

**The original documents are located in Box 35, folder “12/23/75 HR1535 Annuity Increases for Lighthouse Widows” of the White House Records Office: Legislation Case Files at the Gerald R. Ford Presidential Library.**

### **Copyright Notice**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Exact duplicates within this folder were not digitized.

**APPROVED**  
**DEC 23 1975**

**THE WHITE HOUSE**  
**WASHINGTON**  
**December 22, 1975**

**ACTION**

**Last Day: December 29**

*Posted in  
Colorado 12/23  
Jo Archie  
12/24*

MEMORANDUM FOR THE PRESIDENT  
FROM: JIM CANNON ~~JP~~  
SUBJECT: Enrolled Bill H.R. 1535 - Annuity Increases  
for Lighthouse Widows

Attached for your consideration is H.R. 1535, sponsored by Representative Dingell, which would increase annuities of 343 widows of civilian lighthouse keepers by \$26 a month, effective January 1, 1976.

A discussion of the enrolled bill is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Lazarus) and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 1535 at Tab B.



A



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 22 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 1535 - Annuity increases  
for lighthouse widows  
Sponsor - Rep. Dingell (D) Michigan

Last Day for Action

December 29, 1975 - Monday

Purpose

Increases annuities of 343 widows of civilian lighthouse keepers by \$26 a month, effective January 1, 1976.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval
Civil Service Commission	Does not recommend veto

Discussion

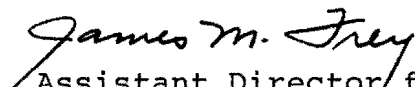
Until 1950, no survivor benefits were provided under the non-contributory retirement system for civilian lightkeepers employed by the former Lighthouse Service. By amendment in 1950, the Congress authorized an annuity of \$50 a month for widows of such employees. Subsequent amendments enacted in 1958 and 1967 increased annuities of such widows to \$75 and then to \$100 a month. The 1967 law also provides that such annuities thereafter would be increased by automatic, cost-of-living adjustments at the same time and in the same amount as those provided civil service retirees. As a result, lighthouse widows' annuities are now \$174 a month. The enrolled bill would increase them by \$26 a month to \$200.

The Civil Service Commission (CSC), which administers retirement benefits for lighthouse widows, testified in opposition to enactment of an increase to \$200 a month. CSC noted that the justification for the 1967 increase to \$100 a month and for the automatic adjustment feature was to maintain these widows on a par with the most comparable group of survivors under the civil service retirement system. That group consists of widows and widowers of annuitants who retired prior to the inception in 1948 of survivor benefits in the civil service retirement system. They were also granted \$50 "gift" annuities. CSC stated that the objective of conformity with the civil service group was achieved by the 1967 law and that providing a further special increase for lighthouse widows would produce inequities.

The report of the House Committee on Merchant Marine and Fisheries, however, while conceding that benefits for the two groups should be similar, states that "it does not seem to be a rational solution to hold these elderly annuitants below the poverty level, simply because others are also held there." The Committee report also notes that some lighthouse widows shared the isolation and hardship of life at remote lighthouse stations with their husbands and, without compensation, assisted in maintaining the lights and fog signals necessary for safe navigation. The Committee report concludes that the increase proposed is justified for that reason.

The Committee report estimates that this legislation will cost \$53,000 for FY 1976 and \$106,000 for each of the succeeding five years.

The Civil Service Commission, in its views letter on the enrolled bill, reiterates that the proposed increase is not justified but does not recommend a veto in view of the small number of elderly widows involved. We concur with the Commission.

  
Assistant Director for  
Legislative Reference



UNITED STATES CIVIL SERVICE COMMISSION

WASHINGTON, D.C. 20415

CHAIRMAN

December 19, 1975

Honorable James T. Lynn  
Director, Office of Management and Budget  
Executive Office of the President  
Washington, D.C. 20503

Attention: Assistant Director for  
Legislative Reference

Dear Mr. Lynn:

This is in reply to your request for the Commission's views on enrolled bill, H.R. 1535, "To increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service."

H.R. 1535 would raise the rate of annuity currently payable to Lighthouse widows from \$174 monthly to \$200 monthly, an increase of \$26.

