

MEMORANDUM

The proposed amendment to Article 67 is designed to give the judges of the Court of Military Appeals the same powers, prerogatives and rights, including that of retirement and appointment of court personnel, now enjoyed by judges of the Courts of Appeals of the Judicial Circuits of the United States.

Under the present law a judge of the Court of Appeals is empowered to sit as a Judge of the Court of Military Appeals in certain instances. This indicates that Congress intended the judges of the Court to have the same powers and perquisites as judges of the Courts of Appeals.

There have been attacks on the Court by the military services, some of whom resent its existence and consider it an executive instrumentality. The Court is a court of last resort and it should have all the powers inherent therein. The proposed amendment will resolve any questions concerning the powers and standing of the Court, guarantee its independence and judicial character, and insure an independent military judicial system.

UNITED STATES COURT OF MILITARY APPEALS
WASHINGTON 25, D. C.

ROBERT E. QUINN
CHIEF JUDGE

January 25, 1961

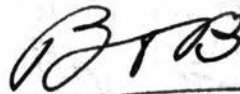
Honorable John E. Fogarty
House of Representatives
Room 1235 House Office Building
Washington 25, D. C.

Dear John:

I am enclosing the "Life Tenure" bill, so-called, about which I spoke to you. I'm asking Congressman Philbin and Congressman St. Germain to introduce the same bill. There is attached a memorandum of brief explanation.

I'm also asking Senators Pastore and Pell to introduce the same bill in the Senate.

Sincerely yours,



~~ROBERT E. QUINN~~

Enclosure