation of the case for trial. Advance approval from the Department must be secured in each instance where FBI services are not used. United States Public Health Service, Veterans Administration or other Government physicians must be used if at all possible. United States Attorneys should familiarize themselves with Government facilities available in their localities in order to be prepared as cases arise.

When expert witnesses are needed in cases involving violations of the Federal Drug, Food and Cosmetics Act, United States Attorneys should communicate with the Department of Health, Education and Welfare. If inspectors are needed they should communicate with the

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General Counsel, Department of Health, Education and Welfare, instead of issuing subpoenas for them.

Actual arrangements for expert witnesses must be made by the United States Attorney since he alone has the opportunity to explore the local situation. In so doing he has a chance to exert a decided influence on the terms of the final arrangements through judicious negotiation and bargaining with prospective expert witnesses.

Form 25-B should be submitted in advance setting forth complete information required in the form. (See Requests To Incur Expenses.) The prospective expert witness should be requested to specify his fee prior to submission of the 25-B, which amount should be incorporated in the form. If reimbursement is required in the case of Government physicians, the terms must be stated.

Register

In the interest of internal security and the proper handling of the Government's litigation, extreme caution should be exercised in the employment of expert witnesses, consultants, etc. In particular, careful consideration should be given to their professional ability, personal character and integrity, and loyalty to this country. If there is any doubt as to the latter, a name check should be secured from the FBI. In this connection, it is suggested that each United States Attorney's office establish a panel or lists of expert witnesses in the most frequently used categories, showing the fees and other allowances each will accept. Such a list will facilitate the procurement of such services quickly without negotiation each time.

FBI Services

The FBI laboratory facilities are available for handwriting and typewriting comparisons and other document studies, as well as for studies in chemistry, toxicology, ballistics, hair, fibers, metallurgy, and other related subjects. It is prepared to supply technical assistance and information in the fields of dynamics, electrical engineering, electricity, fluorescence, histology, light, mathematics, mechanical engineering, metallography, mineralogy, and physical chemistry.

To facilitate the assignment of expert witnesses from the FBI laboratory, it is desirable that as much notice as possible be given to the Bureau concerning the date upon which the testimony of the expert witness who has made a laboratory examination will be required.

Whenever it is desired to transmit to the FBI laboratory any documents or other evidence for comparison, analysis, etc., prior to the employee's testimony, communication should be had with the special

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agent in charge of the nearest field office of the FBI, who will arrange to procure, pack, and transmit the document or evidence directly to the laboratory. All inquiries as to the handling of laboratory work should be made to such special agent. In order that adequate assistance may be furnished in ample time, requests for assistance should be made at least a month before the time when the evidence is to be used.

Allowances

Expert witnesses are not entitled to receive and must not be paid regular witness fees and mileage allowed to regular witnesses under 28 U. S. C. 1821.

Expert witnesses on behalf of the United States in prosecutions for violations of the Federal Drug, Food and Cosmetics Act are paid by the Department of Health, Education and Welfare.

No charges will be made for services supplied by the FBI.

Government doctors and physicians may accept the expert witness fees for services rendered as an expert witness in separate cases on behalf of the United States without violation of the dual compensation statute (31 Comp. Gen. 566), providing such fees are on a job basis as distinguished from a rate of compensation per day.

Compensation

The table below indicates the average rates of compensation which may be paid to expert witnesses:

Physicians:	
Examinations.....	\$20 to \$25
Testimony.....	\$25 to \$75
Specialists, such as cardiac, neurologists, etc.:	
Examinations.....	\$25 to \$50
Testimony.....	\$25 to \$75
Psychiatrists and Psychologists:	
Examinations.....	\$25 to \$50
Testimony.....	\$25 to \$75
Chemists:	
Analysis.....	\$10 to \$25
Testimony.....	\$25
Geologists and Mining Experts:	
Preparation.....	\$25 to \$50
Testimony.....	\$25 to \$75
Appraisers:	
Preparation.....	\$10 to \$50
Testimony.....	\$25 to \$50
Handwriting Experts:	
Examinations.....	\$25 to \$50
Testimony.....	\$25 to \$75

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(1) If the period of employment is confined to services within the hours of any one calendar day, the expert witness will be allowed one day's fee at the agreed rate regardless of whether he is occupied for the entire usual working day or only a portion thereof, that is, for one or two hours.

(2) If the expert witness' services are required in preparation or in court for longer than one day, no travel being involved, compensation will be at the rate allowed on the basis of one full day's fee for each such day or fraction.

It is the responsibility of United States Attorneys to contract for such services at the best rate obtainable and, if it is known in advance that the expert witness' services will be required for only a few hours, consideration should be given that fact when fixing the agreed compensation.

When travel is involved, the following rules will govern allowance of compensation:

(1) If, in order to serve the interests of the Government, it is necessary for the expert to assume a travel status between the hours of midnight and 12 noon the expert witness will be allowed the full fee for that day.

(2) If the travel status begins between the hours of 12 noon and 6 p. m., one-half of the agreed fee will be paid the expert witness.

(3) If the travel status begins between the hours of 6 p. m. and midnight, one-quarter of the agreed fee will be paid.

(4) On the return trip, if the expert witness arrives at his destination before 8 a. m., no fee will be allowed for that day.

(5) If he arrives at his destination on the return trip between the hours of 8 a. m. and 12 noon, one-half of the agreed fee will be allowed.

(6) If he arrives at his destination on the return trip after 12 noon, the full fee will be allowed.

Example: A medical expert witness whose agreed compensation is to be \$25 per day, plus the usual subsistence and travel allowances under the travel regulations, is required to assume a travel status at 9:35 p. m. which is the latest train which would arrive at the destination in time for testifying in court. He arrives at his destination at 7:50 a. m. the next day, testifies in court from 11 a. m. to 12 noon and from 2 p. m. to 3:15 p. m. Leaves the court town for return at 5 p. m., arriving at his destination at 5 a. m. Under these regulations the expert witness would be allowed the

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sum of \$6.25 and \$25, or a total of \$31.25, plus travel and subsistence allowances.

Expert witnesses will be allowed, in addition to compensation, either traveling expenses by common carrier or mileage at an agreed rate if travel is by privately owned automobile and such rate is specifically mentioned in the request for authority, and a per diem in lieu of subsistence to be apportioned in accordance with the Standardized Government Travel Regulations, while away from their usual places of residence. It is suggested that every effort be made not to exceed 7 cents for the mileage rate, or 8 dollars for the per diem in lieu of subsistence rate.

Payment

All allowances to expert witnesses are a matter of agreement (24 Comp. Gen. 159). The United States Attorney should write a letter to the expert witness, stating the terms of his employment, compensation, and travel on per diem allowances.

Accounts of expert witnesses will be paid by the Marshal on the following voucher forms:

(1) For compensation—Form 5½ D. C. Revised (Appendix, form 36).

(2) For travel or subsistence allowances—Standard Form 1012—Revised (Appendix, form 26).

A copy of Form 25B must be attached to the voucher. If vouchers contain charges for Sunday compensation, it must be shown affirmatively that services were actually and necessarily rendered on such days. On travel vouchers the purpose for each trip must be shown.

Claims for reimbursable items must be supported by proper receipts, if necessary.

INTERPRETERS

Expenses covering the employment of interpreters, payable from the appropriation "Salaries and Expenses, United States Attorneys and Marshals, Department of Justice" are hereby generally authorized, within the total approved quarterly allotment for expenses.

It is the duty of the United States Attorney to so arrange for the trial of cases in which the services of interpreters may be necessary, that they may be disposed of consecutively at the commencement of the term of court, thus obviating unnecessary expense.

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The following average rates should be used as a guide for employment of interpreters:

Interpreters:

Usual fee.....	\$10 to \$15 per day
Unusual dialects.....	\$25 per day
Indian, Mexican, etc. (Border States).....	\$5 to \$10 per day
Hawaii, Panama, and Puerto Rico.....	\$5 to \$7.50 per day
Chinese.....	\$10 to \$15 per day

Effort should be made to contract for services at the lowest possible rate and at less than the full fee if the interpreter will not be required for a full day.

Accounts of interpreters should be vouchered on Form 51½ D. C. Revised, for compensation, and Standard Form 1012 Revised for travel expenses and subsistence.

REPORTING AND TRANSCRIPTS**Salaried Court Reporters**

General.—28 U. S. C. 753 provides that each district court shall appoint one or more court reporters who shall attend each session and shall report:

- (1) All proceedings in criminal cases in open court.
- (2) All proceedings in other cases in open court.
- (3) Such other proceedings as the judge may direct, or as may be required by rule or order of the court, or as may be requested by any party to the proceeding.

Transcript.—Upon the request of any party to the proceeding or of a judge of the court, the reporter is to transcribe the requested parts of the proceedings, promptly furnishing to the clerk for the records of the court a certified copy of the transcribed part. No transcripts of proceedings are to be considered as official except those made from the records taken by the salaried reporter.

Fees and expenses.—The salaried reporter is entitled to receive in addition to salary, such fees for transcripts as may be prescribed from time to time by the court with the approval of the Judicial Conference. These fees are collectible from the parties, including the United States. The Department of Justice is not chargeable for any part of tran-

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script furnished to its opponent nor to persons proceeding in forma pauperis, nor for the reporter's travel expenses, except that on approval of the court in any district, the cost of the original and copies may be apportioned among the persons to whom they are furnished. If the Government requires daily transcript, any additional expense involved in turning out fast copy must be borne by the reporter.

Salaried reporter as grand jury stenographer and deposition reporter.—The court reporter law is not applicable to grand jury reporting or to deposition work. However, when services for grand jury reporting are contracted for, the salaried court reporter may submit a bid. The salaried reporter may be employed in any instance where a deposition is necessary. (See Depositions in the section on witnesses.)

Grand Jury Reporting

Grand jury reporting can be done by an employee of the United States Attorney's office (Rule 6 (d), Fed. Rules Crim. Proc.), by a contract reporter employed for the purpose after competition or otherwise, or by the salaried court reporter if available. Annual contracts are obtainable where the volume of the reporting justifies this method; in other cases, reporters are engaged in connection with each separate grand jury after authorization from the Department. If the salaried reporter is employed, daily attendance charges are not allowable; only transcript fees may be paid. If travel is necessary in connection with the grand jury reporting, travel expenses and subsistence at the rate of \$9 are allowable.

If the cost for grand jury reporting is to exceed \$500 for the year, it is required that bids be secured as provided in Contract Service and Forms.

The salaried court reporter may submit a bid for a grand jury reporting under the following conditions:

- (1) If the bid contains a quotation for his own services on a time basis, that is, by the day or hour, the quotation will have to be disregarded as such income would be considered as salary and in violation of 5 U. S. C. 58, 62, which prohibits receipt of two salaries.
- (2) If the salaried court reporter's bid is for the services of someone in addition to himself, the per diem or per hour quotation can be accepted for the assistant's services but not for the salaried reporter himself.
- (3) If the quotation is wholly for transcript charges with no per diem or hourly rates, the salaried court reporter's bid, if low, may be accepted whether it is exclusively for his own services or for his services and those of others.
- (4) If the quotation is for transcript rates only (no fee for reporting), his quotation may be accepted even though the quoted rates are higher than those fixed by the Judicial Conference.

TITLE 8: ADMINISTRATIVE DIVISION

If the cost is less than \$500, making solicitation of bids unnecessary, the salaried court reporter may be used but the Department will insist on no higher rates being charged than are prescribed by the Conference. No attendance charge is authorized.

Employment of Independent Reporters

If the salaried court reporter has been appointed, Departmental appropriations are not available for payment of compensation to another reporter who may be required in a separate hearing at a time when the salaried reporter is busy. The matter of obtaining such additional reporters is for the consideration of the court.

Where no salaried reporter has been appointed or a vacancy exists, reporting services may be engaged after solicitation of bids or by employment of an independent reporter upon appropriate authorization from the Department.

If it is necessary to take testimony in another district, as by supplementary proceedings, and a reporter has been appointed in that district, arrangement may not be made with any other reporter to do this work; otherwise employment of a reporter may be allowed as provided above.

Hearings before commissioners, etc. (not a part of a case in court), may be taken by an independent reporter unless in the particular district such proceedings come within the scope of the Act. (See Item 3 under "General" above.)

Employment of Additional Reporters in Lands Cases

In view of the difficulty in obtaining the services of the salaried court reporters in lands commissioners' hearings, and because Departmental appropriations may not be used for additional reporters, the Director of the Administrative Office of the United States Courts has advised that, in special cases, when the regular salaried court reporter will not be available to report the commissioners' hearings, he will communicate with the judge and authorize the temporary appointment of a court reporter for that purpose. In such cases, the Department must be notified at least a week in advance of the date on which the reporter will be needed, in order that arrangements may be made with the Administrative Office of the United States Courts for the temporary appointment.

Selective Service Hearings

If possible, stenographers of the United States Attorney's office should be used to take the testimony in Selective Service hearings.

December 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION**Expenses**

United States Attorneys are hereby authorized to incur expenses for reporting service and transcripts within the approved quarterly authorization on Form 25-B (General Expenses). Such expenses, however, must be limited to those cases of special importance in which such action is necessary to protect the interests of the Government. Daily or rush delivery, as distinguished from ordinary delivery, should not be ordered unless absolutely necessary.

Transcripts

Ordinarily only one transcript should be purchased in any case, except Court of Claims cases or depositions. Any decision by the United States Attorney to order more than one transcript must be based on absolute necessity for, and availability of funds. Transcript should be purchased for the following officials only, as required:

- (1) Heads of the legal divisions of the Department and their assistants.
- (2) United States Attorneys and their Assistants.
- (3) Any other attorney assisting in the trial of the case.

Other Government departments or agencies interested in the purchase of transcript should make arrangements for payment direct from their appropriations. No part of Department of Justice funds are available for payment of transcripts, original or copy, furnished to the court either at his request or the request of the Government attorney. The statute requires the official reporter to furnish one copy of any record transcribed to the clerk of the court for the official records. That copy is available to the judge along with all other official court records. Therefore, since the judge is entitled to be supplied with transcript at his express direction without compensation to the re-

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porter, his order that the parties share the cost of his transcript would not have the effect of charging the Government with a proportionate part of the Conference approved rates.

The Judicial Conference has ruled that provision may be made by the district courts if they see fit that when the certified copy filed in the office of the clerk pursuant to the act is used by the parties or their attorneys in the preparation or perfection of appeals, they shall pay the reporter for that use a fee of 25 cents a page. United States Attorneys should familiarize themselves with any rule adopted by the district court in accordance with this paragraph.

The maximum limits for transcript, as approved by the Judicial Conference are: Transcript—

1. Ordinary transcript, 55 cents per page for the original and 25 cents per page for copies;

2. Daily transcript, 90 cents per page for original and 30 cents per page for copies,

provided further, that the charge for daily or other expedited transcript shall be fixed by agreement of the parties which in each individual case shall be submitted to the trial judge and shall require his express approval, and in lengthy cases the reporter's charges shall be fixed after the conclusion of the case, with progress payments to the reporter or deposits as ordered by the court. (28 U. S. C. 753 excepts the United States from paying estimated fees in advance.)

This is interpreted to mean that progress payments for daily transcript in lengthy cases must be kept within the conference maximums, which rates still are in effect.

The specifications relating to a page of transcript are as follows:

A page shall consist of 25 lines written on paper 8½ by 11 inches in size, prepared for binding on the left side, with 1¾ inch margin on the left side and ¾ inch margin on the right side. Typing shall be 10 letters to the inch.

The table below indicates the current rates allowed in the various districts:

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Daily Transcript

Compiled Mar. 27, 1953

District	Original	1st	Additional	Effective
Alabama:	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	
Northern.....	¹ 90	30	30	12- 7-48
Middle.....				
Southern.....				
Alaska:				
1.....	90	30	30	1-20-49
2.....				
3.....	90	30	30	1-11-49
4.....	90	30	30	11-29-48
Arizona.....				
Arkansas:				
Eastern.....	¹ 90	30	30	12- 7-48
Western.....	¹ 90	30	30	1-28-49
California:				
Northern.....	90	30	30	11-23-48
Southern.....	90	30	30	11-22-48
Canal Zone.....				
Colorado.....	¹ 90	30	30	11-29-48
Connecticut.....	90	30	30	12-15-48
Delaware.....	90	30	30	1- 1-49
District of Columbia.....	¹ 90	30	30	10-29-48
Florida:				
Northern.....	90	30	30	2-25-49
Southern.....	¹ 90	30	30	12-29-48
Georgia:				
Northern.....	90	30	30	12-18-51
Middle.....	90	30	30	1-19-49
Southern.....	90	30	30	1-22-49
Hawaii.....	90	30	30	12- 2-48
Idaho.....				
Illinois:				
Northern.....		See below		
Eastern.....	75	20	20	12-29-48
Southern.....	¹ 90	30	30	12- 9-48
Indiana:				
Northern.....	90	30	30	11-19-48
Southern.....	¹ 90	30	30	5-18-49
Iowa:				
Northern.....	¹ 90	30	30	12- 5-51
Southern.....	¹ 90	30	30	4-21-49
Kansas.....	¹ 90	30	30	12- 1-48
Kentucky:				
Eastern.....	¹ 90	30	30	1- 1-49
Western.....	¹ 90	30	30	10- 2-50

¹ Maximum rates.

TITLE 8: ADMINISTRATIVE DIVISION

Daily Transcript—Continued

District	Original	1st	Additional	Effective
Louisiana:	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	
Eastern.....	90	30	30	11-30-49
Western.....	90	30	30	10-15-48
Maine.....	(²)	(²)	(²)	11-18-48
Maryland.....	90	30	30	12- 1-48
Massachusetts.....	90	30	30	11-19-48
Michigan:				
Eastern.....	90	30	30	3-15-49
Western.....	90	30	30	4- 1-49
Minnesota.....				
Mississippi:				
Northern.....	90	30	30	10- 7-48
Southern.....	1 90	30	30	12- 1-48
Missouri:				
Eastern.....	90	30	30	12- 8-48
Western.....	1 90	30	30	11-20-48
Montana.....	1 90	30	30	11-30-48
Nebraska.....	90	30	30	1-19-49
Nevada.....				
New Hampshire.....				
New Jersey.....	1 90	30	30	11-29-48
New Mexico.....	90	30	30	2-18-49
New York:				
Northern.....	90	30	30	12- 1-48
Eastern.....	90	30	30	11-16-48
Southern.....	90	30	30	1- 1-49
Western.....	90	30	30	2- 1-50
North Carolina:				
Eastern.....	(²)	(²)	(²)	2-17-49
Middle.....				
Western.....	85	30	30	11-26-48
North Dakota.....	1 90	30	30	1- 1-49
Ohio:				
Northern.....	90	30	30	1-23-49
Southern.....	1 90	30	30	1-14-49
Oklahoma:				
Northern.....	90	30	30	7-1 -49
Eastern.....	90	30	30	1-6 -49
Western.....	90	30	30	11-26-48
Oregon.....	90	30	30	12-22-48
Pennsylvania:				
Eastern.....	90	30	30	11- 4-48
Middle.....	90	30	30	1-20-49
Western.....	90	30	30	12- 8-49
Puerto Rico.....	1 90	30	30	12- 3-48

¹ Maximum rates.

² To be fixed at trial.

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TITLE 8: ADMINISTRATIVE DIVISION

Daily Transcript—Continued

District	Original	1st	Additional	Effective
	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	
Rhode Island.....	90	30	30	3- 8-50
South Carolina:				
Eastern.....	90	30	30	11- 6-51
Western.....	(¹)	(¹)	(¹)	12- 1-48
South Dakota.....				
Tennessee:				
Eastern.....	90	30	30	1-10-50
Middle.....	¹ 90	30	30	1- 3-49
Western.....	90	30	30	11-22-48
Texas:				
Northern.....	90	30	30	4- 7-49
Eastern.....				
Southern.....	90	30	30	3- 1-49
Western.....				
Utah.....	¹ 90	30	30	9-29-48
Vermont.....				
Virginia:				
Eastern.....	¹ 90	30	30	11-22-48
Western.....	(²)	(²)	(²)	11-30-48
Washington:				
Eastern.....	90	25	25	1-22-51
Western.....	¹ 90	30	30	12- 3-48
West Virginia:				
Northern.....	90	30	30	11- 5-48
Southern.....	90	30	30	11- 5-48
Wisconsin:				
Eastern.....	90	30	30	9- 1-49
Western.....	90	30	30	1-19-49
Wyoming.....	90	30	30	11-22-48
Guam.....	90	30	30	11-30-50
Virgin Islands.....				
Illinois, Northern				
Next morning.....	70	30	30	2- 3-49
Same night.....	80	30	30	2- 3-49
But for any patent, copyright and trade-mark cases.....	90	30	30	2- 3-49

¹ Maximum rates.² To be fixed at trial.

