
Franklin D. Roosevelt — “The Great Communicator”
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File No. 1410

1942 January 14

**Message to Congress re Handling of Private
Claims & Bridge Legislation**

To the Congress of the United States of America:

In these critical days of our national defense effort, I feel there should be a joint endeavor on the part of the Congress and of the heads of the Executive Branch of the Government to divert our minds as far as possible of matters of lesser importance which consume considerable time and effort. We should grant the responsibility for handling such matters to those equipped with year around facilities and time to dispose of them.

For instance, it is well-known to the Congress and to me that more than 2,000 private claim bills are introduced in each Congress, and that a substantial percentage of these bills present claims for property damage or personal injury. While the executive departments and establishments may now settle claims up to \$1,000 for property loss or damage and in a few instances claims for personal injury up to \$500, a great number of cases not falling within these classifications are introduced in the Congress as private claim bills.

They consume a great amount of the time of the Congress and the President, and give rise to considerable expense.

During the last three Congresses, almost 6,300 private claim bills were introduced, an average of more than 2,000 per Congress, of which less than 20% became law. And of all the bills which I vetoed during these Congresses, fully one-third was made up of private claim bills.

It is estimated that the expenses of the executive and legislative branches in considering the claim bills of each Congress, excluding salaries of Congressmen, are in the neighborhood of \$125,000; that the printing costs alone of the claim bills which fail to become law are almost \$19,000 per Congress; and that it costs almost \$200 to pass a single bill. When it is considered that some claim bills are enacted in amounts much less than \$200, the wisdom of our present procedure is questionable.

As the Congress knows, this question has been considered many times before. During the past twenty years, members of the Congress have frequently pointed out that the procedure for relief of tort claims by special act is slow, expensive, and unfair both to the Congress and to the claimant, and several attempts have been made to enact legislation submitting all negligence claims to administrative or judicial determination.

The question arises why the Congress and the President should continue to devote so much time to the consideration and approval of these numerous individual cases.

I suggest that the Executive Departments and independent establishments be authorized to adjust and determine tort claims up to \$1,000, with review by the Attorney General of awards over \$500. I also suggest that the United States district courts be given jurisdiction over claims of this nature up to \$7,500, with a right of appeal to the Court of Claims. The passage of such legislation would be of real assistance to the Congress and to the President, at a time when matters of grave national importance demand an ever increasing share of our attention. It would also make available a means of dispensing justice simply and effectively to tort claimants against the Government, and give them the same right to a day in court which claimants now enjoy in fields such as breach of contract, patent infringement, or admiralty claims.

I should point out that the Congress, if this procedure were adopted, would, of course, retain every right to enact legislation granting relief, or further relief, in the event that any special case the Congress felt that justice had been denied.

There is another class of legislation with respect to which I recommend a simplification of procedures. I refer to the legislation governing the construction of bridges over navigable waters of the United States. During the 76th Congress, more than 100 public enactments authorized the construction or extended the permissible time of construction of bridges affecting navigation. The passage of each one of these acts unquestionably costs the taxpayers several hundred dollars and consumes a large amount of time in the Congress, in the War Department, and at the White House. Under prevailing law, the Secretary of War and the Chief of Engineers are responsible for approving location, engineering plans and other important features of such bridge enterprises as may be authorized by the Congress, so that administrative action is essential to the execution of the enterprise after Congress grants its authorization. I suggest that in order to save time and money, Congress consider passing an enabling act delegating to the Secretary of War the responsibility for authorizing the construction and maintenance of bridges over navigable waters in accordance with such general policy as may be prescribed by the Congress. The Secretary of War would, of course, render periodic reports on all applications made.

These two matters may seem of little importance in these difficult days, but I am certain that the Congress will sympathize with the efforts I am making to save motion in the conduct of the Government.

Frank White House

January 1942.

THE WHITE HOUSE
WASHINGTON

Dear,

This is O.H. coming to the
Department of Justice. I have not
~~to~~ touched the original but
made a new copy for
microcopying.

JHR

THE WHITE HOUSE
WASHINGTON

December 17, 1941.

MEMORANDUM FOR

JIM ROWE

I approve of the enclosed with the additions and, if you like it, I will send it up to the Congress on the first off-day when nothing more important is going up. Please return enclosure.

F. D. R.



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INSERT A

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INSERT B (continue paragraph)

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