The retirement system for Lighthouse Service civilian employees made no provision for survivor benefits until the Act of August 19, 1950. Under the terms of this 1950 Act, Coast Guard adjudicates the entitlement of Lighthouse Service widows and forwards the cases of eligibles to the Commission. The Commission administers the payments of benefits to eligible widows from funds for this purpose requested in annual appropriations.

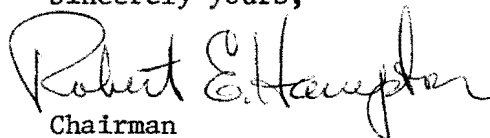
Our records show that as of December 1974 there were 343 Lighthouse widows on the roll. This number will eventually dwindle away since the Lighthouse Service Retirement System has been "closed" to new employees since 1939.

The Commission does not believe that the proposed increase is justified when there are many annuitants, as well as survivor annuitants, under our own Civil Service Retirement System who receive less than the amount currently payable to Lighthouse widows.

In view of the small number of elderly widows involved, however, and the obvious support of Congress for enactment of the enrolled bill, the Commission does not recommend that the President veto H.R. 1535.

By direction of the Commission:

Sincerely yours,

  
Chairman



OFFICE OF THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

DEC 19 1975

Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D.C. 20503

Dear Mr. Lynn:

Reference is made to your request for the views of the Department of Transportation concerning H.R. 1535, an enrolled bill

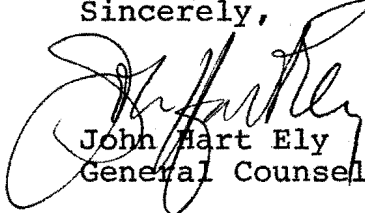
"To increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service."

H.R. 1535 would increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service under sections 1 and 2 of the Act of August 19, 1950, by \$26 per month.

H.R. 1535 was originally intended to increase the basic monthly annuity of the widows of former Lighthouse Service employees from \$100 to \$200 per month. However, changing the basis of the monthly annuity would have had the effect of establishing a \$200 per month "annuity payable under the Act", which, under P.L. 90-163, would have been increased by each cost-of-living increase since November 29, 1967, to obtain a rate of \$378 per month, effective January 1, 1976. Therefore, in response to the objections of the Civil Service Commission, the House Committee on Merchant Marine and Fisheries amended H.R. 1535 to increase the amounts payable to the widows by \$26 per month. This will have the effect of increasing the present benefits payable to widows to \$200 per month.

We recommend that the President sign the enrolled bill.

Sincerely,



John Hart Ely  
General Counsel



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

DEC 22 1975

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 1535 - Annuity increases  
for lighthouse widows  
Sponsor - Rep. Dingell (D) Michigan

Last Day for Action

December 29, 1975 - Monday

Purpose

Increases annuities of 343 widows of civilian lighthouse keepers by \$26 a month, effective January 1, 1976.

Agency Recommendations

Office of Management and Budget	Approval
Department of Transportation	Approval
Civil Service Commission	Does not recommend veto

Discussion

Until 1950, no survivor benefits were provided under the non-contributory retirement system for civilian lightkeepers employed by the former Lighthouse Service. By amendment in 1950, the Congress authorized an annuity of \$50 a month for widows of such employees. Subsequent amendments enacted in 1958 and 1967 increased annuities of such widows to \$75 and then to \$100 a month. The 1967 law also provides that such annuities thereafter would be increased by automatic, cost-of-living adjustments at the same time and in the same amount as those provided civil service retirees. As a result, lighthouse widows' annuities are now \$174 a month. The enrolled bill would increase them by \$26 a month to \$200.

## LIGHTHOUSE SERVICE WIDOWS BENEFITS

NOVEMBER 13, 1975.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. SULLIVAN, from the Committee on Merchant Marine and Fisheries, submitted the following

### REPORT

[To accompany H.R. 1535]

The Committee on Merchant Marine and Fisheries, to whom was referred the bill (H.R. 1535) to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

That the benefits payable under section 1 or section 2 of the Act of August 19, 1950 (64 Stat. 465, 466), as amended (33 U.S.C. 771, 772) shall, effective on the first day of the calendar month following enactment of this Act, be increased by \$26 per month.