TITLE 8: ADMINISTRATIVE DIVISION

Ordinary Transcript

Compiled Mar. 27, 1953

District	Original	1st	Additional	Effective
Alabama:	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	
Northern.....	52½	25	25	12- 7-48
Middle.....	37½	15	15	11-20-48
Southern.....	40	20	20	12- 1-48
Alaska:				
1.....	55	25	25	1-20-49
2.....	50	15	15	9- 44
3.....	55	25	25	1-11-49
4.....	55	25	25	11-29-48
Arizona.....	37½	12½	12½	9- 44
Arkansas:				
Eastern.....	55	25	25	12- 7-48
Western.....	55	25	25	10- 1-51
California:				
Northern.....	55	25	25	11-23-48
Southern.....	55	25	25	11-22-48
Canal Zone.....	55	25	25	1- 6-49
Colorado.....	55	25	25	11-29-48
Connecticut.....	55	25	25	12-15-48
Delaware.....	55	25	25	1- 1-49
District of Columbia.....	55	25	25	10-29-48
Florida:				
Northern.....	50	25	25	2-25-49
Southern.....	50	25	25	12-29-48
Georgia:				
Northern.....	50	25	25	12-18-51
Middle.....	50	25	25	1-19-49
Southern.....	50	25	25	1-22-49
Hawaii.....	55	25	25	12- 2-48
Idaho.....	50	20	20	12-27-48
Illinois:				
Northern.....	55	25	25	2- 3-49
Eastern.....	50	15	15	12-28-48
Southern.....	55	25	25	12- 9-48
Indiana:				
Northern.....	55	25	25	11-19-48
Southern.....	55	25	25	12-22-48
Iowa:				
Northern.....	55	25	25	12- 5-51
Southern.....	55	25	25	4-21-49
Kansas:				
Kansas.....	50	25	25	12- 1-48
Kentucky:				
Eastern.....	55	25	25	1- 1-49
Western.....	55	25	25	10- 2-50

TITLE 8: ADMINISTRATIVE DIVISION

Ordinary Transcript—Continued

District	Original	1st	Additional	Effective
Louisiana:	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	
Eastern.....	50	25	25	11-30-49
Western.....	55	25	25	10-15-48
Maine.....	55	25	17½	7-17-50
Maryland.....	55	25	25	10-24-51
Massachusetts.....	55	25	25	11-19-48
Michigan:				
Eastern.....	55	25	25	5- 8-51
Western.....	50	20	20	4- 1-49
Minnesota.....	50	25	25	4- 1-52
Mississippi:				
Northern.....	50	25	25	10- 7-53
Southern.....	50	20	20	12- 1-48
Missouri:				
Eastern.....	55	25	25	7-16-49
Western.....	55	25	25	11-20-48
Montana.....	55	25	25	11-30-48
Nebraska.....	55	25	25	1-19-49
Nevada.....	55	25	25	-----
New Hampshire.....	50	25	25	3- 1-52
New Jersey.....	55	25	25	11-29-48
New Mexico.....	55	25	25	1-20-51
New York:				
Northern.....	55	25	25	12- 1-48
Eastern.....	55	25	25	11-16-48
Southern.....	55	25	25	1- 1-49
Western.....	55	25	25	2- 1-50
North Carolina:				
Eastern.....	50	20	20	2-17-49
Middle.....	45	20	20	2-21-49
Western.....	45	20	20	3- 4-49
North Dakota.....	55	25	25	4- 1-51
Ohio:				
Northern.....	55	25	25	1-28-49
Southern.....	55	25	25	1-14-29
Oklahoma:				
Northern.....	55	25	25	7- 1-49
Eastern.....	55	25	25	12-31-51
Western.....	55	25	20	12-14-50
Oregon.....	55	25	25	12-22-48
Pennsylvania:				
Eastern.....	55	25	25	11- 4-48
Middle.....	55	25	25	7-12-50
Western.....	55	25	25	12- 8-48
Puerto Rico.....	55	25	25	12- 3-48

¹ Consult court order for additional copies.

² Patent cases 55 cents; 25 cents; 25 cents.

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TITLE 8: ADMINISTRATIVE DIVISION

Ordinary Transcript—Continued

District	Original	1st	Additional	Effective
	<i>Cents</i>	<i>Cents</i>	<i>Cents</i>	
Rhode Island.....	55	25	25	1-22-52
South Carolina:				
Eastern.....	50	25	25	11- 6-51
Western.....	50	20	20	12- 1-48
South Dakota.....	45	15	15	12- 6-48
Tennessee:				
Eastern.....	55	25	25	12- 1-52
Middle.....	55	25	25	1- 3-49
Western.....	55	25	25	11-22-48
Texas:				
Northern.....	55	25	25	12- 8-50
Eastern.....	55	25	25	12- 6-48
Southern.....	55	25	25	2- 1-49
Western.....	55	25	25	12- 1-48
Utah.....	55	25	25	8-29-48
Vermont.....	50	20	20	12- 1-48
Virginia:				
Eastern.....	55	25	25	12- 2-52
Western.....	55	20	20	9-23-53
Washington:				
Eastern.....	55	25	25	5- 8-51
Western.....	55	25	25	12- 3-48
West Virginia:				
Northern.....	55	25	25	11- 5-48
Southern.....	55	25	25	11- 5-48
Wisconsin:				
Eastern.....	55	20	20	9- 1-49
Western.....	55	20	20	1-19-49
Wyoming.....	50	25	25	5-21-51
Virgin Islands.....	30	20	15	9- 44
Guam.....	55	25	25	11-30-50
U. S. Supreme Court.....				

Rates for hourly copy may be fixed by agreement between the reporter and the persons ordering such copy or may be prescribed by the court. A party shall be entitled to procure a transcript at the rates above prescribed without being required to purchase any additional copy.

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TITLE 8: ADMINISTRATIVE DIVISION

Transcripts for Persons Allowed to Sue, Defend, or Appeal in Forma Pauperis

All such expenses are payable by the Administrative Office of the United States Courts, Washington 13, D. C., from its appropriation. *No funds of the Department of Justice are available for this purpose.* The following is quoted from Bulletin No. 320, January 28, 1947, issued by the Administrative Office to all court reporters of United States District Courts:

Fees for transcripts furnished in criminal or habeas corpus proceedings to persons (or their attorneys) allowed to sue, defend, or appeal in forma pauperis are payable by this office from the appropriation "Miscellaneous Expenses, United States Courts." Fees for transcripts furnished in any other proceedings to persons (or their attorneys) permitted to appeal in forma pauperis are payable in a like manner. A formal request to incur the expense should be submitted in quintuplicate on AO Form 19 * * *.

The Bulletin specifies the information required. Supplement 1 to Bulletin 320 gives additional instructions to reporters whose responsibility it is to secure the authorization for payment. The Bulletin is based on 28 U. S. C. 753 (f).

Vouchers

Vouchers of stenographers employed to take testimony or for the purchase of transcript should be made on Form 5½ D. C. Revised (Appendix, form 36). When travel expenses and subsistence are involved, Standard Form 1012 Revised (Appendix, form 26) should be used.

Vouchers covering reporting services should clearly state:

- (1) Whether for grand jury work or court work.
- (2) If the reporting is for court work, the court should appear, i. e., Federal District Court, Western District of Oklahoma; or County Court, Montgomery County, Md., etc.
- (3) Whether for attendance or transcript.
- (4) If for attendance, the number of days or units of charge, the dates on which the services were rendered, and the rates.
- (5) If for transcript, whether for original and/or copy(s), and the number of pages (folios).
- (6) Whether the transcript is for ordinary delivery, daily delivery, or faster service.
- (7) If the reporting is of testimony given by deposition, the fact of its being a deposition should appear on the voucher.

May 1, 1954

TITLE 8: ADMINISTRATIVE DIVISION**PAYROLLS****Vouchers**

Salary payments shall be made on a biweekly basis, the following vouchers being used:

- (1) Standard Form 1128—Revised (Appendix, form 25), regular employees.
- (2) Form 5½ DC—Revised (Appendix, form 36), expert witnesses, stenographic reporters, part-time or intermittent employees.
- (3) Form 5½ DC (Appendix, form 1), Special Assistants or Special Attorneys (See Special Assistants).

All pay vouchers regardless of the form on which they are rendered shall be prepared and submitted for payment at least in triplicate. In those districts where payments by the Marshal are not yet subject to site audit, a quadruplicate copy will also be submitted to the Marshal. Forms 5½ DC covering compensation of all Special Assistants or Special Attorneys must be submitted to the Department for payment; other salary vouchers will be paid by the Marshal. United States Attorneys should comply with requests from the Marshal as to the number of copies required.

Preparation

Salary payments to regular employees will be made in accordance with General Accounting Office Salary Table No. 35.

Payroll vouchers must not be prepared, certified, or paid prior to the last day of the pay period and each item shown thereon should be complete for the period covered thereby. In those districts where the payroll is too large to permit compliance with the above regulations, a "lag" will be required following each pay period within which the necessary procedures will be followed.

Payrolls should show the full given name, the additional initials, if any, and the surname of the payee. If, however, a person's official signature consists only of initials plus the surname, the name should be listed on the payroll according to his official signature. Immediately following the employee's name on the payroll there should be indicated in parentheses the number of withholding tax exemptions as reflected on the Treasury Form No. W-4 filed by the employee. The signatures of the payees need not be affixed to payroll voucher Standard Form 1128—Revised, but the certificate of payee on other forms must be executed.

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Proper deductions to be made for retirement, social security, withholding tax and bonds should be indicated in each case opposite the employee's name and all totals must be entered on the face of Standard Form 1128—Revised (See sample which also indicates proper entries to be made for lump-sum payments for annual leave (Appendix, form 25)).

Under a ruling of the Bureau of Internal Revenue, Territorial cost-of-living allowances are not subject to withholding taxes or social security deductions. Territorial post differentials, however, are considered wages and therefore subject to such deductions.

Fanfold notices of personnel actions on regular employees will indicate whether an individual's appointment is subject to retirement deductions or F. I. C. A. deductions.

Only the first \$3,600 salary *paid* in any calendar year is subject to social security deductions (F. I. C. A.), such deductions to be made at the rate of 2 percent of the gross amount earned each pay period until \$72 has been deducted. Marshals, who maintain the employees' earnings record cards, should be consulted when it is known that the \$3,600 limitation will be reached before the end of the year.

In any pay period in which the maximum deduction for social security is reached, but does not exactly equal 2 percent of the gross com-

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TITLE 8: ADMINISTRATIVE DIVISION

compensation due during that pay period, it will be necessary to make two entries on the payroll under the employee's name. The first entry will show the amount of gross compensation subject to insurance and the second will show the balance of the gross compensation not subject to insurance.

It is considered advisable in connection with the first employment of any individual subject to F. I. C. A. to indicate the social security number on the payroll or voucher, which information must be posted to the earnings record card.

If the payroll reflects social security deductions, an entry should be made in the "Amount Earned" column on the reverse side showing the total amount of earnings subject to F. I. C. A. and the total not subject to F. I. C. A.

The Government's contribution for social security shall be entered and charged on each payroll. An amount equal to the total deductions shown for employees will be entered (following the totals for all employees) in the "Gross Amount Earned" and "F. I. C. A." columns opposite the words "Agency FICA Contributions." (See Form 25, Appendix.)

Complete regulations concerning group life insurance and information regarding payroll deductions will be found in the section entitled "Group Life Insurance." The amount deducted from an employee for group life insurance shall be shown on the payroll (Standard Form No. 1128, Revised) opposite his name in the now unheaded column immediately to the left of the column headed "Net Amount Paid." This column should be headed "Insurance." Those districts using this column for State withholding tax or other deductions will indicate the State tax as a superior figure in the bond column followed by an "S" to indicate State tax until such time as new forms are devised.

Following the totals for all employees on the payroll the words "Agency Insurance Contribution" should be entered in the name column and an amount equal to one-half the total employee contribution adjusted to the next highest penny entered in the "Gross Amount Earned" and "Insurance" columns opposite this caption. Final totals of the columns should then be taken and carried to the Certification and Summary side of the payroll voucher as shown in Form 25, Appendix.

Erroneous deductions may be adjusted on subsequent payrolls. The United States Marshal should be consulted concerning entries in this connection.

Every pay voucher must be certified by an authorized certifying officer of the United States Attorney's office.

The United States Attorney is notified of every personnel action affecting the status of an employee by means of fanfold notices prepared by the Department. *No payments may be made until receipt of*

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TITLE 8: ADMINISTRATIVE DIVISION**Authority for Payment**

the notice reflecting the effective date of the action. Copies of fanfold actions covering personnel changes should be distributed as follows:

(1) Standard Form 1126 (Pay Roll Change Slip—covering periodic step increases in salary):

1126—Attach to quadruplicate copy, if any, of the payroll first reflecting new salary.

1126a—To employee after computation of payroll change data,

1126b—Attach to duplicate copy of the payroll.

(2) D. J. No. 50 (Notice of Personnel Action (Appendix, form 28)—covering changes in status, appointment, resignation, etc.)

50 (2) To employee.

50 (6) Attach to duplicate copy of the payroll first reflecting action.

50 (7) Attach to quadruplicate copy, if any, of the payroll first reflecting action.

The fanfold number (for example, M-3980) should be entered in the last column of the payroll under "Change Slip Number"; no other descriptive matter need be shown.

Final Salary Payments

Marshals will prepare compensation vouchers of employees whose services are terminated by death. (See Reports and Payments of Deceased Employees).

Regulations covering payment of terminal leave upon separation from the service by resignation, transfer, etc., are set forth in Leave.

Final salary payments, including payment for terminal leave, can not be made until receipt of the fanfold notice showing effective date of separation and until property charged to the employee is returned and all obligations are liquidated.

STATE OR LOCAL LITIGATION FEES

United States Attorneys have been given general authority to incur expenses of recording judgments, statements of judgment and costs, securing copy of papers, fees for service and filing, appeal bonds, fees for witnesses, etc., required by State or local law, without approval of the Department.

All expenses of this nature shall be vouchered on Standard Form 1034 Revised. A reference to the State law authorizing the particular fee should be included in the voucher. If advance payment of such

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fees is necessary, proper certificate and United States Attorneys' Manual reference as specified in Advance Payments must also be included.

BANKRUPTCY CASES

Item 3 of the schedule of charges promulgated by the Judicial Conference pursuant to Section 40c (2) of the Bankruptcy Act reads as follows:

For filing petitions for review and for filing petitions for reclamation of property, \$10 for each petition filed, to be paid at the time of filing by the petitioner, provided that no charge shall be made for petitions for review or for reclamation of property filed on behalf of the United States.

STORAGE

Storage of automobiles, foodstuffs, etc., seized for violation of law will be handled by the United States Marshal who assumes custody under proper court order. Any other property which must be stored for safekeeping may be turned over to the Marshal who is cognizant of existing storage contracts or reputable firms equipped to store material.

Expenses of storage of seized property must be kept to the absolute minimum. United States Attorneys are directed to frequently review pending cases involving the storage of seized goods and to take every possible step to expedite conclusion of such cases.

Whenever the court grants a petition by the General Services Administration for delivery of a forfeited item to the government for official use, a copy of the forfeiture decree must be transmitted *immediately* to the General Services Administration. Delays in this respect will not be excused. The General Services Administration will take the proper steps to dispose of the property promptly. The United States Marshal should also be notified of the forfeiture in order that he will be prepared to release the property upon request of the agency entitled to it.

Title to all unreturned alien enemy contraband property in the custody of United States Marshals and other police authorities in consequence of the contraband property control program during World War II shall be deemed to have vested in the United States on March 16, 1950. All questions relating to such property should be addressed to the Administrative Assistant Attorney General.

Exhibits, abandoned or unclaimed property in connection with litigation which the United States Attorney cannot return to its lawful owner, should be turned over to the Marshal of the district who will be responsible for it in his report of abandoned and unclaimed personal property.

January 1, 1956

TITLE 8: ADMINISTRATIVE DIVISION

ADVERTISING

All advertising and publication on behalf of the United States required by law, rule of court, or court order is authorized generally and may be paid for at a price not to exceed the commercial rates charged to private individuals with the usual discounts without Departmental approval.

Advertising under the name of the United States Attorney or the clerk of court will be handled by the United States Attorney. The latter will also advise the Marshal on the manner of publication when court orders do not contain specific instructions on publication. Advertising Voucher forms (Standard Form No. 1144—Revised) supported by Advertising Order forms (Standard Form No. 1143—Revised) should be prepared in triplicate, fully executed by the claimant and certified by the proper officials in the spaces provided therefor.

The *advertising order* form should be so worded, or such information added to the printed matter appearing thereon, as will show definitely the *style of type, setup, and rate* applicable. Instructions on the advertising order form require the matter to be set solid. Therefore, all published matter must be *set solid* as required unless otherwise specially authorized by the Department. When the matter is *not* to be set solid, typewritten instructions to this effect should be added to the form. The copy of material to be printed accompanying the order should also be prominently marked as to whether or not it is to be set solid (identical with instructions on advertising order). Where it is the local custom to publish legal notices with paragraphs and display headings and no deviation from the custom is permitted, the Department will have no objection to following the local practice, but payment will be made only for the space necessary for setting up solid.

Copies of the advertisement must be attached to the original and duplicate copies of the advertising voucher.

In those cases where multiple bills or invoices are received from a single newspaper publisher for advertisements over an extended period of time and no objection is raised by such publisher to making a single payment therefor, such may be processed for payment on a single Standard Form 1034 Revised, Public Voucher for Purchases and Service Other Than Personal, attaching Standard Form 1144 Revised, properly executed, as supporting documents.

MEDICAL EXAMINATIONS

Authority and Appropriations

All expenses of physical or psychiatric examinations which are payable from the appropriations "Fees of Witnesses" and "Support of Prisoners" require the approval of the Administrative Assistant Attorney General, Form 25-B to be submitted in advance of the examination. The requests must indicate the purpose of the examination and

January 1, 1955

TITLE 8: ADMINISTRATIVE DIVISION

tally incompetent as to be unable to understand the proceedings against them or properly to assist in their own defense,

(b) persons believed to be mentally incompetent at time of trial,

(c) persons insane at expiration of sentence whose release might endanger safety of officers, property or other interests of the United States.

If Marshals or probation officers have been directed by the court to have psychiatric examinations made under paragraph (4) above, the United States Attorney, upon request of such officials, will forward Form 25-B to cover the expenses involved.

Psychiatric and Physical Examinations

Rates applicable to expert witnesses (See Expert Witnesses) may be used as a guide in making arrangements for psychiatric or physical examinations by either private or Government physicians.

Use of Government Facilities

In order to keep expenses as low as possible in these cases, Government facilities and physicians should be utilized whenever available. Facilities for observation will include hospital or detention institutions having psychiatric wards, St. Elizabeth's Hospital, Washington, D. C., and United States Public Health Service or Veterans Administration Hospitals. The Medical Center for Federal Prisoners, Springfield, Mo., has qualified psychiatrists and can accept persons under court order from nearby districts. Commitments to Springfield from distant points are extremely expensive, however, and the court should be so advised, if necessary. If the court is of the opinion that an accused should be committed for observation and the court or United States Attorney does not know of a suitable hospital or facility, the Director, Bureau of Prisons, will be glad to assist in the location of a suitable facility. Where commitment for observation is ordered, and there is a choice of hospital or facility for commitment, the one which does not require the employment of guards should be selected.

Referrals to Federal institutions should be accompanied by all available information concerning the individual together with a presentence report if available, or a copy of the report on physical or psychiatric examination if prisoner is committed.

Use of Private Facilities

In many jurisdictions the court will desire assistance in the selection of qualified psychiatrists and hospitals or other appropriate facilities

TITLE 8: ADMINISTRATIVE DIVISION

where persons whose mental competency is in question may be detained for observation and examination.

The term "qualified psychiatrist" is not defined in the statute and determination of qualifications is for the court to decide. The policies of the American Psychiatric Association may be of assistance to the court in making its determination. If a psychiatrist has passed the examination in psychiatry given by the American Board of Psychiatry and Neurology, he may be presumed to be qualified. If no psychiatrist is available who has passed such an examination, a psychiatrist who is a member of the American Psychiatric Association may meet the standards. Names of psychiatrists in a given State who are members of the American Psychiatric Association and those who have passed the examination of the American Board of Psychiatry and Neurology may be obtained from the Director, Bureau of Prisons.

The same rules for selection of Government hospital and detention facilities apply to the selection of private institutions.

Prompt Handling of Cases

Where commitment is made to the Attorney General, the investigation and making of arrangements should be expedited so that insane or incompetent persons will not remain in local jails or temporary facilities any longer than necessary. Prompt action should be taken on defendants committed to institutions for observation. They should not be allowed to remain there indefinitely but action should be taken to dispose of the matter at the earliest possible time. The court's attention should be directed to any order which fails to specify a date of return of the prisoner.

COMMISSIONERS OR APPRAISERS

It is the policy of the Department to pay commissioners appointed for special purposes, or appraisers, the fees and expenses set by the court, but it reserves the right to refuse payment of unusual or unreasonable fees or expenses.

Vouchers for expenses and compensation of such commissioners or appraisers must be supported by copies of the order making the appointment and fixing compensation and expenses.

148.1

TITLE 8: ADMINISTRATIVE DIVISION

**REQUESTS FOR COMPTROLLER GENERAL AND
DEPARTMENT RULINGS**

Vouchers containing questionable items of expense may be submitted to the Administrative Assistant Attorney General for administrative audit and advice prior to payment.

Decisions are also rendered by the Comptroller General on any question of law involving certification and payment on vouchers by certifying and disbursing officers. Any such decision rendered shall govern the General Accounting Office in passing upon the account containing such voucher.

U. S. ATTORNEYS MANUAL 1953

October 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION

A decision of the Comptroller General should not be confused with any pre-audit of vouchers by the Department.

A United States Attorney desiring to secure a ruling or decision of the Comptroller General shall set forth the facts pertaining to the case in full in a letter and forward it to the Administrative Assistant Attorney General in the Department for submission to the General Accounting Office. This requirement does not apply to appeals to the Comptroller General in connection with exceptions or disallowances made by that office.

U. S. ATTORNEYS MANUAL 1953

TITLE 8: ADMINISTRATIVE DIVISION

APPENDIX

FORM 1

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D. C.

ORIGINAL

DEPARTMENT OF JUSTICE

Bureau Vol. No. _____

Schedule No. _____

PAY VOUCHER FOR SPECIAL SERVICES

To Richard Roe
(Name of payee)

Address 619 Monroe Road

U. S. A.
(To which checks should be mailed)

CLASS OF SERVICE	DATE	PERIOD OF SERVICE	RATE PER MONTH		AMOUNT
			DATE	AMOUNT	
For SERVICES rendered as <u>Special Assistant to the</u> <u>United States Attorney</u> from <u>February 8, 1954</u> to <u>February 24, 1954</u> , inclusive. On account of <u>United States vs. Chrome et al.</u> <small>(State case or action of business)</small> REMARKS: <u>Services were actually performed each day excepting</u> <u>February 13, 14, 20 and 21, 1954. Services were necessary</u> <u>on the holiday February 22.</u>	1	425			325 00

APPROVED

United States Attorney

I certify that the above bill is correct and just and that payment has not been received.

(Sign original only)

Date _____ Payee _____

Total amount claimed	\$ 325 00
Less disbursements, if any (See statement attached)	\$ _____
Approved for	\$ _____
W. tax (Code <u>2</u>)	\$ _____
F. I. C. A. tax	\$ _____
State tax	\$ _____
C. S. retirement	\$ _____
Net amount paid	\$ _____

I certify that the foregoing amount is correct and proper for payment and that Title 5, Section 314, United States Code, has been fully complied with.

