

JUL 3 1961

L61-312

Dear Mr. Gilbert:

You have by letter of June 20, 1961, inquired as to the costs of an amendment to the Railroad Retirement Act to give effect to a proposal contained in a resolution passed at the last meeting of the National Legislative Board of the Brotherhood of Locomotive Firemen and Engineers and requested my views as to the propriety of endeavoring to obtain such an amendment in the light of all existing circumstances.

The resolution proposes in effect that the Act be amended to permit widows, who lose their widows' annuity under the Railroad Retirement Act upon remarriage, to qualify for a spouse's annuity before three years have elapsed after the marriage. Of course, under the present law, where eligibility is not based on having the care of a child who would be entitled to a child's annuity if the husband were to die, they cannot qualify until three years have elapsed. Under the Social Security Act, however, a wife's benefit can be paid, in some cases, without any waiting period and, in no case, is the waiting period longer than one year.

While the estimated cost of the amendment proposed in the resolution would be less than .01 percent of pay roll, I doubt whether the Board would support such an amendment by itself, because there are many differences in eligibility conditions between the Railroad Retirement Act and the Social Security Act, all of which, it seems to me, should be considered at an appropriate time.

Yours very truly,



Horace W. Harper

Mr. H. E. Gilbert, President
Brotherhood of Locomotive Firemen
and Engineers
318 Keith Building
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cc: Board Members
Secretary of the Board
Chief Executive Officer
CFMclaughlin:ca