SEC. 2. The increases under this Act shall apply to benefits which commence before, on, or after the date of enactment of this Act, but no increase in benefits shall be paid for any period prior to the date of enactment of this Act, or the date on which the eligibility for benefits commences, whichever is later.

#### BACKGROUND

The act of August 19, 1950 originally provided for benefits of \$50 per month for widows of certain Lighthouse Service employees. The act was amended in 1958 to increase the benefits to \$75 per month, and in 1967 to \$100 per month. Furthermore, in 1967, provision was made for the increase of benefits under the Cost-of-Living Annuity provisions of title 5, U.S.C. 8340(b). Under the terms of the act, the Coast Guard adjudicates the entitlement of the Lighthouse Service widows and forwards the cases of those eligible to the Civil Service Commission, which administers the payment of the stated benefits. Based upon the cost-of-living increases, annuities of Lighthouse Service widows are now \$174 per month. The 1967 increase to \$100 brought the Lighthouse Service widows to a comparable level with the widows

and widowers of pre-1948 Civil Service retirees. The cost-of-living increases since that time have kept the two groups basically on a par.

#### DISCUSSION

Hearings were held before the Subcommittee on Coast Guard and Navigation on June 26, 1975, and testimony was received from the Honorable John D. Dingell, author of the bill, from the Honorable James L. Oberstar, from Mr. Thomas A. Tinsley, Director, Bureau of Retirement, Insurance, and Occupational Health, U.S. Civil Service Commission, and from Rear Admiral Robert W. Durfey, Chief, Office of Personnel, United States Coast Guard, accompanied by Lt. Michael C. Grace, Office of the Chief Counsel, United States Coast Guard. Mr. Dingell and Mr. Oberstar both testified in strong support of the bill. Admiral Durfey, representing the Department of Transportation, deferred to the views of the Civil Service Commission on the bill, and Mr. Tinsley opposed the bill, on the grounds that the passage of H.R. 1535 would confer upon Lighthouse Service widows additional benefits not enjoyed by their nearest counterparts, the pre-1948 Civil Service widows. The witness representing the Civil Service Commission also testified that, by changing the basic annuity from \$100 to \$200 per month, the bill, as introduced, would invoke the various cost-of-living increases since 1967, and, based upon the application of those increases, the effect of the bill would be to provide an annuity of \$353 per month, rather than the \$200 per month possibly intended.

The position of the witness was also reflected in the report of the Civil Service Commission which pointed out that providing an increase in annuity for the 339 Lighthouse Service widows would destroy the comparability between the benefits of that group and the benefits paid to the approximately 7,000 pre-1948 Civil Service widow/widower eligibles, their nearest counterpart group.

There is no question of the appeal of the argument that similar groups should be treated similarly, as far as benefits are concerned. Nevertheless, the Committee is aware that the benefits presently payable to Lighthouse Service widows fall sharply below the recognized poverty level, and it does not seem to be a rational solution to hold these elderly annuitants below the poverty level, simply because others are also held there. In addition, there is a difference as to at least some of the Lighthouse Service widows. During their husbands' careers, many of them shared the isolated, lonely, remote lighthouses and, without compensation from the Federal Government, actually assisted their husbands in performing this very critical service to maintain the lights and fog signals so necessary to the assistance of vessels and the avoidance of casualties. For that reason alone, if for no other, some assistance to these elderly widows in their last years, facing, often alone, the constant worry of insufficient means to meet the continually rising cost of food, clothing, housing, and medical care, is the very least that we should provide.

At the same time, there is a recognition that the bill, as introduced, would provide for too large an increase, comparable to other annuitants, because of the way that the cost-of-living increases would be retroactively applied to the base amount of benefits.

#### COMMITTEE ACTION

The Subcommittee met and considered H.R. 1535 in mark-up session on September 24, 1975, and adopted amendatory language which would provide for an increase of benefits under the bill of \$26 per month, thereby raising the benefit level to \$200 per month. The Subcommittee unanimously recommended favorable action by the Full Committee on the bill, as amended. The Full Committee considered the bill on October 22, 1975, and unanimously adopted as one amendment, the amendatory language previously adopted by the Subcommittee. As so amended, the Committee ordered the bill reported to the House by unanimous voice vote.