Date _____, 19____

Approving Officer

CLASSIFICATION (Appropriate Symbol must be shown; other classification optional)

March 1, 1954

TITLE 8: ADMINISTRATIVE DIVISION

APPENDIX

FORM 1 (face)

DEPARTMENT OF JUSTICE
Division of Accounts
Form No. 91, P. C.
Revised by the Department of
the Treasury, April 12, 1942

ORIGINAL
Pay Voucher for Personal Services
Original and memorandum to be made at one writing by use of
typewriter and carbon

Send this Voucher to
DIVISION OF ACCOUNTS,
DEPARTMENT OF JUSTICE,
WASHINGTON, D. C., for
settlement.

Voucher No. _____

Symbol _____

APPROPRIATION _____
(Leave this line blank)

THE UNITED STATES (FOR DEPARTMENT OF JUSTICE)

To John M. Bruns, Dr.
(Name of payee)

Address United States Attorney, 204 U.S. Courthouse

Division of Accounts No. _____

Fort Worth, Texas
(To which check should be made)

CLASS EXTENSION	PERIOD OF SERVICE	RATE PER HOUR	AMOUNT		OTHER DEDUCTIONS	NET AMOUNT
			Dollars	Cents		
	For SERVICES rendered as <u>Special Assistant to the U.S. Attorney.</u>	Rate				
	from <u>February 15</u> , 1953, to <u>February 23</u> , 1953, inclusive.	12	40	\$608	00	
	On account of services rendered in special cases assigned. (State name or nature of business)					
	REMARKS: <u>Period of Service: February 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27, 1953.</u>					
	<u>Services were actually required and performed Sunday, February 15, 1953; Saturday, February 21, 1953; and also on a legal holiday, February 23, 1953.</u>					
	TOTAL			\$		

(This must be completely filled in before certification by payee and there must not be any erasures or other alteration whatever)

I certify that the above bill is correct and just and that no payment therefor has not been received.

(Signature of officer or employee—the payee)

DO NOT WRITE IN THESE SPACES

Special Assistant to the U.S. Attorney
(Official designation)

I certify that the foregoing account is correct; that it appears from the records of my office that the person named therein was legally appointed or employed, and that he has performed the services required by law and the regulations of the Department of Justice during the period mentioned; that such service, except as otherwise indicated under "Remarks," has been performed under my supervision, and that the person whose name appears in the foregoing voucher is not paid for any period of absence in excess of that allowed by law; that he is entitled to the amount of pay stated above; and that the detail is indicated under "Remarks."

APPROVED AND APPROVED FOR APPROVED

(Signature of officer)

Attorney General

(Official designation)

Account submitted for \$ _____

Differences as follows: _____

Amended in and by the Division of Accounts and approved for \$ _____

By DIRECTOR OF THE ATTORNEY GENERAL

Assistant General Agent

Paid by Disbursing Clerk, Department of Justice, with Check No. _____, dated _____, for \$ _____ drawn on the Treasurer of the United States to the order of payee named above.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 1 (back)

ORIGINAL

Voucher No. _____

DEPARTMENT OF JUSTICE

APPROPRIATION

AMOUNT, \$ _____

IN FAVOR OF

FOR PERSONAL SERVICES

SEND THIS VOUCHER TO
DIVISION OF ACCOUNTS, DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

ACCOUNTS OF
REimbursing CLERK
DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

_____, 19____
(Period for which amount is required)

U.S. ATTORNEY'S MANUAL 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 2 (face)

**DEPARTMENT OF JUSTICE
PERSONAL HISTORY STATEMENT**

IMPORTANT: The information on this form will be used to determine creditable service for leave, retirement and retention credits for reduction in force purposes. The employee should complete items 1 thru 14.

1. MR. MRS. MISS (FIRST NAME) (MIDDLE) (LAST)			2. DATE OF BIRTH			3. LEGAL RESIDENCE					
4. TITLE GRADE			5. BUREAU, DIVISION, OFFICE			6. LOCATION (Headquarters)					
7. ENTRY ON DUTY (Justice) Month Day Year			8. TYPE OF APPOINTMENT			THIS COLUMN IS FOR PERSONNEL OFFICE USE					
9. NOTIFY IN CASE OF EMERGENCY (Name, address, telephone, relationship)									16. CS STATUS ET PERM CH. LEVET <input type="checkbox"/> Yes <input type="checkbox"/> No		
10. LIST BELOW ALL FEDERAL AND DISTRICT OF COLUMBIA EMPLOYMENT YOU HAVE HAD PRIOR TO YOUR PRESENT APPOINTMENT (Do not include Military Service)						18. RETENTION GROUP					
NAME AND LOCATION OF AGENCY			FROM		TO		TYPE OF APPT. IF KNOWN		19. SERVICE		
			YR.	MO.	DAY	YR.	MO.	DAY	YR.	MONTH	DAY
(If further space needed, continue on reverse side)											
11. LIST PERIODS OF ACTIVE DUTY SERVICE IN ANY BRANCH OF THE ARMED FORCES OF THE UNITED STATES. (Do not list inactive reserve service) IF YOU HAVE HAD NO MILITARY SERVICE, WRITE "NONE"						(Insert additional Service Shown on Reverse Side)					
BRANCH			FROM		TO						DISCHARGE
			YR.	MO.	DAY	YR.	MO.	DAY	Mon. or DH		
12. DURING PERIODS OF EMPL. SHOWN IN ITEM 10, DID YOU HAVE A TOTAL OF MORE THAN 6 MONTHS ABSENCE WITHOUT PAY DURING PERIODS OF MER. MAR. SERVICE DURING ANY 1 CALENDAR YEAR? <input type="checkbox"/> YES <input type="checkbox"/> NO IF ANSWER IS "YES", LIST FOLLOWING INFORMATION						20. TOTAL SERVICE		21. NONCREDITABLE SERV. (LEAVE & RET.)		22. NONCREDITABLE SERVICE (RIF)	
TYPE IF KNOWN (LWOP, FURL, SUSP, AWOL, MER. MAR.)			FROM		TO		TOTAL				
			YR.	MO.	DAY	YR.	MO.	DAY	YRS	MOS.	DAYS
13. DURING EMPLOYMENT LISTED IN ITEM 10 DID YOU ACQUIRE PERMANENT COMPETITIVE CIVIL SERVICE STATUS? <input type="checkbox"/> YES <input type="checkbox"/> NO (IF "YES" INDICATE Agency AND Date Acquired						23. REEMPLOYMENT RIGHTS <input type="checkbox"/> YES <input type="checkbox"/> NO		24. RETENTION RIGHTS <input type="checkbox"/> YES <input type="checkbox"/> NO		25. EXPIRATION DATE OF RETENTION RIGHTS	
14. ARE YOU: a. A veteran <input type="checkbox"/> Yes <input type="checkbox"/> No b. A Disabled Veteran <input type="checkbox"/> Yes <input type="checkbox"/> No c. The Wife of a Disabled Veteran <input type="checkbox"/> Yes <input type="checkbox"/> No d. The Mother of a deceased or Disabled Veteran <input type="checkbox"/> Yes <input type="checkbox"/> No e. The Unremarried Widow of a Veteran <input type="checkbox"/> Yes <input type="checkbox"/> No											
15. TO BE EXECUTED BEFORE A NOTARY PUBLIC OR OTHER PERSON AUTHORIZED TO ADMINISTER OATHS. I swear (affirm) that the above statements are true to the best of my knowledge and belief.											
[Date]						[Signature]					
Subscribed and sworn to before me this _____ day of _____, 195__ at _____						(City) (State)					
SEAL											
NOTE: If oath is taken before a Notary Public, the date of expiration of his Commission must be shown.											

October 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 2 (back)

Continuation of Item 10 (Prior Federal and DC Govt. Service)							
NAME AND LOCATION OF AGENCY	FROM			TO			TYPE OF APPT. IF KNOWN
	YR.	MO.	DAY	YR.	MO.	DAY	
SPACE BELOW THIS LINE FOR PERSONNEL OFFICE USE ONLY							
Creditable Service and Service Computation Data for Leave and Retirement Purposes							
Total Service (Item 20)				Years Months Days			
Noncreditable Service (Item 21)							
Creditable Service (Leave and Retirement Purposes)							
Entrance on Duty Date (Justice)							
Less Creditable Service (Leave and Retirement Purposes)							
Service Computation Date (Leave and Retirement Purposes)							
Creditable Service and Service Computation Data for Reduction in Force Purposes							
(To be completed only in those cases when the amount of creditable service for reduction in force purposes differs from the amount creditable for leave and retirement purposes)							
Total Service (Item 20)				Years Months Days			
Noncreditable Service (Item 22)							
Creditable Service (RIF purposes)							
Entrance on Duty Date (Justice)							
Less Creditable Service (RIF purposes)							
Service Computation Date (RIF purposes)							
REMARKS:							

October 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 8 (Year 1953)

LEAVE ACCRUAL CHART FOR 1953

NO.	PAY PERIOD		ANNUAL LEAVE			SICK LEAVE
	FROM	TO	LESS THAN 3 YRS.	3 YRS. BUT LESS THAN 15 YRS.	15 YRS. OR OVER	
1	12/21/52	- 1/3/53	4	6	8	4
2	1/4	- 1/17	8	12	16	8
3	1/18	- 1/31	12	18	24	12
4	2/1	- 2/14	16	24	32	16
5	2/15	- 2/28	20	30	40	20
6	3/1	- 3/14	24	36	48	24
7	3/15	- 3/28	28	42	56	28
8	3/29	- 4/11	32	48	64	32
9	4/12	- 4/25	36	54	72	36
10	4/26	- 5/9	40	60	80	40
11	5/10	- 5/23	44	66	88	44
12	5/24	- 6/6	48	72	96	48
13	6/7	- 6/20	52	78	104	52
14	6/21	- 7/4	56	84	112	56
15	7/5	- 7/18	60	90	120	60
16	7/19	- 8/1	64	96	128	64
17	8/2	- 8/15	68	102	136	68
18	8/16	- 8/29	72	108	144	72
19	8/30	- 9/12	76	114	152	76
20	9/13	- 9/26	80	120	160	80
21	9/27	- 10/10	84	126	168	84
22	10/11	- 10/24	88	132	176	88
23	10/25	- 11/7	92	138	184	92
24	11/8	- 11/21	96	144	192	96
25	11/22	- 12/5	100	150	200	100
26 *	12/6	- 12/19	104	** 160	208	104
27	12/20/53	- 1/2/54	108	166	216	108

Annual leave accrues while in a pay status by pay periods only - no leave earned for any partial pay period.

- * Leave year ends on 1/2/54. (Annual leave accumulation to be determined at close of this pay period.)
- ** 10 hours earned last complete pay period for employees in this category each year.

December 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 8 (Year 1954)

LEAVE ACCRUAL CHART FOR 1954

NO.	PAY PERIOD		ANNUAL LEAVE			SICK LEAVE
	FROM	TO	LESS THAN 3 YRS.	3 YRS. BUT LESS THAN 15 YRS.	15 YRS. OR OVER	
1	1/3/54	1/16/54	4	6	8	4
2	1/17	1/30	8	12	16	8
3	1/31	2/13	12	18	24	12
4	2/14	2/27	16	24	32	16
5	2/28	3/13	20	30	40	20
6	3/14	3/27	24	36	48	24
7	3/28	4/10	28	42	56	28
8	4/11	4/24	32	48	64	32
9	4/25	5/8	36	54	72	36
10	5/9	5/22	40	60	80	40
11	5/23	6/5	44	66	88	44
12	6/6	6/19	48	72	96	48
13	6/20	7/3	52	78	104	52
14	7/4	7/17	56	84	112	56
15	7/18	7/31	60	90	120	60
16	8/1	8/14	64	96	128	64
17	8/15	8/28	68	102	136	68
18	8/29	9/11	72	108	144	72
19	9/12	9/25	76	114	152	76
20	9/26	10/9	80	120	160	80
21	10/10	10/23	84	126	168	84
22	10/24	11/6	88	132	176	88
23	11/7	11/20	92	138	184	92
24	11/21	12/4	96	144	192	96
25	12/5	12/18	100	150	200	100
26	12/19	1/1/55	104	160	208	104

Annual leave accrues while in a pay status by pay periods only - no leave earned for any partial pay period.

*Leave year ends on 1/1/55 (Annual leave accumulation to be determined at close of this pay period.)

**10 hours earned last complete pay period for employees in this category each year.

LAST NAME		FIRST NAME AND INITIAL		IDENTIFICATION No.		TYPE OF APPOINTMENT		EOD DATE		AGENCY		CALENDAR YEAR								
Standard Form No. 1137 General Regulations No. 102												LEAVE RECORD		GPO 20-6000-1		Form prescribed by Comp. Gen., U. S. June 12, 1946				
MONTH	PAY PER. No.	ANNUAL		SICK		MONTH	PAY PER. No.	ANNUAL		SICK		ABSENCE WITHOUT PAY W-AWL-SUSPENDED				COMPENSATORY TIME RECORD				
		HRS.	TOTAL	HRS.	TOTAL			HRS.	TOTAL	HRS.	TOTAL	HRS.	TOTAL	DATE	TYPE	HRS.	TOTAL	PAY PERIOD	HOURS WORKED	HOURS TAKEN
JANUARY						JULY														
FEBRUARY						AUGUST														
MARCH						SEPTEMBER														
APRIL						OCTOBER														
MAY						NOVEMBER														
JUNE						DECEMBER														
REMARKS																				
YEARLY SUMMARY (HOURS)																				
												ITEM		ANN.		SICK				
												BAL. FORWARDED								
												YR. ACCRUAL								
												TOTAL								
												TOTAL TAKEN								
												BALANCE								
LAST NAME		FIRST NAME AND INITIAL		IDENTIFICATION No.		TYPE OF APPOINTMENT		EOD DATE		AGENCY		CALENDAR YEAR								

FORM 4

TITLE 8: ADMINISTRATIVE DIVISION

NAME **Smith, Frank S.**

BLOCK **Johns** City

Reporting Unit **Lands Division**

Leave balances brought forward from prior period

SICK ANNUAL HOURS OF DUTY IF AWOL OR OTHER THAN REGULAR

Agency **Justice**

Leave accrued during this reporting period

Pay Period No. **4**

Aggregate of leave available during this period

TIME AND ATTENDANCE REPORT Standard Form No. 1180 (General Regulations No. 108—Rev.) Form prescribed by Comp. Gen., U. S. May 17, 1948	TOTAL HOURS		DATE	TIME WORKED					TIME ABSENT					INITIALS*		
	IN	OUT		REGULAR	N/D	O/T	COMPEN-SATORY	COMPEN-SATORY	AWOL	LNOP	SICK	ANNUAL	OTHER			
REMARKS			Sun.													
			Mon.	✓												
			Tue.								8					FSS
			Wed.	✓												
			Thu.	✓												
			Fri.	✓												
			Sat.													
			FIRST WEEK TOTAL			32							X X X	X X X		
			Sun.													
			Mon.	4						4						
			Tue.	✓												
			Wed.	✓												
			Thu.	6										2		FSS
			Fri.	✓												
		Sat.														
		SECOND WEEK TOTAL										X X X	X X X			
		PAY PERIOD TOTAL			66				4	4			8	2		
COMPENSATORY TIME		Brought forward.....				Balances at close of this period.....				X X X				Tal.		
Vested this pay period.....						W. O. P. total for calendar year to end of prior period.....								Certified correct		
Total for this pay period.....						W. O. P. total for calendar year to end of this period.....								<i>F. S. Smith</i>		
Used this pay period.....						*Certification for SICK LEAVE.								(Supervisor or timekeeper)		
Paid this pay period.....						I certify that this absence was due to illness which incapacitated me for duty.										
Balance at end of this pay period.....						16-48881-2								*GPO O-387115		

FORM 5

UNITED STATES ADMINISTRATIVE DIVISION

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TITLE 8: ADMINISTRATIVE DIVISION

U. S. ATTORNEYS MANUAL 1953

TIME AND ATTENDANCE REPORT

A—Annual Leave
 S—Sick Leave
 O—Other Leave With Pay
 W—Leave Without Pay
 SUS—Suspension
 AWL—Absence Without Leave
 C—Compensatory Leave Taken
 CT—Compensatory Time Worked
 TS—Travel Status
 HW—Holiday Work
 ND—Night Differential Time
 OT—Overtime Worked
 Note—Above code to be placed on second line of each daily block, below the hours on first line of same block, followed by employee's initials on third line.

Agency	JUSTICE	Reporting Unit	ADMIN. DIV.	Block	RECORDS 2	Tour of Duty	RMS.	Pay Period No.	16															
NAME OF EMPLOYEE	FIRST WEEK							SECOND WEEK							HOURS IN PAY STATUS				TIME ABSENT					
	SUN.	MON.	TUE.	WED.	THU.	FRI.	SAT.	SUN.	MON.	TUE.	WED.	THU.	FRI.	SAT.	KIND	1ST WEEK	2D WEEK	PAY PERIOD TOTAL	COMP. TIME	AWD.	EXC.	LWOP	COMP.	OTHER
1	ADAMS, JOHN Q.		✓	✓	✓	✓	✓		✓	✓	✓	8	8	Base										16
2	BROWN, BENJAMIN		✓	✓	✓	✓	✓		✓	TS	TS	4	✓	Base										4
3	BOE, JANE		✓	✓	✓	8	✓		✓	✓	8	✓	✓											8
4	BOE, JOHN W.		✓	✓	✓	✓	✓		✓	✓	✓	✓	8	Base										8
5	ROE, MARY		✓	✓	✓	✓	✓		✓	✓	✓	8	8	Base										24
6	ROE, RICHARD		8	8	8	8	8		✓	✓	✓	✓	✓	Base										40
7														Base										
8														Base										
9														Base										
10														Base										
11														Base										
12														Base										

REMARKS:

TOTALS

Certified correct:
C. G. Smith
 (Supervisor or timekeeper)

235
 (Telephone)

A—Annual Leave
S—Sick Leave
O—Other Leave With Pay
W—Leave Without Pay

SUS—Suspension
AWL—Absence Without Leave
C—Compensatory Leave Taken
CT—Compensatory Time Worked

TS—Travel Status
HW—Holiday Work
ND—Night Differential Time
OT—Overtime Worked

TIME AND ATTENDANCE REPORT

Note—A box code to be placed on second line of each daily block, below the hours on first line of same block, followed by employer's initials on third line.

Agency	Reporting Unit		Block		Tour of Duty				Pay Period No.																	
	NAME OF EMPLOYEE								HOURS IN PAY STATUS				TIME ABSENT													
	SUN.	MON.	TUE.	WED.	THU.	FRI.	SAT.	SUN.	MON.	TUE.	WED.	THU.	FRI.	SAT.	Base	1st Week	2d Week	PAY PERIOD TOTAL	Comp. Time Wks.	AMT.	REAS.	LWOP	Comp.	Overtime		
1															Base											
2															Base											
3															Base											
4															Base											
5															Base											
6															Base											
7															Base											
8															Base											
9															Base											
10															Base											
11															Base											
12															Base											
13															Base											
14															Base											
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26															Base											
27															Base											
28															Base											

U.S. ATTORNEY'S MANUAL 1953

REMARKS:

TOTALS

Certified correct:

(Supervisor or Employer) (Employee)

*I certify that the changes are due to illness which incapacitated me for duty.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 8 (face)

Name Adams, John Q. Date 4-17-53
(Print or type—Last, First, Middle Initial)

Organizational unit Admin. Div. - Records 2

TYPE of LEAVE Annual Sick* Without pay Compensatory Other (specify) _____

No. of hours 32 to begin 4-11 9 a.m. To end 4-16, 5:30 11 p.m.
(Month, date, time) (Month, date, time)

NOTE.—Annual leave authorized in excess of that to your credit will be charged to leave without pay.
*I certify that this absence was due to illness which incapacitated me for duty;

medical, dental, or optical treatment by _____ (Name of practitioner).
(If absence was in excess of 8 days, obtain medical certificate or state, under "Remarks," why certificate was not obtained.)

J. M. Burke (Approving officer) John Q. Adams (Signature of employee)

S. F. No. 71 (CSC) October 1944 16-42184-2 APPLICATION FOR LEAVE Form approved. Budget Bureau No. 80-R022.1

FORM 8 (back)

CERTIFICATE OF PHYSICIAN OR PRACTITIONER

I CERTIFY that John Q. Adams was under my professional care from 4-11, 1953, thru 4-16, 1953.
(Month and day) (Month and day)

4-17-53
(Date)

[Signature]
(Signature)

2222 Blank St. N.W.
(Address)

REMARKS:

TITLE 8: ADMINISTRATIVE DIVISION

FORM 9 (face)

1. LAST NAME Doe		FIRST NAME Joe		INITIAL(S)	2. APPOINTMENT DATA Entered on duty June 28, 1953 <input checked="" type="checkbox"/> FT <input type="checkbox"/> PT			3. TOTAL SERVICE FOR LEAVE (as of date of separation) Years 19 Months 8 Days 2						
4. DATE AND NATURE OF SEPARATION: Resignation effective at close of business 2/28/53 <input checked="" type="checkbox"/> More than 15 years														
5. SUMMARY OF LEAVE (HOURS)								6. AVERAGE DAILY HOURS						
ITEM								ANNUAL		SICK		ABSENCE WITHOUT PAY		HOURS
7. Balance brought forward from prior year								674		816				0
8. Current year earned through								40		28				0
9. TOTAL								714		836				0
10. Reduction in credits, if any (current year)														0
11. Total leave taken								13		51				0
12. Balance transferred or included in leave year								701		785				0
13. Total hours paid in leave year								701		785				0
14. Salary rate(s)								7.160.00						0
15. Low pay leave period: From 7-1-53 (Date) Hours 8 To 7-1-53 (Date) Hours 5														0
16. Certified correct by: Signature Feb. 28, 1953 (Date) United States Attorney (Title)								17. Address and phone number for purposes of inquiries: United States Attorney Phoenix, Arizona (Telephone Arizona 3-8201)						

RECORD OF LEAVE DATA TRANSFERRED

INSTRUCTIONS FOR THE PREPARATION OF STANDARD FORM NO. 1150-REV.,
RECORD OF LEAVE DATA TRANSFERRED

1. Enter the name and middle initials(s) of employee covered by the form.
2. Indicate employee's status for leave purposes by filling in date of entrance on duty at the releasing organization, and insert X for F/T (Full Time or P/T (Part Time).
3. Show employee's total creditable service for leave purposes, as of date of separation, in years, months, and days.
4. Show same information that appears on Standard Form No. 50, Notification of Personnel Action, effecting separation.
5. Enter balances of annual and sick leave brought forward from close of previous year.

