

Browsing supplies in stationary store

Design

BOOKLET

DESCRIBING

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GREAT ARCHITECT

SKILL IMPROVED INTEREST SUBJECT DEEPENED

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OF AND MOVEMENT

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Assigned To:

STATE

HISTORICAL

SOCIETY

JUN

2020

United States of America.

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STATE HISTORICAL SOCIETY

GOVERNMENT DOCUMENTS SECTION

MANUAL NO 53

State of ANU Department of Transportation

Division of Highways:

Bureau of Real Estate

The General Committee is composed of railroad operating vice presidents who normally can devote only about four days a year to General Committee meetings (R. 249). It has a Per Diem Studies Subcommittee, consisting of "experts in accounting and engineering and other matters" (R. 154), which performs "under-lying spade work" in connection with per diem matters for consideration of the General Committee (R. 249).

In July 1951, the General Committee's expert Per Diem Studies Subcommittee met in Washington for about ten days (R. 886), and "put in about 57 hours studying their assignment" (R. 431). Acting on instructions from the General Committee, it had applied to 1950 figures the same formula which had been used to support the \$1.75 charge. The Subcommittee reported that this application showed a per diem charge of \$1.89 (pp. 1-2 of Ex. 11). But it went further and submitted a unanimous report which criticized the \$1.89 which the formula produced, made six specific recommendations for the revision of the formula, giving effect to objections thereto which were "generally conceded by members of the subcommittee to be more or less valid" and recommended that the per diem charge be reduced to \$1.537 instead of increased to \$1.899 as determined under the AAR formula "until sufficient information is available to permit of recalculation of the actual ownership cost per active car day" (R. 886-7, Ex. 11). This report (Ex. 11) came before the General Committee at its meeting of October 17, 1951 (Ex. 49, p. 2, R. 249-252).

The General Committee rejected all of its expert Subcommittee's recommendations and voted to increase the charge to \$2.00 (R. 349-52). It accomplished this increase simply by ignoring its original instructions to the Subcommittee to use a 15-year period for the car-day divisor (p. 2 of Ex. 47) and by expanding this period to 20 years. It thereby took into the

formula the large number of idle car-days of five more depression years, to wit: 1931-1935. By this single device, the General Committee increased the previously indicated statistical support from \$1.89 to \$2.04 (Ex. 3,-the \$2.00 calculations,-Sheet No. 1, first and second columns of figures; and Parmelee, R. 93-95).

Despite three attempts made by member Sughrue (of the B & M) to have the Subcommittee's report considered, the General Committee "even declined to permit discussion of the Subcommittee's recommendation" that the per diem rate be reduced from \$1.75 to \$1.53 (R. 252).

Statistical support was now thus finally attained for the goal of a \$2.00 per diem "rate", three and a half years after it had first been indicated and discussed on January 21, 1947 (p. 22, supra). A major factor causing the death of the Barre & Chelsea R. R. September 19, 1956, was the burden of executive per diem imposed on it by the \$2 rate (and earlier excessive per diem rates of which the Commission had expressed its approval in its 1949 Report). See Point VI-C and Annex E hereto.

A year and a half later, the per diem charge was further increased to \$2.40 by the usual overwhelming ear-ownership vote (1,521,342 cars voting for the increase to 423,333" voting against it, with 17,269 cars abstaining, R. 253-4 and Ex. 27, p. 44). It was made effective August 1, 1953 (R. 245).

To attain statistical support for this further increase to \$2.40, the General Committee made a still further change in the formula (R. 173):-it substituted "Reproduction Value New" for "Ledger Value Undepreciated" based on the 1,781,648 cars in service December 31, 1952 (Ex. 4, Sheet No. 4, lines 13, 3 and 11 respectively). They thereby added \$4,170,742,649 to the base for calculating the depreciation charge (idem., difference between lines 13 and 3). This added to the aggregate annual per diem rental \$130,127,170 as an annual charge for depreciation, over and above the return of the total funds actually invested in cars (idem., difference between lines 22 and 21, and see Point V-B).

At this per diem increase, the Boston & Maine, Long Island, New Haven, New Jersey & New York, Rutland and a number of other roads" refused to pay the per diem increase to \$2.40 and either withdrew from the agreement or took "independent action" thereunder. These roads paid, tendered, offered to pay and accept in settlement of their car rental accounts, per diem of \$2.00 or other 63%

"High-risk" Programs Within the Jurisdiction of the...