#### COST OF THE LEGISLATION

Pursuant to Clause 7 of Rule XIII of the Rules of the House of Representatives, the Committee estimates that the cost of the legislation will be \$53,000 for fiscal year 1976, and \$106,000 for each of the following five fiscal years. This estimate is based upon the eligibility of 339 widows, the number eligible at the time of the hearing. The cost will be gradually reduced as these elderly widows reach the end of their lives. The estimate for fiscal year 1976 is based upon passage of the legislation prior to January 1, 1976.

#### COMPLIANCE WITH CLAUSE 2(1)(3) OF RULE XI

With respect to the requirements of Clause 2(1)(3) of Rule XI of the Rules of the House of Representatives—

(A) No oversight hearings on this subject have been held;

(B) Pursuant to Section 308(e) of the Congressional Budget Act of 1974, the Committee reports that the additional expenditure of \$53,000 in fiscal year 1976 was contained within the level of Committee Estimates submitted to the Committee on the Budget on March 14, 1975;

(C) No estimate and comparison of costs has been requested or received by the Committee from the Director of the Congressional Budget Office, pursuant to Section 403 of the Congressional Budget Act of 1974; and

(D) The Committee has received no report from the Committee on Government Operations as to oversight findings and recommendations arrived at pursuant to Clause 2(b)(2) of Rule X.

#### INFLATIONARY IMPACT STATEMENT

Pursuant to Clause 2(1)(4) of Rule XI of the Rules of the House of Representatives, the Committee has determined that the legislation includes no potential for inflationary impact.

#### CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

## DEPARTMENTAL REPORTS

H.R. 1535 was the subject of reports from the Civil Service Commission and the Department of the Treasury. These reports follow herewith:

U.S. CIVIL SERVICE COMMISSION,  
Washington, D.C., June 26, 1975.

HON. LEONOR K. (MRS. JOHN B.) SULLIVAN,  
Chairman, Commission on Merchant Marine and Fisheries,  
House of Representatives, Washington, D.C.

DEAR MRS. SULLIVAN: This is in further reply to your request for the Commission's views on H.R. 1535, a bill "To increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service."

H.R. 1535 would increase the annuities payable to unremarried widows of civilian employees of the former Lighthouse Service. These annuities are payable in conjunction with the retirement benefits available under the noncontributory retirement system set up by the Lighthouse Retirement Act of 1918, and administered by the U.S. Coast Guard, of which the former Lighthouse Service is now a part. The Lighthouse Service was merged with the Coast Guard in 1939, and positions vacated by civilian employees have since that time been filled by uniformed Coast Guard personnel. Civilian employees of the former Lighthouse Service who continued to serve subject to the 1918 Lighthouse Retirement Act have thus gradually dwindled in number as the manning of light stations has been taken over by uniformed members of the Coast Guard.

This now "closed" retirement system for Lighthouse Service civilian employees made no provision for survivor benefits until the Act of August 19, 1950. This law granted annuities of \$50 a month from and after September 1, 1950, for life or until remarriage, to surviving spouses of former civilian employees of the Lighthouse Service who:

1. Died while receiving or entitled to receive retirement pay under the 1918 Act, or
2. Died from non-service-connected causes in active service of the Lighthouse Service after 15 or more years of such employment.

Under the terms of this 1950 Act, Coast Guard adjudicates the entitlement of Lighthouse Service widows and forwards the cases of eligibles to the Commission. The Commission administers the payments of benefits to eligible widows from funds for this purpose requested in annual appropriations.

Effective April 1, 1958, by the Act of March 28, 1958, the annuity rate for all existing and future Lighthouse Service widows was raised by 50% from \$50 to \$75 a month. Public Law 90-163 provided a further increase in these annuities, raising them by one-third from \$75 to \$100 a month effective December 1, 1967, for all widows then drawing annuities and for those awarded annuities in the future. P.L. 90-163 also provided that annuities of Lighthouse widows would, thereafter, be subject to automatic adjustment at the same times and in the same percentages as Civil Service Retirement annuities which

are adjusted under the cost-of-living increase provisions in section 8340 of title 5, United States Code. Consequently, annuities of Lighthouse widows have now reached \$166 a month, effective January 1, 1975.