(OVER)

TITLE 8: ADMINISTRATIVE DIVISION

FORM 9 (back)

6. Enter final date through which leave has been credited, and enter the amount of annual and sick leave earned and credited since the beginning of the current year.
7. Enter the sum of the prior balances and current accruals.
8. Enter as an item to be subtracted, the reduction in credits caused by absences in non-pay status.
9. Enter as an item for subtraction, the total number of hours of annual and sick leave taken during the current year through date of separation as shown in Item 4.
10. Enter the figures derived by subtracting the total reduction in credits and leave taken from the total figures in Item 7.
11. Enter number of hours of annual leave (including applicable holiday time) paid in lump-sum at time of separation.
12. Enter salary rate at which lump-sum payment was computed. If more than one salary rate was involved, state the number of hours computed at each rate.
13. Enter the inclusive calendar dates and number of hours on such dates included in the lump-sum leave period.
14. Enter the number of hours absence in a non-pay status during calendar year in which separated.
15. Enter the beginning date of waiting period for step increase, and
 - a. Total number of hours of leave without pay and/or furlough since this period began, and
 - b. Total number of hours of absence without leave and/or suspension since waiting period began.
16. Enter number of days of military leave for training purposes, as distinguished from active duty periods, granted from beginning of current calendar year.
17. Enter pertinent information not specifically required elsewhere on the form, such as overseas or territorial differential, etc.
18. The person having responsibility for accuracy of leave records will sign this form, indicating his title and the date.
19. Enter address and phone number to which inquiries regarding this record should be directed.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 10

Suggestion No. _____
(To be supplied by Committee)

DEPARTMENT OF JUSTICE
EMPLOYEE SUGGESTION

(Date)

Name: _____ Division: _____ Room No. _____
Telephone No. _____

Check whether Mr. Mrs. Miss

I suggest:

Its advantages are:

It should save at least \$ _____ annually.

The use by the United States of my suggestion shall not form the basis of a further claim of any nature by me, my heirs, or assigns upon the United States.

(Signature of Suggester)

Division (or Bureau) Head's _____
(Name) (Date)

Approved: _____
Disapprove: _____
Estimated Savings: _____

(Signature)

(Title)

U.S. ATTORNEYS MANUAL 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 11

Department of Justice
RECOMMENDATION FOR SUPERIOR ACCOMPLISHMENT AWARD

Date _____

To: The Administrative Assistant Attorney General
Attention: Efficiency Awards Committee

From: _____
(Division, Bureau or Office)

Subject: Superior Accomplishment Award
Title VII Classification Act of 1949

The following recommendation is presented for your consideration:

Name:	Division:	Grade:	Salary:
Position title:		Date:	Amount:
Last salary increase:		Date:	Amount:
Last superior accomplishment award:		Date:	Amount:

Description of superior accomplishment. Include following information:

- (a) What the standards are for this employee; type of work or what is normally expected in the position;
- (b) What this employee did;
- (c) How the work he did exceeded the standards, or how the idea or method or device is expected to improve service, or how the special act or service exceeds the normal requirements of his job.

Head of Division or Bureau

Recommended:

Efficiency Awards Committee
Admin. Assistant Attorney General

Date
Date

Approved: _____
Attorney General
Date

SUPERIOR ACCOMPLISHMENT AWARD

WARNING—Do not fill out this form until you have read the instructions.		DESIGNATION OF BENEFICIARY CIVIL SERVICE RETIREMENT SYSTEM		STANDARD FORM NO. 508 FORM PREPARED BY COMPTROLLER GENERAL, U. S. JUNE 24, 1959 (GSA GEN. REG. NO. 27, SUPP. NO. 12)	
A. INFORMATION CONCERNING THE DESIGNATOR					
1. NAME (Last) (First) (Middle)		2. DATE OF BIRTH (Month) (Day) (Year)		3. DATE OF THIS DESIGNATION (Month) (Day) (Year)	
4. DEPARTMENT OR AGENCY IN WHICH PRESENTLY OR LAST EMPLOYED, INCLUDING BUREAU OR DIVISION				5. CLAIM NUMBER IF RETIRED CSA—	
I, the employee or former employee identified above, canceling any and all previous designations of beneficiary heretofore made by me, do now designate the beneficiary or beneficiaries named below to receive any lump-sum benefit which may become payable under the Civil Service Retirement Act after my death. I understand that this designation of beneficiary will not affect the rights of any survivors who may qualify for annuity benefits after my death, and that this designation will remain in full force and effect unless or until canceled by me in writing.					
B. INFORMATION CONCERNING THE BENEFICIARY OR BENEFICIARIES					
TYPE OR PRINT FIRST NAME, MIDDLE INITIAL, AND LAST NAME OF EACH BENEFICIARY		TYPE OR PRINT ADDRESS OF EACH BENEFICIARY		RELATIONSHIP	SHARE TO BE PAID TO EACH BENEFICIARY
I hereby direct, unless otherwise indicated above, that, if more than one beneficiary is named, the share of any deceased beneficiary or beneficiaries who may die before a lump-sum benefit becomes payable shall be distributed equally among the surviving beneficiary or beneficiaries, or entirely to the survivor. If none of the beneficiaries are alive when the lump-sum benefit becomes payable, this designation shall be void.					
(NAME OF DESIGNATOR—DO NOT PRINT)					
C. WITNESSES					
WE, THE UNDERSIGNED, CERTIFY THAT THIS INSTRUMENT WAS SIGNED IN OUR PRESENCE.					
(SIGNATURE OF WITNESS—DO NOT PRINT)		CITY, ZONE NUMBER, AND STATE			
(SIGNATURE OF WITNESS—DO NOT PRINT)		CITY, ZONE NUMBER, AND STATE			
PRINT OR TYPE YOUR NAME AND ADDRESS TO INSURE RETURN OF COPY				(Reserved for Receiving Stamp of U. S. Civil Service Commission)	
[]					

MAIL BOTH COPIES TO THE UNITED STATES CIVIL SERVICE COMMISSION, WASHINGTON 25, D. C. 16-7004-1

FORM 13 (one of original)

TITLE 8 : ADMINISTRATIVE DIVISION

164

IMPORTANT.—The Filing of This Form Completely Cancels Any Designation You May Have Previously Filed. Be Sure To Name in This Form All Persons You Wish To Designate As Beneficiaries.

EXAMPLES OF DESIGNATIONS

HOW TO DESIGNATE ONE BENEFICIARY

TYPE OR PRINT FIRST NAME, MIDDLE INITIAL, AND LAST NAME OF EACH BENEFICIARY	TYPE OR PRINT ADDRESS OF EACH BENEFICIARY	RELATIONSHIP	SHARE TO BE PAID TO EACH BENEFICIARY
SARAH M. JONES	22 Elm Street, Lima, Ohio	Sister	All

Do not write name as S. M. Jones or as Mrs. George L. Jones.

HOW TO DESIGNATE MORE THAN ONE BENEFICIARY

TYPE OR PRINT FIRST NAME, MIDDLE INITIAL, AND LAST NAME OF EACH BENEFICIARY	TYPE OR PRINT ADDRESS OF EACH BENEFICIARY	RELATIONSHIP	SHARE TO BE PAID TO EACH BENEFICIARY
MARY A. SMITH	4902 Oak Street, Jason, North Dakota	Aunt	One-half
ANNA D. BROWN	50 Duke Street, Jason, North Dakota	Cousin	One-fourth
HENRY G. BROWN	50 Duke Street, Jason, North Dakota	Cousin	One-fourth

Be sure the shares to be paid to the beneficiaries add up to 100%.

HOW TO DESIGNATE A CONTINGENT BENEFICIARY

TYPE OR PRINT FIRST NAME, MIDDLE INITIAL, AND LAST NAME OF EACH BENEFICIARY	TYPE OR PRINT ADDRESS OF EACH BENEFICIARY	RELATIONSHIP	SHARE TO BE PAID TO EACH BENEFICIARY
CATHERINE J. ANDERSON, if living	91 Adams Place, Syracuse, New York	Niece	All
Otherwise to: JOHN L. JONES	69 Harris Avenue, Cleveland, Ohio	Nephew	All

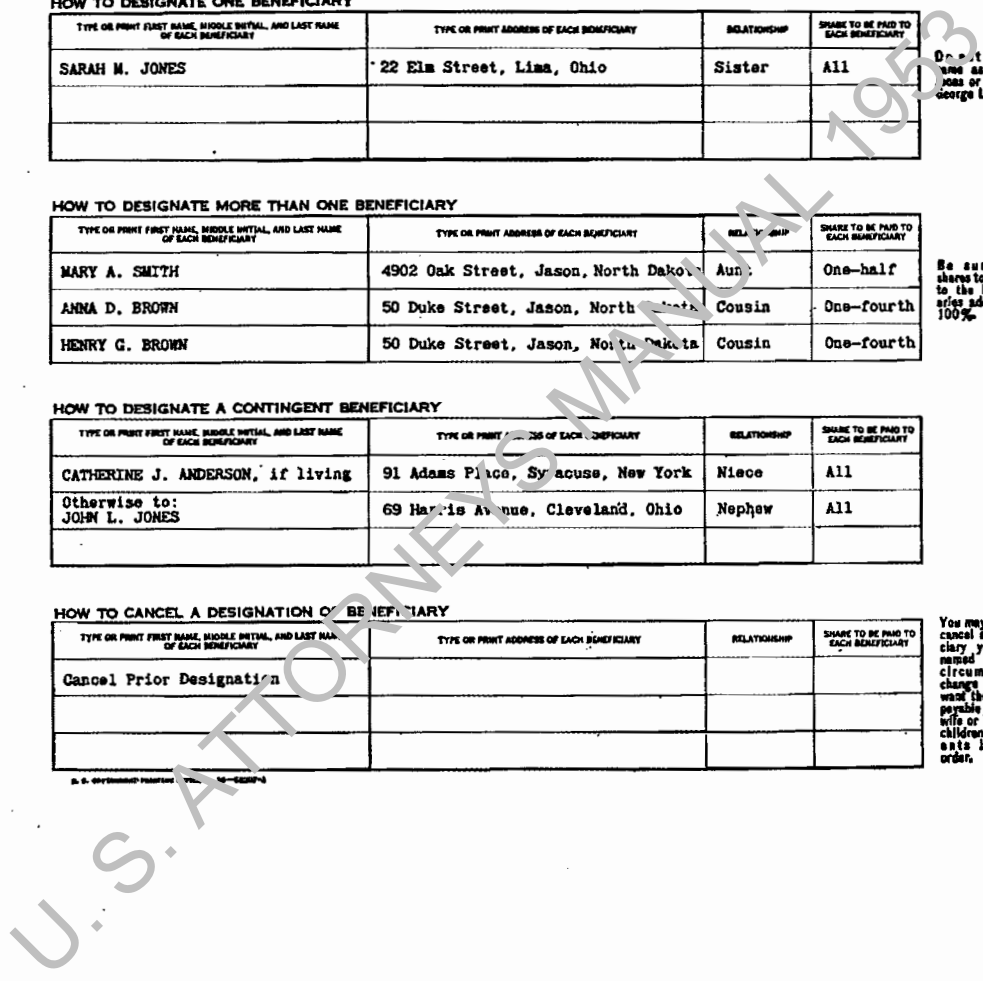
HOW TO CANCEL A DESIGNATION OF BENEFICIARY

TYPE OR PRINT FIRST NAME, MIDDLE INITIAL, AND LAST NAME OF EACH BENEFICIARY	TYPE OR PRINT ADDRESS OF EACH BENEFICIARY	RELATIONSHIP	SHARE TO BE PAID TO EACH BENEFICIARY
Cancel Prior Designation			

You may want to cancel a beneficiary you have named if your circumstances change and you want the benefit payable to your wife or husband, children, or parents in that order.

FORM 12 (back of original)

TITLE 8: ADMINISTRATIVE DIVISION



WARNING—Do not fill out this form until you have read the instructions.		DESIGNATION OF BENEFICIARY CIVIL SERVICE RETIREMENT SYSTEM		STANDARD FORM NO. 288 FORM PREPARED BY COMPTROLLER GENERAL, U. S. MAY 2, 1952 (SEE INSE. NO. 84, REV. NO. 2)	
A. INFORMATION CONCERNING THE DESIGNATOR					
1. NAME (Last) (First) (Middle)		2. DATE OF BIRTH (Month) (Day) (Year)		3. DATE OF THIS DESIGNATION (Month) (Day) (Year)	
4. DEPARTMENT OR AGENCY IN WHICH PRESENTLY OR LAST EMPLOYED, INCLUDING BUREAU OR DIVISION				5. CLASS NUMBER IF RETIRED CSA—	
<p>I, the employee or former employee identified above, canceling any and all previous designations of beneficiary heretofore made by me, do now designate the beneficiary or beneficiaries named below to receive any lump-sum benefit which may become payable under the Civil Service Retirement Act after my death. I understand that this designation of beneficiary will not affect the rights of any survivors who may qualify for annuity benefits after my death, and that this designation will remain in full force and effect unless or until canceled by me in writing.</p>					
B. INFORMATION CONCERNING THE BENEFICIARY OR BENEFICIARIES					
TYPE OR PRINT FIRST NAME, MIDDLE INITIAL, AND LAST NAME OF EACH BENEFICIARY		TYPE OR PRINT ADDRESS OF EACH BENEFICIARY		RELATIONSHIP	HOW TO BE PAID TO BENEFICIARY
DUPLICATE					
<p>I hereby direct, unless otherwise indicated above, that, if more than one beneficiary is named, the share of any deceased beneficiary or beneficiaries who may die before a lump-sum benefit becomes payable shall be distributed equally among the surviving beneficiaries, or among the survivors. If none of the beneficiaries are alive when the lump-sum benefit becomes payable, this designation shall be void.</p>					
(SIGNATURE OF DESIGNATOR—DO NOT PRINT)					
C. WITNESSES					
WE, THE UNDERSIGNED, CERTIFY THAT THIS DESIGNATION WAS SIGNED IN OUR PRESENCE.					
(SIGNATURE OF WITNESS—DO NOT PRINT)		ADDRESS AND STREET		(CITY, ZONE NUMBER, AND STATE)	
(SIGNATURE OF WITNESS—DO NOT PRINT)		ADDRESS AND STREET		(CITY, ZONE NUMBER, AND STATE)	
PRINT OR TYPE YOUR NAME AND ADDRESS TO INSURE RETURN OF COPY				(Reserved for Placing Stamp of U. S. Civil Service Commission)	

FORM 12 (Face of duplicate)

TITLE 5: ADMINISTRATIVE DIVISION

168

THIS DUPLICATE WILL BE RETURNED TO YOU

28-5889-4

U.S. ATTORNEYS MANUAL 1053

WARNING—Do not fill out this form if you are satisfied to have any lump-sum benefit which may become payable after your death paid according to the order of precedence which follows.

RETIREMENT ACT ORDER OF PRECEDENCE

If there is no designated beneficiary living, any lump-sum benefit which becomes payable after the death of an employee or former employee will be payable to the first person or persons listed below who are alive on the date title to the payment arises.

1. To the widow or widower.
2. If neither of the above, to the child or children in equal shares, with the share of any deceased child distributed among the descendants of that child.
3. If none of the above, to the parents in equal shares or the entire amount to the surviving parent.
4. If none of the above, to the executor or administrator of the estate of the decedent.
5. If none of the above, to the next of kin under the laws of the State in which the decedent was domiciled.

It is not necessary for any employee or former employee to designate a beneficiary unless he wishes to name some person or persons not included above, or in a different order.

PURPOSE OF DESIGNATING A BENEFICIARY

A designation of beneficiary is for lump-sum benefit purposes only, and does not affect the right of any person who qualifies to receive *survivor annuity* benefits. Such benefits are payable either by operation of law or as a result of an election made by a retiring employee. Survivor annuity benefits are never based on this form.

INSTRUCTIONS

1. The examples printed on the back of the first page may be helpful to you.
2. Type or print all entries except signatures.
3. Fill out and mail both copies to the United States Civil Service Commission, Washington 25, D. C. The designation of a

beneficiary must be received by the Civil Service Commission prior to the death of the employee or former employee to be valid.

4. Cancellation of a prior designation may be effected without the naming of a new beneficiary by making out a new Standard Form 2808 and inserting in the space provided the name of beneficiary, the words, "Cancel Prior Designation." All designations of beneficiary filed before September 1, 1930, have been canceled by law. It is not necessary to file a new form to cancel a designation made before that date.
5. This form is not intended as a will, and miscellaneous provisions, such as payment of just debts, payment on a deathly installment plan, etc., will not be recognized.
6. A designation free of erasures or alterations should be filed in order to avoid a possible contest after death.
7. The duplicate will be returned to you as evidence that the original has been received and filed. When you receive the duplicate, file it with your important papers. After your death the beneficiary, or someone acting for the beneficiary, should request the Civil Service Commission to furnish a blank on which to make application for any lump-sum benefit which may be payable.

REGULATIONS

1. The designation of beneficiary shall be in writing, signed and witnessed, and received in the Civil Service Commission prior to the death of the designator.
2. No change or cancellation of beneficiary in a last will or testament, or in any other document not witnessed and filed as required by these regulations shall have any force or effect.
3. A witness to a designation of beneficiary is ineligible to receive payment as a beneficiary.
4. Any person, firm, corporation, or legal entity may be named as beneficiary.
5. A change of beneficiary may be made at any time and without the knowledge or consent of the previous beneficiary, and this right cannot be waived or restricted.

FORM 12 (Back of duplicate)

TYPE 8: ADMINISTRATIVE DIVISION

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TITLE 8: ADMINISTRATIVE DIVISION

FORM 13 (face)

EMPLOYEE'S NOTICE OF INJURY OR OCCUPATIONAL DISEASE

Federal Employees' Compensation Act of September 7, 1946, as amended

This notice should be submitted to the immediate superior by an injured civil employee of the Federal Government, or by someone on his behalf, within 48 hours after the injury. Notice may be given either personally or by mail. It should be retained by the official superior unless the injury causes disability for work beyond the day or shift when injury occurred, or results in any charge against the Bureau for medical expenses, when it should be forwarded to the U. S. DEPARTMENT OF LABOR, Bureau of Employees' Compensation, together with the official superior's report of injury, Form C. A. 2. Before compensation is paid, written claim on Form C. A. 4 must be submitted to the Bureau.

Date of this notice _____, 19____

1. I hereby certify that I am employed as a _____ (Occupation) at the _____ (Place of employment) and on _____ (Day of week) _____ (Date) _____, 19____ at _____ (Hour, a. m. or p. m.). I was injured in the performance of my duties at _____ (Location where injury occurred)

2. Cause of injury _____ (Describe as best you can how and why injury occurred)

3. Nature of injury _____ (State part of body affected, e.g., head, eye, hand, foot, back, etc.)

4. Names of witnesses to injury _____

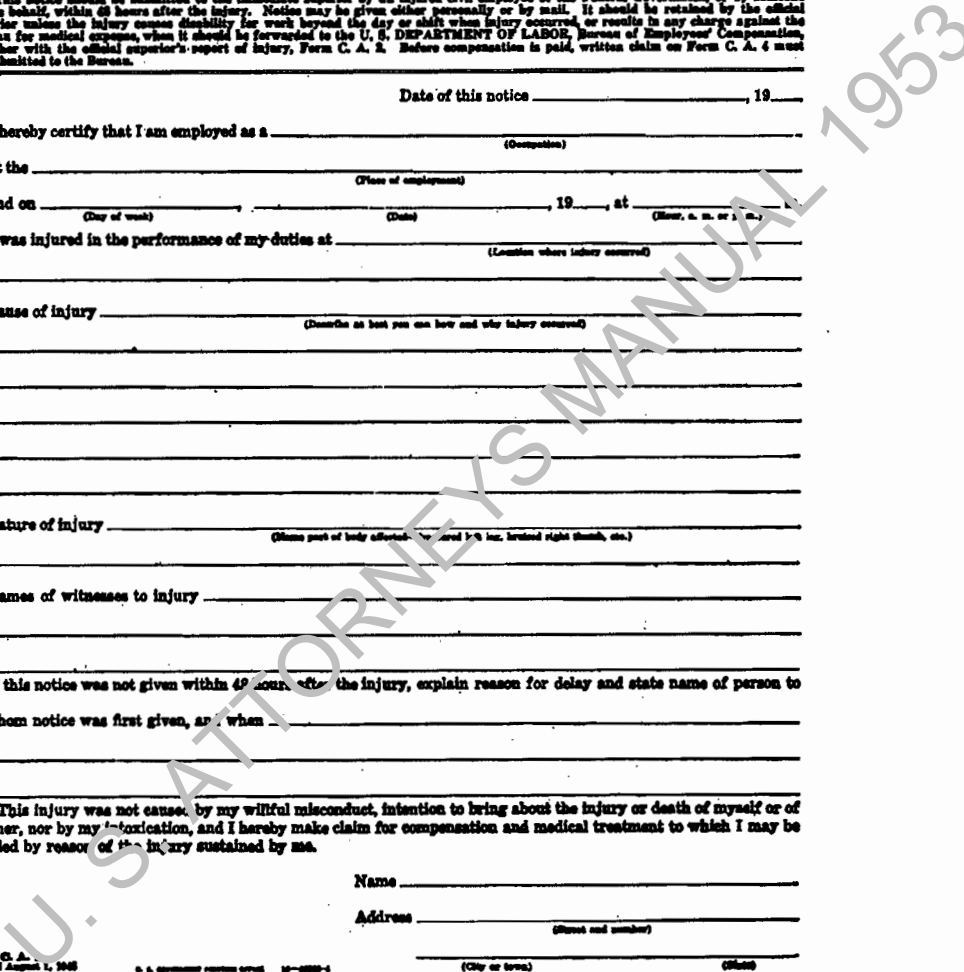
5. If this notice was not given within 48 hours after the injury, explain reason for delay and state name of person to whom notice was first given, and when _____

This injury was not caused by my willful misconduct, intention to bring about the injury or death of myself or of another, nor by my intoxication, and I hereby make claim for compensation and medical treatment to which I may be entitled by reason of the injury sustained by me.

Name _____

Address _____ (Street and number)

(City or town) _____ (State)



TITLE 8: ADMINISTRATIVE DIVISION

FORM 13 (back)

SUPERVISOR'S REPORT OF INJURY

This Supervisor's Report of Injury is for use in the prevention of injuries. Departmental regulations will govern its use.

