

“(B) In the case of any individual who has made a waiver under this paragraph—

“(i) no annuity shall be payable to any person under the Civil Service Retirement Act with respect to any service performed by such individual (whether performed before or after such waiver is filed and whether performed as judge or otherwise);

5 USC 691 note.

“(ii) no deduction shall be made from any salary, pay, or compensation of such individual for the purposes of the civil-service retirement and disability fund for any period beginning after the day on which such waiver is filed;

“(iii) except as provided in clause (iv), no refund shall be made under the Civil Service Retirement Act of any amount credited to the account of such individual or of any interest on any amount so credited;

5 USC 691 note.

“(iv) additional sums voluntarily deposited by such individual under the second paragraph of section 10 of the Civil Service Retirement Act shall be promptly refunded, together with interest on such additional sums at 3 per centum per annum (compounded on December 31 of each year) to the day of such filing; and

46 Stat. 475.
5 USC 719-1.

“(v) subsections (e) and (g) of section 12 of the Civil Service Retirement Act shall not apply.

5 USC 724.

“(4) EMPLOYEES' COMPENSATION.—The fourth and sixth paragraphs of section 6 of the Civil Service Retirement Act shall apply in respect of retired pay accruing under subsection (d) of this section as if such retired pay were an annuity payable under such Act.”

5 USC 710-714.

Approved August 7, 1953.

Public Law 220

CHAPTER 353

AN ACT

August 7, 1953
[S. 2417]

To provide for the creation of a Commission on Judicial and Congressional Salaries, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a Commission to be known as the “Commission on Judicial and Congressional Salaries” hereinafter referred to as the “Commission”. The Commission shall be composed of eighteen members, of whom (1) six shall be appointed by the President of the United States, one of whom, so designated by him, shall be Chairman of the Commission, (2) six shall be appointed by the Chief Justice of the United States, (3) three shall be appointed by the President of the Senate, and (4) three shall be appointed by the Speaker of the House. Each such appointing officer shall select his appointees in equal number from outstanding leaders in each of the following groups: (1) Labor, (2) business and professional, and (3) agriculture.

Commission on
Judicial and Con-
gressional Sal-
aries.

(b) In order that the Commission shall be adequately advised and in order to assist it in the performance of its functions, there shall be, in addition to the Members provided in subsection (a), six advisory members who shall have been or who are Members of the Eighty-second or Eighty-third Congress, three of whom shall be appointed by the Speaker of the House and three of whom shall be appointed by the President of the Senate, and three advisory members who are

Advisory mem-
bers.

active or retired judges or justices of courts of the United States, to be appointed by the Chief Justice of the United States. Advisory members shall have all the rights and privileges of other members of the Commission except that of voting upon matters before the Commission.

(c) No person shall be qualified to serve as a member of the Commission, except as an advisory member, who is or has at any time been a Member of Congress or a justice or judge of a court of the United States.

Compensation.

(d) The members of the Commission shall serve without pay but shall be entitled to \$25 per diem in lieu of subsistence while attending meetings of the Commission away from their homes, together with transportation costs and other expenses incidental to attendance upon such meetings.

Payment of expenses.

(e) The expenses of the Commission, which shall not exceed \$20,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers signed by the chairman of the Commission. Disbursements to pay such expenses shall be made by the Secretary of the Senate out of the contingent fund of the Senate, such contingent fund to be reimbursed from the contingent fund of the House of Representatives in the amount of one-half of the disbursements so made.

Determinations.

SEC. 2. (a) The Commission shall (1) determine appropriate rates of salaries for justices and judges of the courts of the United States and for the Vice President, the Speaker of the House of Representatives, and Members of Congress, in order to provide fair and reasonable compensation to such officials, and (2) report its findings on or before January 15, 1954, to the President, the Chief Justice of the United States, the President of the Senate, and the Speaker of the House of Representatives.

Report.