Madame Chairman and Members of the Subcommittee:

I am pleased to be here to discuss the Social Security Administration's (SSA) Supplemental Security Income (SSI) program and our decision to designate the program one of our high-risk areas. As you know, the SSI program provides means-tested income support payments to eligible aged, blind, or disabled people. Since the program's inception in 1974, the number of individuals receiving SSI cash benefits has grown significantly. About 6.6 million recipients now receive roughly \$22 billion in federal benefits. In the past several years, a major reason for growth in the SSI rolls has been an increasing number of younger recipients with mental impairments who have limited work histories. Rapid growth in the number of children receiving SSI benefits has further contributed to changes in the program's character. The increased number and diversity of SSI recipients has spurred criticism that the SSI program is increasingly susceptible to fraud, waste, and abuse. Through our work, we have also demonstrated that the SSI program has been adversely affected by internal control weaknesses, complex policies, and insufficient management attention. (A list of related GAO products dealing with SSI program vulnerabilities appears at the end of this statement).

Today, I would like to discuss several long-standing problems in SSI that have caused us to designate the program as high risk. These problems involve the methods SSA uses to verify recipients' initial and continuing eligibility for SSI benefits and the agency's efforts to get SSI recipients into the workforce. These deficiencies have placed the program at considerable risk and contributed to significant annual increases in overpayments to SSI recipients. Overpayments include payments to people ineligible for the program, as well as to those receiving higher benefit payments than their income and assets warrant. During 1996, SSA had \$2.3 billion in overpayments that was owed to the agency, including \$895 million in newly detected overpayments during the year. In that year, the agency was successful in recovering only \$357 million of the total outstanding debt.

To briefly summarize our findings, the SSI program has had significant problems in determining initial and continuing financial eligibility because of the agency's reliance on individuals' own reports of their income and resources and failure to thoroughly check this information. Moreover, the judgmental nature of SSA's disability determination process and SSA's past failure to adequately review SSI recipients to determine whether they remain disabled have also exposed the program to fraud, waste, and abuse. Finally, SSA is at risk of paying some SSI recipients benefits for too long because it has not adequately addressed their special vocational rehabilitation needs nor developed an agencywide strategy for helping recipients who can

enter the workforce. The Congress has recently made several changes that address program eligibility issues and increase the frequency of SSA's continuing eligibility reviews.

SSA has also begun addressing its program vulnerabilities and has made the prevention of fraud and abuse a part of its plan for rebuilding public confidence in the agency. However, our concerns about underlying SSI program vulnerabilities and the level of management attention devoted to these vulnerabilities continue. As part of our high-risk work, we are continuing to evaluate the underlying causes of long-standing SSI problems and the actions necessary to address them.

Expression of one thing in constitution is necessarily exclusion of things not expressed, and this is especially true of constitutional provisions declaratory in their nature. *Page v. Allen*, 98 1, 272.

5. Construction by United States supreme court. Decisions of supreme court of United States upon all questions of constitutional law are conclusive and binding on state courts. *Larrabee v. Talbot*, 46 D. 637.

Conclusions of that court upon construction of federal constitution, if clearly ascertained, will be followed by state courts. *Frey v. Kirk*, 23 D. 5S1; *Brigham v. Illemmer*- BOR, 48 D. 610.

Decisions of supreme court that statute of state violates constitution of United States must be followed by state courts. *Linn v. Bank of Ill.*, 25 D. 71.

6. Sovereignty.- Term "sovereignty" is used to express supreme political authority of independent state or nation, and whatever rights are essential to existence of this authority are rights of sovereignty, as right to declare war, intake peace, levy taxes, and take private property for public use *Moore v. Smaw*, 79 D. 123.

Right of sovereignty is vested in people, and is exercised through joint action of their federal and state governments. To federal government is delegate exercise of certain rights or powers of sovereignty; and exercise of all other rights of sovereignty, except as expressly prohibited, is revested to people of respective states, or vested by them in their local governments.

7. Powers remaining in the states. People of a state are entitled to all rights which formerly belonged to the king by his prerogative. *Lansing v. Smith*, 21 15. 89.

States upon entering retain their original power and sovereignty, except such as was surrendered to federal government, or they were expressly prohibited from exercising by United States constitution. Subject to these exceptions, they were independent commonwealths, and exclusive judges of what is just and proper for their own safety, welfare, and happiness. *Libair v. Ridgely*, 97 D. 249. S. P., *l'emple v. Culeman*, 60 D. 581; *Com. v. Erie Ry Co. etc.*, 1 R. 399.

Prior to adoption of federal constitution, states possession unlimited and unrestricted sovereignty, and retained same over after ward, except so far as they granted powers to general government, or prohibited them. lves from doing certain acts. Every state reserved to itself exclusive right of regulating its own internal government and polica Bir v. Ridgely, 97 1. 248.

Grant of power to Congress excludes right of state over same subject only when grant is in express terms exclusive authority to Union, or where graut to Congress is coupled

To find out if it helped societies by marketing it.

Stature line for Deposit.

Predatory hunting of humans for exploitation

Restraint for:

In re previous lien:

Restraint of Trade by Birth, and throughzisting channels of life cycles unwilling.

Customers deposit.