Department (Post Office, Interior, Veterans Adm., etc.) Bureau or office (U. S. Engineers, Bureau of Standards, etc.)

Place of employment (Arsenal, navy yard, etc.) (City) (State) Division, shop, etc.

Name of injured employee (Give first name fully) Age Sex

Occupation Length of time at trade or occupation years months

1. Describe accident or health hazard fully (what injured was doing, what happened, etc.) DO NOT USE

2. What unsafe conditions caused accident or industrial (occupational) disease? (For example: Defective machine, guard rail on scaffold, highly waxed floor, unguarded punch press, concentration of harmful fumes, etc.)

3. What was done wrong (unsafe) that caused accident or industrial (occupational) disease? (For example: Failure to wear provided goggles, using box or chair instead of ladder, using mushroomed chisel, jumping off moving car, etc.)

4. What has been done to prevent similar occurrences?

5. What is recommended to prevent similar occurrences?

Signed by Title Date

Reviewed by Title Date

Comments of Reviewing Official (with particular reference to answers to questions 4 and 5):

Extent of disability (check one) First aid Disabling injury Death

Nature of injury Part of body affected

TITLE 8: ADMINISTRATIVE DIVISION

U. S. ATTORNEYS MANUAL 1953

OFFICIAL SUPERIOR'S REPORT OF INJURY

To be submitted to UNITED STATES EMPLOYERS' COMPENSATION COMMISSION, 281 Madison Avenue, New York, N. Y., as soon as practicable after any injury to a civil employee of the United States sustained while in the performance of duty which causes any disability for work beyond the day or shift on which the injury occurred or results in any charge against the Commission for medical expense. This form should be accompanied by G. A. 1.

FORM 14 (Rev. 1-25-53)

1. Department _____ 2. Bureau or office _____
(War, Navy, etc.) (Engineer, Navigation, etc.)

3. Place of employment _____
(Arsenal, navy yard, etc.) (City) (State)

4. Reporting office _____
(Location of reporting office or division headquarters)

5. Name of superintendent or foreman in charge when injury occurred _____

6. Name of injured employee _____ 7. Age _____ 8. Sex _____ 9. Race _____
(Give first name in full)

10. Home address _____
(Street and number) (City or town) (State)

11. Occupation and division _____ 12. Was employee doing his regular work? _____
(Give both, or laborer, hull division; helper, machine shop, etc.) If not, what work?

13. Total length of service with the Government as a civilian? _____

14. How long at present work in this establishment? _____

15. Dates of other injuries _____

16. Rate of pay on date of injury, \$ _____ per _____ { and subsistence valued at \$ _____ per _____
 { and quarters valued at \$ _____ per _____

17. Employee begins work at _____ m. 18. Regular day's work ends _____ m.
(Hour, a. m. or p. m.) (Hour, a. m. or p. m.)

19. Hours worked per day _____ 20. Days paid per week _____

21. Place where injury occurred _____
(Give exact location, as name of building and division, etc.)

22. Date of injury _____, 19____; day of week _____; hour of day _____ m.
(a. m. or p. m.)

23. Date employee stopped work _____, 19____; day of week _____; hour of day _____ m.
(a. m. or p. m.)

24. Date employee's pay stopped _____, 19____; day of week _____; hour of day _____ m.
(a. m. or p. m.)

25. Has employee returned to work? _____
(Give date and how)

26. Will employee receive pay for any portion of above absence on account of:
 (a) Annual leave _____ (Give exact dates)
 (b) Sick leave _____ (Give exact dates)
 (c) Any other reason _____ (Give exact dates)

27. Describe in full how injury occurred _____

28. State part of body injured and nature and extent of injury _____

29. Did injury cause loss of any member or part of member? _____ If so, describe exactly _____

30. Was employee injured while performing duties of duty? _____ If not, or in doubt, give detailed statement _____

31. Was injury caused by:
 (a) Willful misfeasance of the employee? _____ (b) Intention of employee to bring about injury or death of himself or another? _____ (c) Employee's intoxication? _____
(If any answers to these questions are made in the affirmative, the reporting officer should attach an additional statement giving the reason for his conclusion.)

32. Was written notice of injury given within 48 hours? _____ If not, did immediate superior have actual knowledge of injury? _____
(Answer to question 1, Form C. A. 1. must be complete if notice was not given within 48 hours)

33. Names and addresses of witnesses to injury _____

34. Was injury caused by a third party other than a Government employee or agency? _____ If so, has employee been instructed in procedure under Commission's regulations? _____
(A detailed statement should be forwarded with this report)

35. Name and address of physician who first attended case _____

36. How soon after injury? _____

37. To what hospital sent? _____ Location _____

38. Name and address of physician now attending case _____

Signed this _____ day of _____, 19____
 at _____ (Initials) _____ (Title)

284073 O-43 (Rev. 1-25-53)

STATEMENT OF WITNESSES

[The statement of witness should tell just what the witness saw personally, or, if he did not see the injury occur, just what he knows about it and when and by whom the information was given him.]

FORM 14 (back)

Lined area for the first witness statement.

Signed this _____ day of _____, 19____

(Signature of witness)

Lined area for the second witness statement.

Signed this _____ day of _____, 19____

(Signature of witness)

STATEMENT OF GOVERNMENT MEDICAL OFFICER OR PHYSICIAN WHO FIRST EXAMINED CASE

I certify that _____ was given first-aid treatment, or examined, on _____ 19____, at _____ m., and _____ disabled for work. Probable length of disability will be _____ In my opinion disability _____ due to injury on _____ 19____

Nature of injury as found on examination _____

Hospitalized _____ Will return for further treatment _____

Discharged _____ Other disposition _____

Remarks _____

Signed this _____ day of _____, 19____

at _____

(Signature of medical officer)

(756)

TITLE 8: ADMINISTRATIVE DIVISION

FORM 15

DEPARTMENT OF JUSTICE		Form approved. Budget Bureau 43-R008.3.	
1. District	2. Division	3. Docket No.	
4. Defendant's name		5. Total No. of defendants in case	
6. Offense			
.....			
.....			
7. Date of initiation: No.—Mo.—Yr.		8. Names of codefendants:	
(1) Indictment	
(2) Information	
(3) Remanded from appellate court	
(4) Reinstatement	
Other (specify)	
.....		
D. J. S. 3—Initial Criminal Docket Report		16-16430-1 GPO	

FORM 16

DEPARTMENT OF JUSTICE		Form approved. Budget Bureau 43-R008.3.	
1. District	2. Division	3. Docket No.	
4. Defendant's name		5. Judges	
6. Offense of which found guilty			
.....			
7. Disposition:		10. Sentence or treatment: Yrs.—Mos.—Days	
(1) Gilty as charged or as to part.		(1) Total imprisonment.....	
(2) Not guilty, acquitted.		(2) Placed on probation for.....	
(3) Noted or discontinued.		(3) Amount of fine..... \$.....	
(4) Quashed or dismissed.		(4) Amount of costs..... \$.....	
Other (specify)		(5) Amount of penalty..... \$.....	
.....		Other sentence (specify)	
.....		
8. How tried: (1) Court. (2) Jury.			
(3) Not tried.			
9. Date of final disposition (Mo.—Day—Yr.)			
D. J. S. 3—Final Criminal Docket Report		16-16440-2 U. S. GOVERNMENT PRINTING OFFICE	

TITLE 8: ADMINISTRATIVE DIVISION

FORM 17

"Form Approved
Budget Bureau No. 43-RC10.3"

Form D.J.S. 4
Revised 7-7-50

DEPARTMENT OF JUSTICE
MONTHLY STATISTICAL REPORT OF UNITED STATES ATTORNEYS

DISTRICT OF _____

Month of _____, 19__

SUMMARY OF CRIMINAL AND CIVIL DOCKETS

	CRIMINAL		CIVIL	
	Number of Cases A.	Number of Cards (Defendants) B.	District Courts C.	State Courts D.
1. Pending close of preceding month ...				
2. Filed during this month				
3. Terminated during this month				
4. Pending at close of this month				
5. (a) Number of complaints pending on complaint docket at beginning of month .	_____			
(b) Number of complaints entered on complaint docket	_____			
(c) Number of complaints dismissed from docket without further action	_____			
(d) Number of complaints removed from docket after further action before commissioner, grand jury, etc.	_____			
(e) Number of complaints pending on complaint docket at close of month	_____			
6. (a) Number of proceedings taken before grand jury	_____			
(b) Number of proceedings in which grand jury found no true bill	_____			
7. (a) Number of attorneys before grand jury during month	_____			
(b) Total number of days before grand jury, all attorneys	_____			
8. Number of days in District Court:				

Place of Holding Court	Number of Attorneys	Total No. of Days

Date _____ (Signed) _____
United States Attorney

TITLE 8: ADMINISTRATIVE DIVISION

FORM 18

Form Approved Budget Bureau No. 43-8012.2

Form D.J.S. 5 Revised 7-7-50

DEPARTMENT OF JUSTICE MONTHLY STATISTICAL REPORT OF UNITED STATES ATTORNEY

DISTRICT OF _____

Month of _____, 19____

FINANCIAL SUMMARY FOR THE MONTH

	TOTAL AMOUNT DURING MONTH		
	Imposed or Obtained A.	Collected B.	Remitted, Suspended or Compromised C.
1. Fines			
2. Forfeitures			
3. Penalties			
4. Other Civil Judgments in favor of U. S.			
5. Total			

NOTE: Costs, whenever imposed or collected as part of judgments in favor of the U. S. or as part of fine, etc. should be included in the figures shown above.

- 6. Collections during the month through U. S. Atty. without actual suit or prosecution.

Criminal A.	Civil B.
_____	_____
- 7. (a) Number of bonds forfeited during month _____
 (b) Amount of bonds forfeited during month _____
- 8. Total number of defendants in whom removal action was taken during month _____
- 9. Civil matters not on court docket:
 - (a) Pending at beginning of month
 - (b) Received during month
 - (c) Terminated during month without reaching court docket
 - (d) Matters pending at beginning of month (under 9a) which subsequently reached court docket
 - (e) Pending at close of month
- 10. Hearings before referees in bankruptcy attended by U. S. Attorney
- 11. (a) Number of attorneys before appellate courts during month
- (b) Total number of days before appellate courts, all attorneys

Date _____ (Signed) _____ United States Attorney

4346
575

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U. S. ATTORNEYS MANUAL 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 20

Form No. 102
(Revised Feb. 1953)

REPORT OF PROCEEDINGS BEFORE UNITED STATES COMMISSIONER

To: UNITED STATES ATTORNEY

At _____ on _____ 19__

Proceedings in United States vs. _____

Description: Age _____ Sex _____ Race _____ Born: Native Foreign

Name of complainant and title (if any) _____

_____ Date of complaint _____

Offense charged _____ Date of offense _____

Where committed _____ Date of warrant _____

Date of hearing _____ Examination waived _____

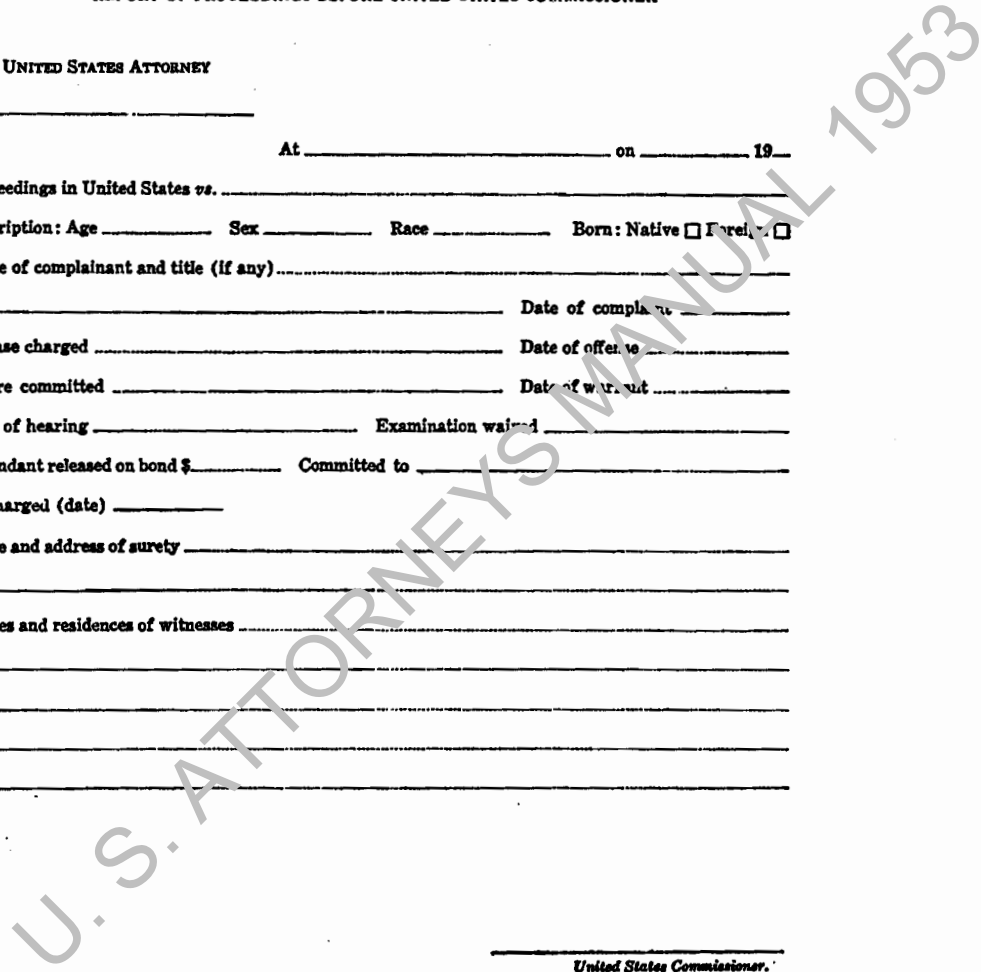
Defendant released on bond \$ _____ Committed to _____

Discharged (date) _____

Name and address of surety _____

Names and residences of witnesses _____

United States Commissioner



TITLE 8: ADMINISTRATIVE DIVISION

FORM 21

Form No. 803
June 1950

DEPARTMENT OF JUSTICE
ATTORNEY'S BILL OF COSTS

_____ DISTRICT OF _____

_____ vs. _____

Docket No. _____

Date of Judgment _____

Docketing	\$ _____
Witnesses (expert)	_____
Depositions	_____
Stenographic transcripts.	_____
Fees and disbursements for printing	_____
Fees for copies of papers for use in the case	_____
Other	_____
.	_____

TOTAL \$ _____

Attorney

U.S. ATTORNEYS MANUAL 1953

176.1

TITLE 8: ADMINISTRATIVE DIVISION

FORM 21a

Form No. 201

UNITED STATES ATTORNEY

District of _____ (Date)

The Honorable THE ATTORNEY GENERAL Washington, D. C.

D. J. File No. _____ Crim./Civil No. _____ Fed. Housing Adm. No. _____

In re: _____

SIR:

Enclosed is remittance representing partial/full/compromise payment of the above claim/judgment.

No. _____ Date _____

Bank or issuing post office

Maker (if other than debtor)

Remarks:

United States Attorney.

Use for all remittances. Submit original and three copies. Remittances must be payable to the TREASURER OF THE UNITED STATES as ordered without condition. Personal checks must be certified. Allow department an extra 10 days for processing all instruments with restrictions as to time, e. g., POSTAL NOTES. It is imperative that chart numbers and especially FHA claim numbers be used so that payment may be credited to the proper account.

16-52222-1 U. S. GOVERNMENT PRINTING OFFICE

FOR DEPARTMENT USE ONLY

To RECORDS ADMINISTRATION BRANCH: _____, 19____

Deliver/Mail these items to _____

Per _____ Div. _____

To ACCOUNTS BRANCH:

Deposit proceeds to _____

16-52222-1

October 1, 1953

234073-83-37

INDIVIDUAL OFFICIAL RECEIPT
Form No. 200
Form prescribed by
Comptroller General, U. S.
June 19, 1947

DEPARTMENT OF JUSTICE
OFFICE OF UNITED STATES ATTORNEY
DISTRICT OF _____

Receipt No 176102

Case of _____ vs. _____ No. _____, 19____
or
Claim against _____ (Date collected)

RECEIVED: The sum of _____ (File reference) _____ (City) _____ (State)
dollars (\$ _____)

for _____
This receipt not to be construed as acceptance of offer in compromise. Checks accepted subject to collection.

From _____ UNITED STATES ATTORNEY, SIGN ORIGINAL ONLY

By _____

Received above-mentioned funds from
United States Attorney:

(Signature)

(Title and agency)

GPO 16-53128-1

ORIGINAL

FORM 22

TITLE 8: ADMINISTRATIVE DIVISION

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U.S. ATTORNEY'S MANUAL 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 23

Dept. Form 23 B

REQUEST AND AUTHORIZATION TO INCUR EXPENSE
Department of Justice

_____ District of _____

TO: THE ADMINISTRATIVE ASSISTANT ATTORNEY GENERAL, _____
Washington, D. C. (Place and date)

FROM: _____ (Name—please type) DJ File No. _____
_____ (Title) RE: _____
_____ (Signature)

Authority is hereby requested to incur the expense described below:

R
E
Q
U
E
S
T

Estimated total expense: \$ _____ Contract No. _____
Note.—Instructions on the reverse hereof must be complied with fully.

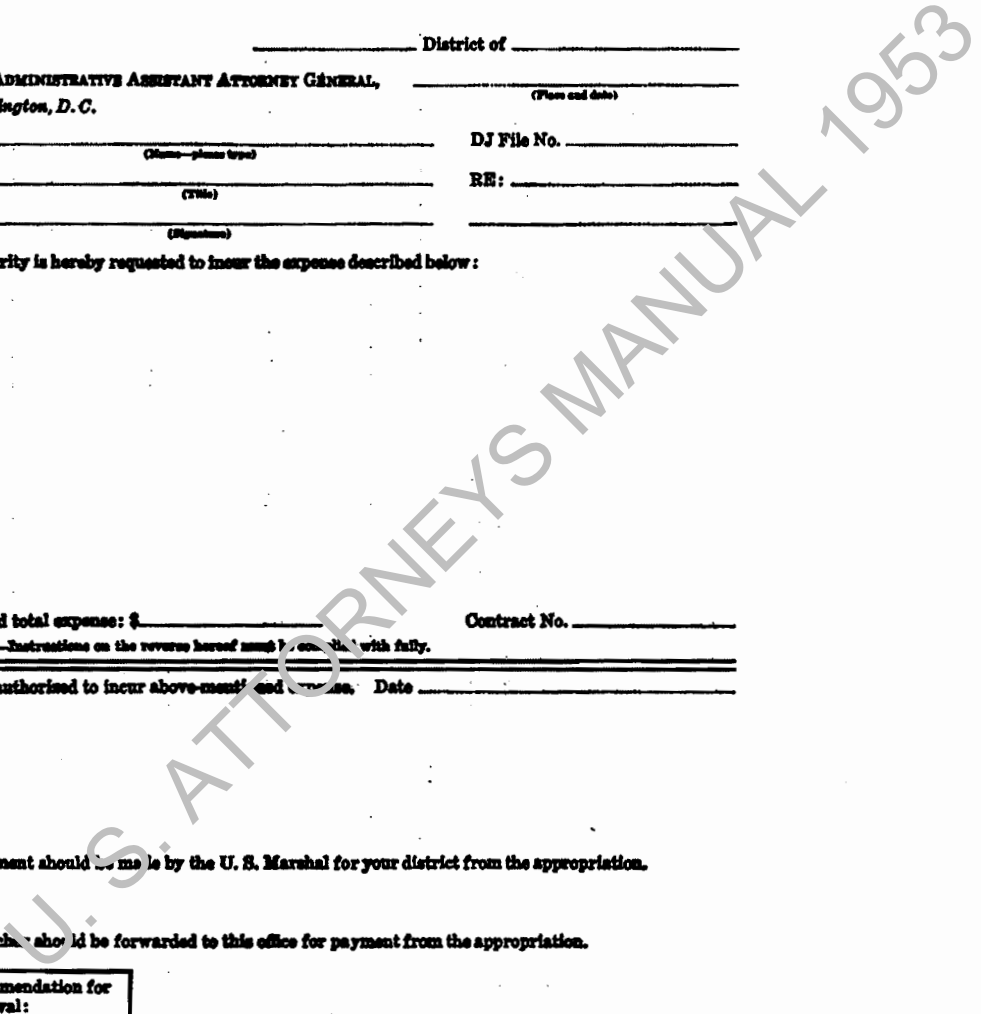
You are authorized to incur above-mentioned expense. Date _____

A
U
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O
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O
N

- Payment should be made by the U. S. Marshal for your district from the appropriation.
- Voucher should be forwarded to this office for payment from the appropriation.

Recommendation for Approval:

Approved: _____
Administrative Assistant Attorney General



PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

D. O. Vou. No. _____

Bu. Vou. No. _____

FORM 24 (face)

U. S. _____
 (Department, bureau, or establishment)

Voucher prepared at _____
 (Give place and date)

THE UNITED STATES, Dr., Payee's Account No. _____

To _____
 (Payee)

PAID BY

(For use of Paying Office)

(Address) (City) (State)

No. and Date of Order	Date of Delivery or Service	ARTICLES OR SERVICES (Enter description, item number of contract or Federal supply schedule, and other information deemed necessary) Discount Terms	QUANTITY	UNIT PRICE		AMOUNT	
				Cost	Per	Dollars	Cts.
Use continuation sheet(s) if necessary							

PAYMENT:
 Complete
 Partial
 Final

Shipped from _____ to _____ Weight _____ Government Bill No. _____ Total _____

I certify that the above bill is correct and just and that payment therefor has not been received.
 (Sign original only)

Date _____ *Payee _____
(This certificate not required when a like certificate is made by payee on attached bill or bills)

Per _____ Title _____

Account verified; correct for _____
 (Signature or initials)

Contract No. _____ Date _____ Req. No. _____ Date _____ Invoice Rec'd. _____

Pursuant to authority vested in me, I certify that this account is correct and proper for payment.