(b) In determining such rates the Commission shall take into consideration any and all factors deemed by it to be pertinent and appropriate, including, but not limited to—

(1) the qualifications desirable for members of the Federal judiciary and for the presiding officers and Members of the Congress;

(2) the compensation or income currently earned by persons of comparable qualifications in labor, business, the professions, or other private pursuits;

(3) the sacrifices involved in the acceptance of appointment to the Federal judiciary or of membership in the Congress, including (A) in the case of members of the Federal judiciary the interruption of private practice at the time when it is most remunerative, and the necessity for divorcing oneself from outside activities which are productive of income, and (B) in the case of Members of the Congress the interruption of a private career, the importance of preserving, to the extent possible, the Member's station in his community in anticipation of the time when he may be retired to private life, and the difficulties accompanying the resumption of a private career;

(4) the interruptions to normal family life, resulting in the case of many members of the Federal judiciary from the necessity of holding court at points remote from their residences and in the case of Members of the Congress from the necessity of maintaining two domiciles, one at the seat of government and the other in the Member's State; and

(5) in the case of Members of the Congress, the necessity of making frequent trips between the seat of government and the

Member's State in order adequately to represent his constituents and to maintain his family relationship.

SEC. 3. (a) Within sixty legislative days after the submission of the report of the Commission the Congress shall consider the report and enact legislation establishing the salaries of justices and judges of the courts of the United States and the salaries and mileage of Members of Congress, including the Vice President and the Speaker of the House. Such rates shall not be less than those prevailing on the date of enactment hereof (including the amount of the expense allowance herein described) and shall not exceed those recommended by the Commission.

Congressional action.

(b) Any rates which may become effective under subsection (a) shall be in lieu of those otherwise provided by law and, in the case of the Vice President, the Speaker of the House of Representatives, and Members of Congress, in lieu of the expense allowances provided for by section 111 of title 3 of the United States Code, subsection (e) of the first section of the Act entitled "An Act to increase rates of compensation of the President, Vice President, and the Speaker of the House of Representatives", approved January 19, 1949 (63 Stat. 4), and section 601 (b) of the Legislative Reorganization Act of 1946, respectively.

63 Stat. 4.

2 USC 31b.
60 Stat. 850.
2 USC 31a.

(c) Whenever there is no Vice President, the President of the Senate for the time being shall be entitled to the salary provided for by this section for the Vice President.

(d) The full amount of any salary provided for by this section shall be taken into account for the purposes of the Civil Service Retirement Act of May 29, 1930.

46 Stat. 468.
5 USC 691 note.
Definitions.

SEC. 4. As used in this Act—

(1) The term "court of the United States" means the Supreme Court of the United States, a United States Court of Appeals, a United States District Court established under chapter 5 of title 28 of the United States Code (including the District Courts of the United States for the Districts of Hawaii and Puerto Rico), the United States Court of Claims, the United States Court of Customs and Patent Appeals, the United States Customs Court, the United States District Court for the District of Alaska, the United States District Court of the Virgin Islands, the Tax Court of the United States, and the Court of Military Appeals.

62 Stat. 872.

(2) The term "Members of Congress" includes the Delegates from the Territories and the Resident Commissioner from Puerto Rico.

SEC. 5. The Commission shall terminate upon the filing of its report as provided in section 2.

Termination.

Approved August 7, 1953.

Public Law 221

CHAPTER 354

AN ACT

August 7, 1953
[H. R. 5148]

To continue until the close of June 30, 1954, the suspension of duties and import taxes on metal scrap, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 2 of the Act of September 30, 1950 (Public Law 869, Eighty-first Congress), is hereby amended by striking out "June 30, 1953" and inserting in lieu thereof "June 30, 1954": Provided, That this Act shall not apply to lead scrap or zinc scrap (other than zinc scrap purchased under a written contract entered into before July 1, 1953).

Metal scrap.

66 Stat. 626.
19 USC 1001, par.
301 note.