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fact constituting such failure is reported to and filed with the President of the Senate or the Speaker of the House, it shall be the duty of the said President of the Senate or Speaker of the House, as the case may be, to certify, and he shall so certify, the statement of facts aforesaid under the seal of the Senate or House, as the case may be, to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action."

Immunity from criminal proceedings.

"SEC. 859. No testimony given by a witness before either House, or before any committee of either House, or before any joint committee established by a joint or concurrent resolution of the two Houses of Congress, shall be used as evidence in any criminal proceeding against him in any court, except in a prosecution for perjury committed in giving such testimony. But an official paper or record produced by him is not within the said privilege."

Exceptions.

Authority of any Member of either House to administer oaths.

Any member of either House of Congress may administer oaths to witnesses in any matter depending in either House of Congress of which he is a Member, or any committee thereof.

Approved, June 22, 1938.

[CHAPTER 595]

JOINT RESOLUTION

June 22, 1938
[H. J. Res. 703]
[Pub. Res., No. 124]

To authorize the acceptance of title to the dwelling house and property, the former residence of the late Justice Oliver Wendell Holmes, located at 1720 Eye Street Northwest, in the District of Columbia, and for other purposes.

Oliver Wendell Holmes.
Acceptance of title to former residence of, in District of Columbia, authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General, on behalf of the United States of America named as residuary legatee in the will of Oliver Wendell Holmes, is hereby authorized and directed to accept a deed conveying to the United States of America title to the dwelling house and property, the former residence of the late Justice Holmes, situated at 1720 Eye Street Northwest, in the District of Columbia.

Conveyance of title.

SEC. 2. John G. Palfrey, the executor of the estate of Oliver Wendell Holmes, is hereby authorized to convey title to the United States of America rather than to dispose of the dwelling house and property otherwise and deposit the proceeds with the Secretary of the Treasury.

Recommendations by joint committee concerning use.

SEC. 3. Pursuant to the suggestion made in a message of the President of the United States to the Congress dated April 25, 1935, a committee of nine members shall be constituted, three to be selected from the House of Representatives by the Speaker of the House, three to be selected from the Senate by the Vice President, and three to be selected from the Supreme Court of the United States by the Chief Justice, which committee shall make recommendations to the Congress concerning the use of the bequest and devise made to the United States by Mr. Justice Holmes.

Approved, June 22, 1938.

[CHAPTER 596]

AN ACT

June 23, 1938
[S. 3548]
[Public, No. 701]

To amend section 9 of the Civil Service Retirement Act, approved May 29, 1930, as amended.

Civil Service Retirement Act, amendment.
46 Stat. 475.
5 U. S. C. § 736b.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Civil Service Retirement Act, approved May 29, 1930, is amended by striking out that portion of the section following the phrase "as provided in section 12 (a) hereof", and inserting in lieu thereof the