† Approved for \$ _____ (Authorized Certifying Officer)
 By _____ Title _____
 Title _____ Date _____

THE REVERSE OF THIS FORM MUST BE EXECUTED WHEN PURCHASES ARE MADE OR SERVICES SECURED WITHOUT WRITTEN AGREEMENT IN ANY FORM

ACCOUNTING CLASSIFICATION (For completion by Administrative Office)

Appropriation, limitation, or project symbol	Appropriation title				Limit'n. or Proj't. Amount	Appropriation Amount
	Allotment symbol	Amount	Obligations liquidated	COST ACCOUNT		
				OBJECTIVE CLASSIFICATION		
		Symbol	Amount	Symbol	Amount	

Paid by { Check No. _____ dated _____, 19____, for \$ _____ } on Treasurer of the United States in favor of payee named above.
 { Cash, \$ _____, on _____, 19____. Payee _____ }
(Sign original only)

Per _____ Title _____

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

Advertising in newspapers Yes No .

(a) Advertising by circular letters sent to dealers.

(b) And by notices posted in public places Yes No .

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

Without advertising, under an exigency of the service which existed prior to the order and would not admit of the delay incident to advertising.

Without advertising in accordance with

Without advertising, it being impracticable to secure competition because of

.....

.....

.....

.....

(Here state in detail the nature of the exigency or circumstances under which the securing of competition was impracticable under 3 and 4)

NOTE.—The above form "Method of or Absence of Advertising" is to be used when purchases are made or services secured under order authority without written agreement in any form. In case of a written agreement (formal contract, proposal, and acceptance, or as formal agreement) Standard Form No. 1036—Revised should be used for abstracting the method of or absence of advertising and award of contract. (See General Regulations No. 51, as amended.)

U.S. ATTORNEY'S MANUAL 1953

TITLE 5: ADMINISTRATIVE DIVISION

FORM 25 (face)

Standard Form No. 25-0-07
Form prepared by Comp. Gen. U.S.
Growth of 1950
(Amended Feb. 14, 1952)

Page 1

PAY ROLL FOR PERSONAL SERVICES
PAY ROLL CERTIFICATION AND SUMMARY

D. O. You. No. _____

St. You. No. _____

Department of Justice
(Department or establishment)
United States Attorney's Office
(Division, division, or office)
Anywhere, Anystate
(Location)
Period of this roll: From August 22, 1951 To September 11, 1951

PAID BY

(For use of paying office)

Certification

Date September 10, 1951

Pursuant to authority vested in me I certify that the within pay roll, in _____ pages, is correct and complete for payment.

This roll approved for \$ 1,608.69

SIGN ORIGINAL ONLY

/s/

(Signature of certifying officer)

SAMPLE

William Fiedler
United States Attorney
(Title)

PAY ROLL SUMMARY		
	AMOUNT	CHECK No.
Net payment to employees (see per attached Note)	\$ 1,328.68	XXXXXXXXXX
Other items requiring disbursement:		
Civil Service Retirement	2.40	
Federal Withholding Tax	19.31	
U. S. Savings Bonds	10.00	
Federal Insurance Contributions Act	8.90	
Other (Number):		
State Withholding Tax	14.80	
Federal Employees Group Life Insurance	12.00	
Grand Total	\$ 1,608.69	
Other items not requiring disbursement (abolitions, etc.):		XXXXXXXXXX
		XXXXXXXXXX
GROUP EMPLOYER		XXXXXXXXXX

ACCOUNTING CLASSIFICATION (Appropriation Symbol must be shown; other classification optional)

15:0322

\$1,608.69

TITLE 8: ADMINISTRATIVE DIVISION

FORM 25 (back)

We, the undersigned, severally acknowledge to have received IN CASH the sums set opposite our respective names in payment for our services during the period of this roll:							Checks dated	
NAME, GRADE, DESIGNATION, AND TOTAL SALARY RATE	GROSS AMOUNT EARNED	DEDUCTIONS					NET AMOUNT PAID	Check #, Check Exp. Dt., or Receipt
		Ret.	Tax	Bonus	FICA	INS.		
Bradley, William (4) Unclassified U. S. Atty. \$12,500 subj. to FICA Not subject	76.90 <u>403.87</u> 480.77		68.04		4.00-8 1.54	3.25	409.94	1121
Calabash, May A. (3) GS-5 Clerk \$3,785	115.58		12.40	1.15-8 3.75	2.91	1.00	124.07	1122
Dillon, Craig E. (2) GFC-3 \$2,552	98.15	5.09	8.60	--	--	.75	82.91	1123
* Doe, Albert G. (1) Unclassified Asst. US Atty \$7,500 (80 hrs term lv allowing for 1 holiday expires COB Sept 20, 1954)	461.51	48.65	78.47	4.60-8 6.25		2.00	307.71	Partial 112590 1124
Trotsek, Vladimir (7) Unclassified Asst. US Atty \$7,500	288.46	17.31	19.00	2.90-8 - 0 -			261.25	1125
Worthington, E. Heningway GS-3 Clerk (3) \$3,270	125.77	7.55	8.80	1.25-8 - 0 -		1.00	107.17	1126
Total	1600.24	39.40	195.31	14.20-8 10.00	4.45	8.00	1328.68	
Agency Insurance Contrib.	4.00					4.00		
Agency FICA Contribution	4.45				4.45			
Total	1608.69	39.40	195.31	14.20-8 10.00	8.90	12.00	1328.68	
Earnings Subject to FICA	222.48							
Earnings not subj to FICA	1377.76							
	1600.24							
* Lump Sum Payment ** Retirement deducted for active service only.								

January 1, 1955

TITLE 8: ADMINISTRATIVE DIVISION

FORM 26 (face) (to Washington)

Standard Form No. 1015-Resized
Form prescribed by
Comptroller General, U. S.
November 7, 1949
General Regulations No. 18
(Amended Feb. 28, 1953)

(Travel To Washington, D. C.)
TRAVEL VOUCHER

D. O. Vou. No. _____

Su. Vou. No. _____

U. S. Department of Justice (United States Attorney
(Department, bureau, or establishment)

Payee's name John D. Smith

Mailing address United States Courthouse, Foley Square

New York 7, New York

New York, New York
(Official duty station) (Residence—For use by Postal Service employees only)

PAID BY
John J. Doe
U. S. Marshal
New York, New York
31-888

Travel and other expenses in the discharge of official duty from Jan. 9, 1953 to Jan. 15, 1953 under authority

No. 7777 dated January 7, 1953, copy of which is attached, or has been previously furnished. I have

travel advance of \$ _____ to which \$ _____ of this voucher should be applied.

I certify that this voucher and attachments are correct and just in all respects, and that payment or credit has not been received.

Payee: /s/ John D. Smith 1/31/53 AMOUNT CLAIMED 9.00
(Signature) (Date)

(For Administrative Use)

Difference

APPROVED:

Total verified correct for charge to appropriation(s) (initials) _____

Applied to travel advance (appropriation symbol) _____

NET AMOUNT TO TRAVELER

9.00

The next previous voucher paid under the same travel authority was:

D. O. Vou. No. _____, paid _____ by _____
(Month-year) (Insert name and symbol of disbursing officer)

Pursuant to authority vested in me, I certify that this check is correct and proper for payment.

Date, January 31, 1953, 19 _____ /s/ James L. Doe
(Authorized certifying officer) U. S. Attorney

ACCOUNTING CLASSIFICATION (Appropriation Symbol must be shown; other classification optional)

A-1530322

Paid by Check No. 2,500 Paid by Cash \$ _____ on _____

Dated February 5, 1953 _____
(Signature of payee—cash payment only)

Penalty for Presenting Fraudulent Claim.—Fine of not more than \$10,000 or imprisonment for not more than 5 years or both. Title 18, U. S. C. 224, 241.
Penalty for Falsification of Claim.—Falsification of an item to an expense account under a certificate of the claim. Title 28, U. S. C. 2414.
16-5007-3

TITLE 8: ADMINISTRATIVE DIVISION

FORM 26 (back) (to Washington)

SCHEDULE OF EXPENSES AND AMOUNTS CLAIMED

WHEN TYPED
USE SINGLE SPACE

1. Departed from official duty station JANUARY 9, 1953 1:30 A. M.
(Date) (Time)

2. Temporary duty station on last day of next preceding voucher period was _____
date of arrival at such temporary duty station _____

(Fill in 1 and 2 above only when dates are prior to period covered by this voucher)

DATE	DESCRIPTION <small>(Include all information required by exempt regulations; if appropriate markings are used to compute distances, show beginning and ending readings in this column)</small>	NUMBER OF MILES <small>(Costs per mile)</small>	AMOUNT CLAIMED		
			MILEAGE	STAMENUM	OTHER
	For reimbursement of expenses incurred on official trip to Washington, D.C. for purpose of conference with Department officials in connection with official matters pertinent to this office				
Jan. 9	Left New York at 1:30 A.M. via Penn. R. R.				
	Taxicab from residence to railroad depot				1.00
	Arrived at Washington, D.C. at 7 A. M.				
	Taxicab from depot to Justice Building				.50
	In conference from time of arrival to time of departure. Left Washington, D.C. at 5 P.M. via Penn. R. R.				
	Taxicab from Justice Building to depot				.50
	Arrived New York at 9:30 P. M.				
	Taxicab from depot to residence				1.00
	Per diem in lieu of subsistence		6.00		
Grand total to face of voucher <small>(Subtotal, to be carried forward if necessary)</small>			6.00		3.00

TRANSPORTATION OUTLAYS WITH GOVERNMENT TRANSPORTATION REQUESTS
(Not to be included by taxpayer)

TRANSPORTATION REQUEST NUMBER	AMOUNT CLAIMED TO TAXPAYER	DETAILS OF CLASSIFICATION <small>(Mode of Transport)</small>	MILEAGE CLASSIFICATION <small>(Mileage)</small>	DATE	POINTS OF TRAVEL	
					From	To
J-21,050	\$20.10	Penn. R. R.	1st. Cl.	1/9	New York, N.Y.	Washington, D.C. and ret.
J-21,051	5.00	do	L. B.	1/9	New York, N.Y.	Washington, D. C.
J-21,052	1.80	do	Chair	1/9	Washington, D. C.	New York, N. Y.

* Following transportation: 1st. class; 2nd. class; 3rd. class; 4th. class; 5th. class; 6th. class; 7th. class; 8th. class; 9th. class; 10th. class; 11th. class; 12th. class; 13th. class; 14th. class; 15th. class; 16th. class; 17th. class; 18th. class; 19th. class; 20th. class; 21st. class; 22nd. class; 23rd. class; 24th. class; 25th. class; 26th. class; 27th. class; 28th. class; 29th. class; 30th. class; 31st. class; 32nd. class; 33rd. class; 34th. class; 35th. class; 36th. class; 37th. class; 38th. class; 39th. class; 40th. class; 41st. class; 42nd. class; 43rd. class; 44th. class; 45th. class; 46th. class; 47th. class; 48th. class; 49th. class; 50th. class; 51st. class; 52nd. class; 53rd. class; 54th. class; 55th. class; 56th. class; 57th. class; 58th. class; 59th. class; 60th. class; 61st. class; 62nd. class; 63rd. class; 64th. class; 65th. class; 66th. class; 67th. class; 68th. class; 69th. class; 70th. class; 71st. class; 72nd. class; 73rd. class; 74th. class; 75th. class; 76th. class; 77th. class; 78th. class; 79th. class; 80th. class; 81st. class; 82nd. class; 83rd. class; 84th. class; 85th. class; 86th. class; 87th. class; 88th. class; 89th. class; 90th. class; 91st. class; 92nd. class; 93rd. class; 94th. class; 95th. class; 96th. class; 97th. class; 98th. class; 99th. class; 100th. class.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 26 (face) (outside D. C.)

Standard Form No. 107—Revised
June 1952
GPO: 1952 O-511-000
General Regulations, Part 26
(Amended Feb. 28, 1953)

(Travel Outside District)
TRAVEL VOUCHER

D. O. Vou. No. _____

Do. Vou. No. _____

U. S. Attorney's Office, Department of Justice
(Department, bureau, or establishment)

Payee's name George Washington Case

Mailing address United States Courthouse, New York, New York

Foley Square, New York, N. Y.

PAID BY
John J. Jones
United States Marshal
S.D.N.Y.
31-533

New York, New York
(Official duty station) (Outlines—For use by Postal Service employees only)

Travel and other expenses by the discharge of official duty from Dec. 26, 1952 to Jan. 6, 1953 under authority of No. 5000 dated Dec. 23, 1952, any of which is attached, or has been previously furnished.

travel advance of \$ _____ to which \$ _____ of this voucher should be applied.

I certify that this voucher and attachments are correct and just in all respects, and that payment or credit has not been received.

Payee: /s/ George Washington Case Jan. 30, 1953 AMOUNT PAID 106 35

(For Administrative Use)

Difference

APPROVED:

Total verified correct for charge to appropriation (s) (initials) _____

Applied to travel advance (appropriation symbol) _____

NET AMOUNT TO TRAVELER 106 35

The next previous voucher paid under the same travel authority was _____

D. O. Vou. No. _____, paid _____, by _____ (Insert name and initial of disbursing officer)

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

Date January 31, 1953, 19 _____, by /s/ Fred E. Smith (Approved certifying officer) CHIEF CLERK

ACCOUNTING CLASSIFICATION (An appropriation symbol must be shown; other classifications optional)

A-1530322

Paid by Check No. 1,600 Paid by Cash \$ _____ on _____

Dated Jan 31 1953 (Signature of payee—cash payment only)

EXEMPT FOR FURNITURE FINANCING CLAIM—This of not more than \$15,000 or improvement for not more than \$2,000 or both. Title 28, U. S. C. 582
EXEMPT FOR FURNITURE CLAIM—Furnishing of an item to an unpaid person under a condition of the debt. Title 28, U. S. C. 582.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 27 (back)

THESE INSTRUCTIONS MUST BE FOLLOWED

INSTRUCTIONS

1. Requisitions must NOT be made to the Department in duplicate.
2. The item number and letter given to designate the article in "The List of Supplies" must be placed in the first column.
3. State make of machine for which typewriter ribbons are required.
4. Samples must be furnished in duplicate for envelopes, letter heads, and all special printing.
5. Requisitions for typewriters must be accompanied by a statement showing the make, model, and number of machine to be turned in.
6. Requisitions for supplies and special equipment not listed on the schedule must be accompanied by a detailed explanation as to the necessity thereof.
7. Requisitions for dockets and other bound books should be forwarded at least three months before they are actually required for use.
8. SEPARATE REQUISITIONS MUST BE MADE FOR (1) SUPPLIES, (2) STOCK FORMS, (3) DOCKETS, (4) ENVELOPES, (5) PRINTING, (6) LAW BOOKS, (7) OFFICE DEVICES, AND (8) MISCELLANEOUS SUPPLIES NOT LISTED ON SCHEDULE. THIS IS IMPORTANT AND MUST BE FOLLOWED CLOSELY.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 28

FORM NO. 01-50

DEPARTMENT OF JUSTICE
WASHINGTON 25, D. C.

FORM APPROVED
AS EXCEPTION TO G. P. 30
BUDGET BUREAU NO. 43-8307
APPL. EXPIRES 6-30-1951

NOTIFICATION OF PERSONNEL ACTION

1. NAME (MR.-MISS-MRS.-FIRST-MIDDLE-INITIAL-LAST)		2. DATE OF BIRTH	3. Journal or Action No.	4. DATE
MISS JANE G. DCE		18752	3-4-20	2-27-53
<i>This is to notify you of the following action affecting your employment:</i>				
5. NATURE OF ACTION (USE STANDARD TERMINOLOGY)		6. EFFECTIVE DATE	7. CIVIL SERVICE OR OTHER LEGAL AUTHORITY	
INDEFINITE APPOINTMENT		3-12-53	2ND C.S. REG. CTF. 4123, BTR- 2-23-53, CS REG. 2.115(4)	
FROM		TO		
8. POSITION TITLE		CLERK-STENOGRAPHER		
9. SERVICE GRADE, SALARY		GS-312-4 \$3175		
10. ORGANIZATIONAL DESIGNATIONS		OFFICE OF U.S. ATTORNEY SOUTHERN DIST. - NEW YORK		
11. HEADQUARTERS		NEW YORK, NEW YORK		
12. FIELD OR DEPT'L		12. FIELD OR DEPT'L		
13. VETERAN'S PREFERENCE		14. POSITION CLASSIFICATION ACTION		
<input type="checkbox"/> NONE <input type="checkbox"/> OTHER <input type="checkbox"/> EXT. <input type="checkbox"/> 16-PPOINT <input type="checkbox"/> GRAD. <input type="checkbox"/> OTHER <input checked="" type="checkbox"/>		<input checked="" type="checkbox"/> NEW <input type="checkbox"/> VICE <input type="checkbox"/> I. A. <input type="checkbox"/> RETAL MARY ROE, RESIGNED		
15. APPROPRIATION		17. DATE OF APPOINTMENT		18. LEGAL RESIDENCE
15. FROM: S&E, U.S. ATTY. & MARSHAL TO:		17. 3-12-53 18. STATE:		18. CLAIMED <input type="checkbox"/> PROVED <input type="checkbox"/>
NEW APPOINTEES MUST TAKE OATH OF OFFICE, ENTER ON DUTY AND EXECUTE NECESSARY APPOINTMENT PAPERS BEFORE ANY PAYMENT OF SALARY CAN BE MADE.				
21. REMARKS: This action is subject to all applicable laws, rules, and regulations and may be subject to investigation and approval by the United States Civil Service Commission. The action may be corrected or canceled if not in accordance with all requirements.				
SUBJECT TO F. C. A. DEDUCTIONS. SUBJECT TO MEETING PHYSICAL REQUIREMENTS. SUBJECT TO CHARACTER INVESTIGATION. SUBJECT TO TRIAL PERIOD OF ONE YEAR. ENTRANCE PERFORMANCE RATING-SATISFACTORY.				
BY DIRECTION OF THE ATTORNEY GENERAL -				
22. SIGNATURE OR OTHER AUTHENTICATION				

2 (EMPLOYEE)

TITLE 8: ADMINISTRATIVE DIVISION

FORM 29

ANNUAL LEAVE CEILING COMPUTATION
(Based on yearly accrual of 20 days -- 3-15 years' service)

1. The method for computing annual leave for employees having 60 days or more as of December 21, 1952 is as follows:

	<u>Days</u>	<u>Hours</u>
Accumulated 12/21/52	60	0
Earned 12/21/52 thru 12/19/53	20	0
	<hr/>	<hr/>
	80	0
Used in 1953 to present date	11	0
	<hr/>	<hr/>
	69	0
Carry forward as of 12/20/53	60	0
To use by 12/19/53 or forfeit	9	0

2. Employees having less than 60 days as of December 21, 1952 whose 1953 annual leave accruals bring their balances to over 60 days are computed as follows:

	<u>Days</u>	<u>Hours</u>	<u>Days</u>	<u>Hours</u>	
Accumulated 12/21/52	48	0	20	0	earned.
Earned 12/21/52 thru 12/19/53	20	0	5	2	used to present
	<hr/>	<hr/>	<hr/>	<hr/>	date.
	68	0	14	6	left to use.
Used to present date	5	2	2	6	must be used
	<hr/>	<hr/>	<hr/>	<hr/>	by 12/19/53.
	63	6	12	0	must be taken
Maximum	60	0			by 6/30/54
To be used by 12/19/53	2	6			
Balance to be carried forward 12/20/53	48	0			

3. Where balance will not exceed 60 days in any event as follows:

	<u>Days</u>	<u>Hours</u>
Accumulated 12/21/52	15	0
Earned 12/21/52 to 12/19/53	20	0
	<hr/>	<hr/>
	35	0
Used to present date	10	0
	<hr/>	<hr/>
	25	0
Carry forward 12/20/53	15	0
To be used by 6/30/54	10	0

TITLE 8: ADMINISTRATIVE DIVISION

FORM 30 (face)

