

Mr. FRASER. I was interested in the question of the provision of weapons to the reserves. Has that been discussed?

Mr. WHITENER. Yes, it has.

Chief LAYTON. We have discussed that, Mr. Fraser. We feel that the reserves should not be armed except on a selective basis and certainly not until there has been ample training of the reserve officer in the use of the weapon and probably for a particular duty.

Once he is armed he would have the same authority, the same legal authority, to use the weapon that a regular police officer has.

Mr. FRASER. He would be armed selectively and for specific purposes and only after training?

Chief LAYTON. Yes, sir.

Mr. FRASER. Does the bill as it is now written give you that leeway? It leaves the matter up to you?

Chief LAYTON. Yes. It provides there will be rules and regulations which can be drawn.

Mr. FRASER. That is the policy you would pursue?

Chief LAYTON. That is correct, sir.

Mr. WHITENER. Mr. Moyer, counsel has asked me to put these questions to you:

If such a reservist receives a salary in excess of a policeman's private pay in his regular employment with the Government or with a private concern, would the compensation paid to him in the event of injury or death be on the basis of his salary, the provisions of this bill, or salary in his regular employment?

As I understand the law, if he were injured in line of duty as a reserve officer and he was an employee of the Government, as the Lieutenant here is, the Lieutenant would not have any rights under the Federal Employment Compensation Act in his regular employment now, would he?

Mr. MOYER. That is right.

Mr. WHITENER. I think the answer to that question is what I have said, and that is that he would be entitled only to Federal Compensation Act coverage under the bill, the present bill. Is that correct?

Mr. MOYER. Yes. I will include that in the memo we supply you.

Mr. WHITENER. If the employee is in private employment, does the bill provide compensation based only on the pay of privates in the Police Department regardless of the fact that his private pay may be higher than that of a police private?

I imagine the same answer would apply. If he worked for the John Doe Department Store downtown, the workmen's compensation coverage of the John Doe Department Store would not come into play if he should sustain an injury outside of his employment with the John Doe Department Store. Is that correct?

Mr. MOYER. That is my understanding of the way those compensation acts work.

Mr. WHITENER. He should be limited in that situation, it seems to me, to the provisions of this bill with regard to injury received as a result of his work as a police reserve.

Mr. MOYER. That is my understanding of the way it would work.

Mr. WHITENER. If the Lieutenant has some sort of group insurance in his employment generally those policies provide that no benefits are available to one who is injured in line of duty in his employment.