H.R. 1535 would amend sections one and two of the Act of August 19, 1950, as amended, by striking out \$100 a month and inserting \$200 a month. Although the intent may be to provide an annuity of \$200 a month which would be subject to future cost-of-living increases, H.R. 1535 would have the effect of establishing a \$200 a month "annuity payable under the Act", which annuity would, under P.L. 90-163, be increased by each cost-of-living increase since November 29, 1967, to obtain a rate of \$336 a month, effective January 1, 1975, which is scheduled to be increased to \$353 a month, effective August 1, 1975.

In 1967, an increase in annuities of Lighthouse widows to \$100 was urged to place Lighthouse widows on a benefit par with the most comparable group of survivors under the Civil Service Retirement System, namely, widows and widowers of pre-1948 civil service retirees who were afforded gift survivor annuities of up to \$50 a month under section 8 of the Civil Service Retirement Act of May 29, 1930, as amended to July 6, 1950. A widow awarded a \$50-monthly annuity starting September 1, 1950, under section 8 of the 1930 Retirement Act, had received several adjustments by December, 1967. There was also a need to protect annuities of Lighthouse widows against future increases in the cost of living and to maintain comparability with similar groups of survivors.

These objectives were more than achieved with the passage of P.L. 90-163, as previously noted. Providing a further increase in annuities of Lighthouse widows would destroy comparability with similar groups, producing an inequity where none now exists, and would exceed the goal of preserving the purchasing power of annuities.

For these reasons, the Commission is strongly opposed to enactment of H.R. 1535. The Commission does not believe that any increase in annuities to Lighthouse widows is justified at this time, either to \$200 a month or to \$353 a month, as in effect is proposed by H.R. 1535.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this report.

By direction of the Commission:

Sincerely yours,

ROBERT HAMPTON, *Chairman.*

THE GENERAL COUNSEL OF THE TREASURY,  
Washington, D.C., June 27, 1975.

HON. LEONOR K. SULLIVAN,  
Chairman, Committee on Merchant Marine and Fisheries, House of  
Representatives, Washington, D.C.

DEAR MADAM CHAIRMAN: Reference is made to your requests for the views of this Department on H.R. 1535, "To increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service," and H.R. 6861, "To increase the retired pay of certain members of the former Lighthouse Service."

H.R. 1535 would increase the amount of monthly benefits payable to widows of certain employees and former employees of the Lighthouse Service from \$100 per month to \$200 per month.

H.R. 6851 would increase the annual retired pay of certain members of the Lighthouse Service by \$240.

The Department has no comment on the bills.

The Department has been advised by the Office of Management and Budget that there is no objection from the standpoint of the Administration's program to the submission of this report to your Committee.

Sincerely yours,

RICHARD R. ALBRECHT,  
*General Counsel.*

○

# Ninety-fourth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday, the fourteenth day of January,  
one thousand nine hundred and seventy-five*

## An Act

To increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the benefits payable under section 1 or section 2 of the Act of August 19, 1950 (64 Stat. 465, 466), as amended (33 U.S.C. 771, 772) shall, effective on the first day of the calendar month following enactment of this Act, be increased by \$26 per month.*

SEC. 2. The increases under this Act shall apply to benefits which commence before, on, or after the date of enactment of this Act, but no increase in benefits shall be paid for any period prior to the date of enactment of this Act, or the date on which the eligibility for benefits commences, whichever is later.

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*

4  
December 17, 1975

Dear Mr. Director:

The following bills were received at the White House on December 17th:

✓ H.R. 1535 ✓  
✓ H.R. 5559 ✓  
✓ H.R. 6851 ✓  
✓ H.R. 6874 ✓  
✓ H.R. 8151 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder  
Chief Executive Clerk

The Honorable James T. Lynn  
Director  
Office of Management and Budget  
Washington, D. C.