<p>PART 1 All preference claimants must fill in questions 1-20 and sign part 5.</p> <p>Read the instructions on the back of this form to see what other parts you must complete.</p>	<p>1. NAME OF VETERAN ON WHOSE SERVICE PREFERENCE IS CLAIMED (mainly as it appears on discharge form)</p>		<p>STANDARD FORM 15 MAY 1952 CIVIL SERVICE COMMISSION FORM CHAPTER VI</p>	
	<p>2. IS THE VETERAN DECEASED? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>		<p>3. IF DECEASED, GIVE DATE OF DEATH</p>	
	<p>4. GIVE CLAIM NUMBER IF VETERAN HAS AN EXISTING DISABILITY RECOGNIZED BY VETERANS ADMINISTRATION AS SERVICE-CONNECTED, OR IF HE IS RECEIVING COMPENSATION, PENSION, OR DISABILITY RETIREMENT BENEFITS FROM THAT AGENCY</p>			
	<p>5. IS VETERAN RECEIVING DISABILITY RETIREMENT BENEFITS FROM A BRANCH OF THE ARMED FORCES? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>		<p>6. HAS VETERAN BEEN AWARDED THE PURPLE HEART FOR WOUNDS OR INJURIES RECEIVED IN ACTION? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	
	<p>7. YOUR NAME (First) (Middle) (Last)</p>		<p>8. YOUR ADDRESS</p>	
<p>9. YOUR DATE OF BIRTH</p>		<p>10. WHICH ARE YOU? A. THE VETERAN C. THE WIFE OF A DISABLED VETERAN</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>(check one) B. THE VETERAN'S WIDOW D. THE MOTHER OF A DECEASED OR DISABLED VETERAN</p>		
<p>11. TITLE OF EXAMINATION FOR WHICH THIS FORM IS SUBMITTED</p>		<p>12. ANNOUNCEMENT NO.</p>	<p>13. DATE TEST HELD OR APPLICATION FILED</p>	<p>14. RATING IF KNOWN</p>
<p>15. WAS THE VETERAN'S SERVICE IN PEACETIME ONLY? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>		<p>16. IF ANSWER TO QUESTION 15 IS "YES," WAS CAMPAIGN OR SERVICE MEDAL AUTHORIZED? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>		<p>17. BRANCH OF SERVICE</p>
<p>18. DATE OF ENTRY (or entries) INTO ARMED FORCES</p>		<p>19. DATE OF SEPARATION (or separation) FROM SERVICE</p>		<p>20. GIVE U. S. A. SERVICE NUMBER (if not a no grade or rating)</p>
<p>PART 2 Wives and widows</p>	<p>21. DATE YOU MARRIED VETERAN</p>	<p>22. ARE YOU (or were you before his death) DIVORCED FROM THE VETERAN? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>23. DATE OF DIVORCE</p>	<p>24. IF WIDOWED OR DIVORCED FROM VETERAN HUSBAND, HAVE YOU REMARRIED? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>
<p>PART 3 Mother of a deceased or disabled veteran</p>	<p>25. IS THE VETERAN YOUR NATURAL CHILD? (Preference cannot be granted on the service of a stepchild, foster child, or adopted child) YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>26. THE NATURAL FATHER OF YOUR CHILD (check one)</p> <p>A. LIVED WITH YOU <input type="checkbox"/></p> <p>B. DECEASED <input type="checkbox"/></p> <p>C. SEPARATED FROM YOU <input type="checkbox"/></p>	<p>27. IS THE NATURAL FATHER OF YOUR CHILD (or the husband of your ex-wife) WITH WHOM YOU ARE NOW LIVING, TOTALLY AND PERMANENTLY DISABLED (See instructions)? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>	<p>28. IF NATURAL FATHER OF VETERAN IS DECEASED OR DIVORCED FROM YOU, HAVE YOU REMARRIED? YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p>
<p>PART 4 Wives or mothers of disabled veterans</p>	<p>29. IS VETERAN NOW EMPLOYED? YES NO</p> <p>FULL-TIME <input type="checkbox"/> <input type="checkbox"/></p> <p>PART-TIME <input type="checkbox"/> <input type="checkbox"/></p>	<p>30. WHAT DO YOU MEAN BY PART-TIME? (check one)</p> <p>A. REGULARLY, 1/2-TIME OR MORE <input type="checkbox"/></p> <p>B. REGULARLY, LESS THAN 1/2-TIME <input type="checkbox"/></p> <p>C. OCCASIONALLY <input type="checkbox"/></p>	<p>31. NATURE OF VETERAN'S EMPLOYMENT BEFORE MILITARY SERVICE. IF ANY (such as printer, band salesman, radio mechanic, etc.)</p>	<p>32. NATURE OF VETERAN'S PRESENT EMPLOYMENT (such as printer, band salesman, radio mechanic, etc.)</p>
<p>33. IF VETERAN HAS APPLIED FOR FEDERAL CIVIL SERVICE RE-EXAMINATION IN PAST 3 YEARS, GIVE:</p>		<p>TITLE OF EXAMINATION</p>	<p>DATE TEST HELD OR APPLICATION FILED</p>	<p>RATING, IF KNOWN</p>
<p>34. IF VETERAN HAS BEEN EMPLOYED IN FEDERAL CIVIL SERVICE IN PAST 3 YEARS, GIVE:</p>		<p>TITLE AND GRADE OF POSITION</p>	<p>NAME AND ADDRESS OF AGENCY</p>	
<p>PART 5 All preference claimants must sign here</p>	<p>I CERTIFY that the statements made by me in answer to the foregoing questions are true to the best of my knowledge and belief.</p>			
		<p>SIGNATURE</p>		
<p>Be sure to attach the proof called for on the other side. Preference cannot be allowed unless required proof is furnished</p>				

TITLE 8: ADMINISTRATIVE DIVISION

FORM 30 (back)

HOW TO APPLY FOR VETERAN PREFERENCE

	File in other file of this form	Which proof shall be filed
Veteran of Wartime Service, Not Claiming Disability Preference	Parts 1, 5	Proof A
Veteran of Peacetime Service, Not Claiming Disability Preference	Parts 1, 5	Proof A, B
Veteran With Service-Connected Disability	Parts 1, 5	Proof A, C
Veteran Receiving Non-Service-Connected Pension or Retirement Benefit	Parts 1, 5	Proof A, D
Wife of a Veteran With Service-Connected Disability	Parts 1, 2, 4, 5	Proof A, C
Widow of a Deceased Veteran	Parts 1, 2, 5	Proof A or E
Mother of a Deceased Veteran	Parts 1, 2, 5	Proof A or E (and F in proper cases)
Mother of a Disabled Veteran	Parts 1, 3, 4, 5	Proof A, C (and F in proper cases)

PROOF REQUIRED—READ CAREFULLY

A. EVERY PREFERENCE CLAIMANT must furnish proof of the veteran's honorable separation from a recognizable period of active duty with the Armed Forces that meets the requirements of the type of preference claimed. (The Armed Forces include the Army, Navy, Air Force, Marine Corps, Coast Guard, and during time of war, certain personnel of the Public Health Service and the Coast and Geodetic Survey.) Any of the documents listed below may be submitted as proof, provided they are dated on or after the day of separation from active service. Certified or photostatic copies are acceptable.

1. Honorable discharge certificate.
2. Certificate of transfer to Fleet Naval or Marine Corps Reserve.
3. Certificate of transfer to Enlisted Reserve Corps.
4. Orders of Transfer to Retired List.
5. Report of Separation from Service Department, provided honorable separation is shown.
6. Certificate of Service or release from Active duty.
7. Official statement from Service Department that honorable separation was effected.
8. Notation by Veterans Administration on official statement described in C (a) or (b) below that veteran was honorably separated from military service.
9. Notification by the Civil Service Commission of previous allowance of preference: (NOTE: Preference is allowed only if present service requirements are met.)
10. Notice of death as provided for in E below.

B. HONORABLE VETERAN WHOSE ONLY SERVICE WAS IN PEACETIME must submit, in addition to proof of honorable discharge, proof that the active peacetime service was performed in a campaign or expedition for which a campaign badge or service medal was authorized. This proof consists of the official notification by the Service Department of the award of the Service Medal. If the American Service Medal for active duty between September 8, 1917, and December 8, 1941, is submitted, submit also the official notification of the award of service clasp or bronze star for service outside the continental United States. Do not submit the actual badge or medal.

C. VETERAN CLAIMING PEP SERVICE BECAUSE OF SERVICE-CONNECTED DISABILITY; WIFE OR MOTHER CLAIMING PREFERENCE ON HUSBAND'S SERVICE-CONNECTED DISABILITY OF HUSBAND, SON, OR DAUGHTER must submit, in addition to proof of honorable separation, one of the documents listed below:

- (a) An official statement, dated within 6 months, from the Veterans Administration or from a Service Department,

certifying to the present existence of the veteran's active service-connected disability.

- (b) An official statement, dated within 6 months, from the Veterans Administration or from a Service Department, certifying to the veteran's present receipt of compensation or service-connected disability retirement pay.
- (c) An official citation, issued by a Service Department, of the award to the veteran of the Purple Heart for wounds or injuries received in action.

NOTE: The wife or mother of a disabled veteran is eligible for preference only if such veteran is qualified by reason of a service-connected disability for a position along the lines of his usual occupation. Mother preference can be awarded only if the disability of the veteran son or daughter is rated permanent and total.

D. VETERAN CLAIMING PREFERENCE BECAUSE OF NON-SERVICE-CONNECTED DISABILITY PENSION OR RETIREMENT BENEFIT must submit, in addition to proof of honorable discharge, either:

- (a) An official statement from, or official notice of award of pension by, the Veterans Administration showing present payment to the veteran of non-service-connected disability pension; or
- (b) An official statement from, or official notice of award of disability retired pay by, a Service Department showing payment to the veteran of such pay.

E. WIDOW OR MOTHER OF A DECEASED VETERAN must, if the death of the ex-service husband, son or daughter occurred under honorable conditions while he was serving on active duty, during any war, submit the official notice from the Service Department showing the date the husband, son or daughter died. If the active duty was not in a war, but was in a campaign for which a service medal was authorized, the official notification of the service medal must be submitted in addition to the official notice of death (see B above for details). A claim from a mother of a deceased veteran can be considered only if such veteran's death occurred while he was serving on active duty during a war or in a campaign or expedition for which a campaign badge or service medal was authorized.

F. DECEASED OR DISABLED VETERAN'S MOTHER CLAIMING PREFERENCE BECAUSE OF HER HUSBAND'S TOTAL AND PERMANENT DISABILITY must submit, in addition to the proof required under E or A and C above, a statement from her husband's physician showing prognosis of his disease and percentage of his disability.

FORM 30a

Guide for Writing Position Descriptions

Part 1 asks you to tell what your work is. Parts 2 through 5 ask for the details of your work bearing on its difficulty and responsibility. Consider parts 2 through 5 carefully in relation to the tasks described in part 1. Where these detailed aspects of your work are not the same for different duties, be sure to bring this out. Add under part 6 any important facts about your work which you have not covered elsewhere.

General Directions	Examples and Suggestions
1. NATURE AND PURPOSE OF WORK:	<i>For Example:</i> My job is located in the Voucher Branch of the Accounts Division where all agency vouchers are audited before being sent to the Treasury Disbursing Office for payment. I am one of six employees who audit purchase vouchers, under the Head of the Purchase Voucher Section.
A. Introduction: State briefly what is done by the unit in which you work; explain how your job fits in with others in the organization. (Make clear the purpose of your position, either here, or in describing your duties, below.)	<i>Voucher Auditing:</i> I receive current vouchers for goods and services from the Control Section, where they were assembled and matched with supporting documents. I check them to see that required supporting documents are present and in order; for legal and other requirements; for conformance with contract terms; and to see that payment has not already been made. After I find an approve voucher, they go to the Section Head for certification and forwarding to Disbursing. 75%
B. Duties: (1) List your different kinds of duties. Describe each briefly but in enough detail to give a clear understanding of your work. Then estimate percentage of time for each. (Use any method of organizing the list which will give the best picture of your total position; you may group the tasks you do for each common function or purpose, or follow order of performance, or of importance.)	<i>Correspondence:</i> I compose letters to payees and agency officials requesting additional facts, missing receipts, etc., and explaining suspensions of payments. 20% <i>Filing:</i> I file copies of completed vouchers according to vendor's name. 5%
(2) If you have any responsibility for the work of others, explain the nature and extent of your supervision and guidance of their work. (This includes supervision over those who report to you, and over subordinates. It also includes indirect and functional responsibility, such as central offices usually have for corresponding field or bureau offices.)	<i>Suggestions:</i> State by kinds of jobs the employees for whom you are responsible, and to what extent. Explain how you plan and assign the work; instruct and advise them while they are doing their work; and see that the work is done satisfactorily in terms of time, quantity, and quality. Explain what administrative responsibility you have; for instance, tell what part you take in selecting, promoting, or separating employees; preparing efficiency ratings; approving leaves; adjusting or preventing complaints; and guiding relationships and building morale. Describe here consultant, review, or inspection work, only if you have responsibility for the work of others involved.
2. SCOPE AND EFFECT OF WORK: State how and to what extent your actions, recommendations, and decisions affect your organization, other agencies, or the public.	Explain the consequences of possible mistakes or errors in judgment. Describe how you influence the quantity or quality of work produced by others. Explain the extent of your authority to speak or act for your agency or organization. Describe the effects of your work on: (a) Policies, procedures, and organization; (b) Use of people, material, equipment, and funds.
3. SUPERVISION AND GUIDANCE RECEIVED: State what supervision and help you receive—before, during, and after performance of your assignments—from your supervisor, others, written guides, or practices.	Identify your immediate supervisor and others from whom you receive help. Tell how specific they are and their instructions are and describe the kind of things on which they help you. Describe any other guides for doing your work, such as regulations, procedures, practices, manuals, and standards, and tell how directly they affect your work. Tell who reviews your work and for what purpose; give examples of work you do which is not reviewed.
4. MENTAL DEMANDS: State the nature and extent of the mental demands of your position. They may include any or all of the following: (1) Initiative—taking action without specific instructions; (2) originality—creativity or inventiveness demanded by the work; (3) judgment—the selection of the best course of action; (4) any other significant mental demands.	If it is necessary for you to take action without specific instructions, explain why, how often, and in what kinds of situations. If you must devise new ways of doing things, or combinations of old methods, describe briefly, giving examples. Tell the kinds of problems you work out, and how you do it. Explain the kinds of situations in which you select the proper action to take; indicate how often this happens and tell what choices you consider and how you decide what to do. State how and to what extent you must interpret guides and supervisory instructions before applying them. Describe any duties that require you to learn and retain an unusual number of facts, figures, or details.
5. PERSONAL WORK CONTACTS: State the nature and purpose of the contacts you have in your work with persons other than your superiors or subordinates.	Tell whether your work contacts are to exchange information, to make explanations, to persuade others, or to take part in group action. Indicate when you contact and how often. Describe the conditions that aid or hinder you in accomplishing the purposes of your contacts.
6. OTHER: Specify any knowledge, skills, job conditions, or other considerations, not covered elsewhere in your position description, which affect the responsibility or the difficulty of your work.	State any significant working conditions or important requirements of your job not described above. State any knowledge, skills, and abilities actually required by the job (but only if you have not covered them under other headings, or if they are not obvious from the duties). For instance, include special manual skills, physical abilities, or aptitudes required. Identify the tasks concerned in each case and describe how and why such requirements are necessary.

Standard Form 75A
February 1950
U. S. CIVIL SERVICE COMMISSION
FEDERAL PERSONNEL MANUAL
Chapter P2

October 1, 1958

TITLE 8: ADMINISTRATIVE DIVISION

FORM 31

Standard Form No. 78 February 1948 Budget Form No. 50-2000 Approved October 22, 1947. UNITED STATES CIVIL SERVICE COMMISSION POSITION DESCRIPTION		1. Check one Dept? <input type="checkbox"/> Field <input type="checkbox"/>	3. Official headquarters:	4. Agency position No.
2. Reason for submission: (a) If this position replaces another (i. e., a change of duties in an existing position), identify such position by title, allocation (service, work, grade), and position number		5. U. S. C. certification No.		
6. (b) Other (specify)		6. Date of certification		
7. Date received from U. S. C.		7. Date received from U. S. C.		
8. CLASSIFICATION ACTION		9. Date received from U. S. C.		
ALLOCATION BY	CLASS TITLE OF POSITION	CLASS		
a. Civil Service Commission		Service	Series	Grade
b. Department, agency, or establishment				
c. Bureau				
d. Field office				
e. Recommended by installing office				
10. Operational title of position (if any)		11. Name of employee (if any, specify 1, 2, 3, 4, 5, or 6)		
11. Department, agency, or establishment		12. Third subdivision		
13. First subdivision		14. Fourth subdivision		
15. Second subdivision		16. Fifth subdivision		
17. This is a complete and accurate description of the duties and responsibilities of my position _____ (Signature of employee) (Date)		18. This is a complete and accurate description of the duties and responsibilities of this position _____ (Signature of immediate supervisor) (Date)		
19. Certification by head of bureau, division, field office, or designated representative _____ (Signature) (Date)		20. Title of office / department, agency, or establishment _____ (Signature) (Date)		
Title: _____		Title: _____		
21. Description of duties and responsibilities (See Guide to Position Classification, Bureau, and Supervisors for the Preparation of Position Descriptions, Standard Form No. 78A)				

U.S. ATTORNEYS MANUAL 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 32 (face of original)

Standard Form No. 1189
Form provided by
Comptroller General, U. S.
October 21, 1950
(Gen. Reg. No. 144, Supp. No. 1)

DESIGNATION OF BENEFICIARY
UNPAID COMPENSATION OF
DECEASED CIVILIAN EMPLOYEE

IMPORTANT
Read instructions
on back of duplicate
before filling in this form

INFORMATION CONCERNING THE EMPLOYEE:

NAME-- (Last)	(First)	(Middle)	Date of Birth (Month, day, year)
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DEPARTMENT OR AGENCY IN WHICH EMPLOYED

(Department or agency)	(Branch)	(Division)
------------------------	----------	------------

I, the employee identified above, canceling any and all previous Designations of Beneficiary heretofore made by me, do hereby designate the beneficiary or beneficiaries named below to receive any UNPAID COMPENSATION due and payable under existing law after my death. I understand that this Designation of Beneficiary relates solely to Unpaid Compensation as defined in section 504 of the act of August 3, 1950, Public Law 566, and in no wise will effect the disposition of any benefit which may become payable under the Retirement Act applicable to my Government service. I further understand that this Designation of Beneficiary will remain in full force and effect, unless or until canceled by me in writing, so long as I am continuously employed in the above department or agency.

INFORMATION CONCERNING THE BENEFICIARY OR BENEFICIARIES:

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary

I hereby direct, unless otherwise indicated above, that, if more than one beneficiary is named, the share of any deceased beneficiary who may predecease me shall be distributed equally among the surviving beneficiaries, or entirely to the survivor. I understand that this Designation of Beneficiary shall be void if none of the named beneficiaries is living at the time of my death.

I hereby specifically reserve the right to cancel or change my designation of beneficiary at any time in the manner and form prescribed by the Comptroller General of the United States, or I without knowledge or consent of the beneficiary.

(Date of execution—month, day, year)	(Signature of employee)
--------------------------------------	-------------------------

WITNESSES TO SIGNATURE:

(Signature of witness)	(Number and street)	(City, zone number, and State)
(Signature of witness)	(Number and street)	(City, zone number, and State)

PRINT OR TYPE NAME AND ADDRESS OF EMPLOYEE	THIS SPACE RESERVED FOR RECEIVING DATA OF EMPLOYING AGENCY
	(Indicate date and by whom received)

TITLE 8: ADMINISTRATIVE DIVISION

FORM 32 (back of original)

IMPORTANT—The filing of this form will completely cancel any designation you may have previously filed. Be sure to name in this form all persons you wish to designate as beneficiaries of any unpaid compensation payable at your death.

EXAMPLES OF DESIGNATIONS

HOW TO DESIGNATE ONE BENEFICIARY

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
Catherine M. Jackson*	2808 Southern Avenue, Williams, Ind.	Sister	All

HOW TO DESIGNATE MORE THAN ONE BENEFICIARY

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
Susan L. Brown**	110 Prince Street, Anniston, W. Y.	Aunt	One-fourth
Mary Joe Carson	230 Duke Street, Anniston, W. Y.	Niece	One-fourth
Elizabeth H. Howard	2501 State Street, Wever, Ohio	Mother	One-half

HOW TO DESIGNATE A CONTINGENT BENEFICIARY

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
William J. Johnson, if living	244 South Ann Street, Olney, Ga.	Father	All
Otherwise to: Sarah L. Johnson	244 South Ann Street, Olney, Ga.	Sister	All

HOW TO CANCEL A DESIGNATION OF BENEFICIARY SO THAT AMOUNT DUE WILL BE PAYABLE AS PROVIDED IN THE LAW

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
Cancel prior designations			

*Do not write name as C. M. Jackson or as Mrs. John H. Jackson.
**Be sure that the shares to be paid to the several beneficiaries add up to 100 percent.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 32 (face of duplicate)

STANDARD FORM NO. 112B
Form prescribed by
Comptroller General, U. S.
October 28, 1950
(Gen. Reg. No. 104, Supp. No. 1)

DESIGNATION OF BENEFICIARY
UNPAID COMPENSATION OF
DECEASED CIVILIAN EMPLOYEE

IMPORTANT
Read instructions
on back of duplicate
before filling in this form

INFORMATION CONCERNING THE EMPLOYEE:

NAME—	(Last)	(First)	(Middle)	Date of Birth (Month, day, year)
-------	--------	---------	----------	----------------------------------

DEPARTMENT OR AGENCY IN WHICH EMPLOYED

(Department or agency)	(Bureau)	(Division)
------------------------	----------	------------

I, the employee identified above, am cancelling any and all previous Designations of Beneficiary heretofore made by me, do now designate the beneficiary or beneficiaries named below to receive any UNPAID COMPENSATION due and payable under any law or act of August 3, 1950, Public Law 684, and in no wise will affect the disposition of any benefit which may become payable under the Retirement Act applicable to my Government service. I further understand that this Designation of Beneficiary will remain in full force and effect, unless or until canceled by me in writing, so long as I am continuously employed in the above department or agency.

INFORMATION CONCERNING THE BENEFICIARY OR BENEFICIARIES:

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Spouse	Share to be paid to each beneficiary

I hereby direct, unless otherwise indicated above, that, if more than one beneficiary is named, the share of any deceased beneficiary who may predecease me shall be distributed equally among the surviving beneficiaries, or entirely to the survivor. I understand that this Designation of Beneficiary shall be void if none of the designated beneficiaries is living at the time of my death.

I hereby specifically reserve the right to cancel or change my designation of beneficiary at any time in the manner and form prescribed by the Comptroller General of the United States, and without knowledge or consent of the beneficiary.

(Date of execution—month, day, year)	(Signature of employee)
--------------------------------------	-------------------------

WITNESSES TO SIGNATURE:

(Signature of witness)	(Number and street)	(City, zone number, and State)
------------------------	---------------------	--------------------------------

(Signature of witness)	(Number and street)	(City, zone number, and State)
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PRINT OR TYPE NAME AND ADDRESS OF EMPLOYEE

THIS SPACE RESERVED FOR RECEIVING DATA OF EMPLOYING AGENCY

(Indicate date and by whom received)

DELIVER BOTH COPIES TO THE PROPER OFFICES OF YOUR AGENCY—DUPLICATE WILL BE NOTED AND RETURNED

DUPLICATE

TITLE 5: ADMINISTRATIVE DIVISION

FORM 32 (back of duplicate)

IMPORTANT NOTICE—Order of Precedence

If there is no designated beneficiary living, any unpaid compensation which becomes payable after the death of an employee will be payable to the first person or persons listed below who are alive on the date title to the payment arises.

1. To the widow or widower.
2. If neither of the above, to the child or children in equal shares, with the share of any deceased child distributed among the descendants of that child.
3. If none of the above, to the parents in equal shares or the entire amount to the surviving parent.
4. If there be none of the above, to the duly appointed legal representative of the estate of the deceased employee, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased employee.

It is not necessary for any employee to designate a beneficiary unless he wishes to name some person or persons not included above, or in a different order.

INSTRUCTIONS

1. The examples printed on the back of the first page of this form may be helpful in executing the Designation of Beneficiary.
2. All entries on the form except signatures should be typed or printed in black ink (handwriting preferred). All designations of beneficiary or beneficiaries should be executed on the prescribed form of Designation of Beneficiary, Standard Form No. 1182, and must be signed and witnessed.
3. Complete the form in duplicate and file with the agency in which employed. A Designation of Beneficiary must be received by the employing agency prior to the death of the designating employee to be valid. The duplicate will be noted and returned to the employee as evidence that the original has been received and filed. It is suggested that the duplicate be filed with the employee's important papers.
4. Cancellation of a prior Designation of Beneficiary may be effected without the naming of a new beneficiary by executing a new Designation of Beneficiary, Standard Form No. 1182, and inserting in the space provided for name of beneficiary the words, "Cancel prior designations." The effect of this action will require payment to be made in the order of precedences stated above.
5. A designation will remain valid only so long as the employee remains continuously employed in the same agency. In case of separation and reemployment, or transfer to another agency, a new Designation of Beneficiary should be executed if the order of precedence established by the act is not acceptable. It is not necessary to file a new designation where the name or address of the employee or of the beneficiary is changed.
6. A designation free of errors or alterations should be filed in order to avoid a possible contest after death.
7. In the absence of the prescribed form, any designation, change, or cancellation of beneficiary witnessed and filed in accordance with the general requirements of these instructions shall be acceptable.

This Designation of Beneficiary Form is to be used solely for the disposition of unpaid compensation at death of a Federal employee and is not to be confused with Standard Form No. 1068, Designation of Beneficiary, Civil Service Retirement System. The latter form, distinguished by its yellow color, is to be used only for the disposition of death benefits, which may be due and payable under the Civil Service Retirement Act of May 21, 1938, as amended.

TITLE 8: ADMINISTRATIVE DIVISION

FORM 88

TO: The Chief of the Procurement Section
Department of Justice
Washington 25, D. C.

*Inventory of penalty articles on hand and on order as of
June 30, 1953:

	<u>NUMBER ON HAND</u>	<u>NUMBER ON ORDER</u>
ENVELOPES (all sizes)	_____	_____
LABELS	_____	_____
WRAPPERS	_____	_____
CARDS	_____	_____
TAGS	_____	_____
OTHER ARTICLES	_____	_____
TOTAL NUMBER OF ARTICLES BEARING PENALTY INDICIA	_____	_____
Estimated number of articles bearing penalty indicia spoiled during fiscal year July 1, 1952 to June 30, 1953	_____	_____
Estimated number of articles bearing penalty indicia used for other purposes than official mail during fiscal year July 1, 1952 to June 30, 1953	_____	_____

NAME _____

BUREAU OR TITLE _____

DISTRICT _____

CITY STATE _____

*This Inventory should be a composite report of all sections, units, and
field offices under your jurisdiction.

October 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 34

Dept. Form 34 B
(General Expenses)

REQUEST AND AUTHORIZATION TO INCUR GENERAL EXPENSES

Department of Justice

Southern District of New York

TO: THE ADMINISTRATIVE ASSISTANT ATTORNEY GENERAL, June 8, 1953
Washington, D. C. (Place and date)

FROM: John Doe (Name—please type)

U. S. Attorney, Court House, (Title)

17 Foley Square, New York 7, N. Y. (Address)

John Doe (Signature)

Authority is hereby requested to incur general expenses for the quarter ending September 30, 1953 as follows:

REQUEST	1. Travel Expenses	\$ 350.00	6. Supplies & Equip.	\$ 2.00
	(a) Reimb. to travelers	800.00	7. Other Services:	
	(b) Trans. Requests		(a) Ct. Reporting	5,000.00 *
	2. Freight and Express		(b) Guard Hire	
	3. Communication		(c) Advertising	
	(a) Phone Rental	4,500.00	(d) Storage	
	(b) Postal Expenses	95.00	(e) Interpreters	1,000.00 *
	(c) Toll, Telegraph	175.00	(f) Other (list):	
	(d) Other			
	4. Rents & Utilities	10.00	Laundry	60.00
	5. Printing & Repro.	350.00		
	Total Amount Requested			\$16,345.00

Remarks: Items 7a and f include extraordinary expense of \$5,000.00 for daily copy of transcript and \$750.00 for a Japanese interpreter in the case of U. S. vs Richard Roe. DJ file 146-28-1999.

June 25, 1953

(Date)

You are authorized to incur above mentioned expenses to the extent of \$ 16,000.00 payable from the following appropriation:

1540322 Salaries and Expenses, U. S. Attorneys and Marshals, Department of Justice, 1954.

Approved:

S. C. Indietta
Administrative Assistant Attorney General.

AUTHORIZATION

October 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION

SAMPLE CHECK SHEET

General Expenses Control Sheet

Entries made to this column only when payment is made or obligation adjusted.

Date	Description	Trans- action No.	Trans- action Payment Information	Obligations	Balance
July 1 1953	Authority from Dept. etc. 7/30/53	1			\$ 8000.00
	Travel - Month of July	2	Enrolled 7/1	\$ 1500.00	
	Guard Hire - Month of July	3	7/31/53	375.00	
*	Telephone Expense - July	4	8/6/53	150.00	
	Postage "	5	7/30/53	20.00	
*	Telegraph "	6	8/6/53	20.00	5945.00
6	Typewriter Repairs	7	7/29/53	20.85	5926.50
	Advertising - Co. # 10,825	8	7/20/53	18.50	5913.50
13	Meals for Buildoff with Gary	9	7/27/53	12.00	5901.50
20	Copier - Transaction # 8	10	11.20	(1.80)	5913.30
*	Storage Automobile # 10,850	10	8/6/53	10.00	5903.30
21	Canceled Obligations - Trans. # 2			(1500.00)	7403.30
	New Estimate - Travel - Month of July	11	7/31/53	2000.00	5403.30
27	Voucher - Transaction # 77		12.00	-	5391.30
29	" " " 77		2000	-	5391.80
30	" " " 75		1500	(2.00)	5396.80
31	Travel Vouchers for July Travel Paid during month (including value of T.P. #) - Transaction # 11		2091.50	91.50	5305.30
	Guard-Hire Vouchers for July Travel Paid during month. Trans- action # 3		36.50	(2.50)	5317.80
*	Travel - July 25 to 31	12	7/14/53	750.00	4567.80
*	Guard - Month of July 25 to 31	13	7/14/53	50.00	4517.80
	Unpaid # 970		\$ 2572.20	\$ 3482.20	\$ 4517.80
Aug. 3	Travel - Month of August	14		2000.00	2517.80
	Guard-Hire - Month of August	15		350.00	2167.80
	Telephone - " " "	16		150.00	2017.80
	Telegraph - " " "	17		70.00	2007.80
5	Auth. from Dept. (see 1000 etc 9/30)	18			3007.80
6	Voucher - Transaction # 4		160.00	1000	2997.80
	" " " 6		750.00	(2.50)	3000.30
Oct. 1	Balance from Previous etc.				\$ 400.00
	Authority from Dept. - etc 8/31/53	16			8500.00
	Travel - Month of October	17		\$ 2000.00	6500.00
	Guard-Hire - Month of October	18		400.00	6100.00
*	Unpaid items for July				
**	Subscriptions (Linnell Sims Circuit)				

TITLE 8: ADMINISTRATIVE DIVISION

FORM 35

Examples of Leave Computation

The new law has no retroactive effect on accumulations. Employees could have accumulated leave up to 60 days as of December 21, 1952. Unused 1952 leave balances which were required to be used by June 30, 1953, should be added to the employee's accumulated balance as of December 21, 1952. Absences since that date should be charged to 1953 annual leave accruals. For example:

	Days	Hours	Days	Hours
Accumulated 12/21/52.....	15	0	50	0
Leave to be used by 6/30/53.....	10	0	16	0
<hr/>				
Amended accumulation 12/21/52.....	25	0	5	0
Accrued 12/21/52 through 1/2/54.....	20	6	20	6
<hr/>				
(6-hour rate per pay period).....	45	6	80	6
Used since 12/21/52.....	10	6	10	6
<hr/>				
Leave to be used by 12/31/53 (last work day of 1953 leave year) or forfeited.....	35	0	70	0
<hr/>				
Maximum accumulation as of 1/3/54.....	30	0	60	0

The following examples reflect how terminal leave will be computed for persons who separate from the rolls in 1953 after August 31.

(a) Terminal leave computation of employee having less than 30 days accumulated as of December 21, 1952, as follows:

	Days
Accumulated 12/21/52.....	20
Leave to be used by 6/30/53.....	5
<hr/>	
Amended accumulation 12/21/52.....	25
Accrued to date of separation 9/26/53.....	15
<hr/>	
	40
Used to present date.....	5
<hr/>	
	35
Cash payment limited to.....	30
Balance to be used prior to separation or forfeited.....	5

December 1, 1953

TITLE 8: ADMINISTRATIVE DIVISION

Employees in examples (b) and (c) below are entitled to terminal leave payment for accumulated annual leave from previous year, since both had in excess of 30 days as of 12/21/52.

	<i>Days</i>
(b) Accumulated 12/21/52.....	30
Leave to be used 6/30/53.....	5
	<hr/>
Amended accumulation 12/21/52.....	35
Accrued to date of separation 9/26/53.....	15
	<hr/>
	50
Used to present date.....	5
	<hr/>
	45
Lump sum payment limited to.....	35
Balance to be used prior to separation or forfeited.....	10
(c) Accumulated 12/21/52.....	69
Accrued to date of separation 9/26/53.....	15
	<hr/>
	84
Used to present date.....	10
	<hr/>
	74
Lump sum payment limited to.....	69
	<hr/>
Balance to be used prior to separation or forfeited.....	5

TITLE 8: ADMINISTRATIVE DIVISION

Form 36

DEPARTMENT OF JUSTICE
Form 36 (Revised 10-1-52)
Copyright (Government of U.S.A.)
November 17, 1952

ORIGINAL
DEPARTMENT OF JUSTICE

Bureau Voucher No. _____

Schedule No. _____

(Bureau or Division)

PAY VOUCHER FOR SPECIAL SERVICES

To Richard Rom

(Name of payee)

Address 619 Monroe Road

U. S. A.
(To which checks should be mailed)

Class Symbol	Description of Services	Period or Days	Rate Per Day	Amount	
				Dollars	Cents
	For SERVICES rendered as <u>Consultant</u> from February 8, 1954, to February 19, 1954, inclusive. On account of <u>United States vs. Single Construction Co.</u> <small>(State name or nature of business)</small> REMARKS: <u>Services were actually performed on Saturday, February 13, and Sunday, February 14, 1954.</u>	12	\$25	300	00

Total amount claimed \$ 300.00

I certify that the above bill is correct and just and that payment has not been received.

Any differences, if any (See statement attached) \$ _____

Arrears for \$ 300.00

(Sign original only)

W. tax (Code 2) \$ 47.40

F. I. C. A. tax \$ _____

State tax \$ _____

C. S. retirement \$ _____

Net amount paid \$ 252.60

Date _____ Payee _____

I CERTIFY that the foregoing account is correct and proper for payment.

Date _____, 1954

John Doe, United States Attorney

Authorized Certifying Officer

ACCOUNTING CLASSIFICATION (Appropriated by _____)

March 1, 1954

TITLE 8: ADMINISTRATIVE DIVISION

Form 37

<p>METHOD OF PURCHASE <small>Form Approved Budget Bureau No. 69-2101</small></p> <p style="text-align: center;"><small>Indicate Method by Number</small></p> <p>1. General Schedule of Supplies 2. Treasury Procurement Blank 3. Supply Procurement Blank 4. Advertising (P. O. 18790) 5. War Power Regulations 6. Other Exemption from P. O. 18790 7. Miscellaneous <small>(See GPO Circular Letter 9-66)</small></p>	<p>PURCHASE ORDER</p> <p>DEPARTMENT OF JUSTICE</p> <p>WASHINGTON 25, D. C.</p>	<p style="text-align: center;"><small>THIS NUMBER MUST APPEAR ON ALL PACKAGES AND PAPERS RELATING TO THIS ORDER.</small></p> <p>ORDER NO. _____</p> <p>DATE _____</p>			
<p>REGISTRATION NO. _____</p> <p>REQ. DATE _____</p> <p>ALLOTMENT _____</p>	<p>APPROPRIATION SYMBOL AND TITLE _____</p>				
<p><i>Please furnish and deliver to the consignee the articles specified below:</i></p>					
<p>TO S E L E R</p>	<p>CONSIGNEE AND DESTINATION</p> <p>S H I P T O</p>				
INVITATION NO. _____	CONTRACT NO. _____	TIME FOR DELIVERY _____	DISCOUNT TERMS _____		
FOB POINT _____	SHIP VIA _____	GOVT B/L NO. _____			
ITEM NO.	ARTICLES OR SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<p>IMPORTANT</p> <p>ANY CORRESPONDENCE PERTAINING TO THIS ORDER, AND THE ATTACHED VOUCHER, PROPERLY EXECUTED, SHOULD BE MAILED TO:</p> <p>ADMINISTRATIVE ASSISTANT ATTORNEY GENERAL DEPARTMENT OF JUSTICE, WASHINGTON 25, D. C.</p> <p>ALWAYS QUOTE ORDER NUMBER</p>				<p>TOTAL</p>	
				<p>SIGNATURE _____</p> <p>NAME _____ TITLE _____ <small>(TO BE TRANSMITTED TO VENDOR)</small></p>	

U.S. ATTORNEYS MANUAL 1953

July 1, 1964

Pages 203-204 were not included in the original print copy.

U. S. ATTORNEYS MANUAL 1953

TITLE 8: ADMINISTRATIVE DIVISION

FORM 40

STANDARD FORM 53 AUGUST 1954 U. S. CIVIL SERVICE COMMISSION 5 P. M. CHAPTER 15		FOR AGENCY USE ONLY: Date waiver received:	
WAIVER OF LIFE INSURANCE COVERAGE			
1. NAME (Last) (First) (Middle)		2. DATE OF BIRTH (Month) (Day) (Year)	
3. DEPARTMENT OR AGENCY	4. LOCATION	5. DATE OF THIS WAIVER (Month) (Day) (Year)	
<p>I desire not to be insured under the group life insurance plan in accordance with the Federal Employees' Group Life Insurance Act of 1954, and I hereby waive any benefits provided by the plan.</p> <p>I understand that, under present regulations, I will not be eligible to participate in the plan until at least 1 year has elapsed from the date of this waiver and unless at the time I make written request to participate I am under age 50 and present satisfactory medical evidence of insurability.</p> <p>I understand also that if at any time in the future I desire to participate in the insurance plan, my eligibility to do so will be subject to regulations in effect at that time.</p>			
Signature of EMPLOYEE—DO NOT PRINT		Signature of EMPLOYEE—DO NOT PRINT	
Signature of WITNESS—DO NOT PRINT		Address of WITNESS	
Signature of WITNESS—DO NOT PRINT		Address of WITNESS	

U. S. GOVERNMENT PRINTING OFFICE 16-70282-1

U. S. ATTORNEYS MANUAL 1953

January 1, 1955

TITLE 8: ADMINISTRATIVE DIVISION

FORM 41 (face)

Standard Form No. 44 September 1954 U. S. Civil Service Commission P. O. Box 3745, Wash. 25	DESIGNATION OF BENEFICIARY FEDERAL EMPLOYEES' GROUP LIFE INSURANCE ACT OF 1954	IMPORTANT Read instructions on back of duplicate before filling in this form	
INFORMATION CONCERNING THE INSURED:			
NAME (Last) (First) (Middle)		DATE OF BIRTH (Month, day, year)	
DEPARTMENT OR AGENCY IN WHICH EMPLOYED (If retired, so state and give "CSA" or "CSI" number):			
(Department or agency)	(Bureau)	(Division)	
I, the employee or annuitant identified above, canceling any and all previous Designations of Beneficiary under the Federal Employees' Group Life Insurance Act heretofore made by me, do now designate the beneficiary or beneficiaries named below to receive any amount of GROUP LIFE INSURANCE and GROUP ACCIDENTAL DEATH INSURANCE due and payable at my death. I understand that this Designation of Beneficiary will remain in full force and effect, with respect to any amount payable, unless or until canceled by me in writing, or until such time as I become insured in a department or agency other than the above, or until such time as I become insured as a retired employee, on which event this Designation of Beneficiary shall terminate.			
INFORMATION CONCERNING THE BENEFICIARY OR BENEFICIARIES:			
Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
I hereby direct, unless otherwise indicated above, that, if more than one beneficiary is named, the share of any deceased beneficiary who may predecease me shall be distributed equally among the surviving beneficiaries, or entirely to the survivor. I understand that this Designation of Beneficiary shall be void if none of the designated beneficiaries is living at the time of my death. I hereby specifically reserve the right to cancel or change any Designation of Beneficiary at any time without knowledge or consent of the beneficiary.			
(Date of execution—month, day, year)		(Signature of insured)	
WITNESSES TO SIGNATURE (A witness is ineligible to receive payment as a beneficiary):			
(Signature of witness)	(Number and street)	(City, zone number, and State)	
(Signature of witness)	(Number and street)	(City, zone number, and State)	
PRINT OR TYPE NAME AND ADDRESS OF INSURED		THIS SPACE RESERVED FOR RECEIVING AGENCY	
(Indicate date and by whom received)			
IF INSURED AS AN EMPLOYEE, DELIVER BOTH COPIES TO THE PROPER OFFICE OF YOUR AGENCY—DUPLICATE WILL BE NOTED AND RETURNED. 16-70448-4 IF INSURED AS AN ANNUITANT, SEND BOTH COPIES TO THE CIVIL SERVICE COMMISSION, WASHINGTON 25, D. C.—DUPLICATE WILL BE NOTED AND RETURNED.			

January 1, 1965

TITLE 8: ADMINISTRATIVE DIVISION

FORM 41 (back)

IMPORTANT.—The filing of this form will completely cancel any Designation of Beneficiary under the Federal Employees' Group Life Insurance Act you may have previously filed. Be sure to name in this form all persons you wish to designate as beneficiaries of any group life and accidental death insurance payable under that act at your death.

EXAMPLES OF DESIGNATIONS

HOW TO DESIGNATE ONE BENEFICIARY

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
Mary E. Brown*	214 Central Avenue, Muncie, Ind.	Niece	All

HOW TO DESIGNATE MORE THAN ONE BENEFICIARY

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
Alice M. Long	509 Canal Street, Red Bank, N. Y.	Aunt	One-fourth
Joseph P. Brady	360 Williams Street, Red Bank, N. Y.	Nephew	One-fourth
Catherine L. Rowe	792 Broadway, Whiting, Ind.	Mother	One-half

HOW TO DESIGNATE A CONTINGENT BENEFICIARY

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
John M. Parrish, if living	810 West 100th Street, New York, N. Y.	Father	All
Otherwise to: Susan A. Parrish	810 West 100th Street, New York, N. Y.	Sister	All

HOW TO CANCEL A DESIGNATION OF BENEFICIARY SO THAT AMOUNT DUE WILL BE PAYABLE AS PROVIDED IN THE LAW

Type or print first name, middle initial, and last name of each beneficiary	Type or print address of each beneficiary	Relationship	Share to be paid to each beneficiary
Cancel prior designations			

*Do not write name as M. E. Brown or as Mrs. John M. Brown.
 **Be sure the shares to be paid to the several beneficiaries add up to 100 percent.

FD-2050-1

January 1, 1955

TITLE 8: ADMINISTRATIVE DIVISION

FORM 41 (back of duplicate)

ORDER OF PRECEDENCE

If there is no designated beneficiary living, any group insurance which becomes payable under the Federal Employees' Group Life Insurance Act after the death of the insured will be payable to the first person or persons listed below who are alive on the date title to the payment arises.

1. To the widow or widower.
2. If neither of the above, to the child or children in equal shares, with the share of any deceased child distributed among the descendants of that child.
3. If none of the above, to the parents in equal shares or the entire amount to the surviving parent.
4. If there be none of the above, to the duly appointed legal representative of the estate of the insured, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the insured.

IT IS NOT NECESSARY FOR THE INSURED TO DESIGNATE A BENEFICIARY UNLESS HE WISHES TO NAME SOME PERSON OR PERSONS NOT INCLUDED ABOVE, OR IN A DIFFERENT ORDER.

If any person otherwise entitled to payment upon death of an insured individual does not make claim therefor within one year after death of the insured, or if payment to such person within that period is prohibited by Federal statute or regulation, payment may be made as if such person had predeceased the insured, and any such payment shall be a bar to recovery by any other person.

INSTRUCTIONS

1. The examples printed on the back of the first page of this form may be helpful in executing the Designation of Beneficiary.
2. All entries on the form except signatures should be typed or printed in ink (typewriting preferred). All designations of beneficiary or beneficiaries should be executed on the prescribed Designation of Beneficiary, Standard Form No. 54, and must be signed by the insured and witnessed.
3. Complete the form in duplicate and file with the agency in which employed except that if retired, file the form with the U. S. Civil Service Commission, Washington 25, D. C. A Designation of Beneficiary must be received by the proper agency prior to the death of the insured to be valid. The duplicate will be noted and returned as evidence that the original has been received and filed. It is suggested that the duplicate be kept with the Certificate of Group Insurance.
4. Cancellation of a prior Designation of Beneficiary may be effected without the naming of a new beneficiary by executing a new Designation of Beneficiary, Standard Form No. 54, and inscribing in the space provided for name of beneficiary the words, "Cancel prior designations." The effect of this action will require payment to be made in the order of precedence stated above.
5. It is not necessary to file a new Designation of Beneficiary where the name or address of the insured or the beneficiary is changed.
6. A Designation of Beneficiary must be free of erasures or alterations.
7. In the absence of the prescribed form, any designation, change, or cancellation of beneficiary witnessed and filed in accordance with the general requirements of these instructions is equally acceptable.

This Designation of Beneficiary Form is to be used solely for the disposition of proceeds of insurance under the Federal Employees' Group Life Insurance Act by a civilian employee or retired civilian employee and is not to be confused with Standard Form No. 103, Designation of Beneficiary, Civil Service Retirement System, or Standard Form No. 1142, Designation of Beneficiary, Unpaid Compensation of Deceased Civilian Employees.

REGULATIONS

- (a) The Designation of Beneficiary shall be in writing, signed and witnessed, and received in the employing office (or, in the case of a retired employee, in the U. S. Civil Service Commission) prior to the death of the designator.
- (b) No change or cancellation of beneficiary in a last will or testament, or in any other document not witnessed and filed as required by these regulations, shall have any force or effect.
- (c) A witness to a Designation of Beneficiary shall be ineligible to receive payment as a beneficiary.
- (d) Any person, firm, corporation, or legal entity (except an agency of the Federal or District of Columbia Governments) may be named as beneficiary.
- (e) A change of beneficiary may be made at any time and without the knowledge or consent of the previous beneficiary, and this right cannot be waived or restricted.
- (f) A Designation of Beneficiary is automatically canceled (1) on the day the employee transfers to another agency, (2) 31 days after the employee ceases to be insured, or (3) on the day the employee retires.