

(5) Utilize the facilities and services of other governmental agencies.

(6) Accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

SEC. 4. There are hereby authorized to be appropriated not to exceed \$250,000 annually to carry out the provisions of this Act.

Approved September 2, 1958.

Appropriation.

## Public Law 85-906

### AN ACT

To establish a Commission and Advisory Committee on International Rules of Judicial Procedure.

September 2, 1958  
[H. R. 4642]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

Commission and  
Advisory Commit-  
tee on Internat-  
ional Rules of  
Judicial Proce-  
dure.

#### ESTABLISHMENT OF THE COMMISSION ON INTERNATIONAL RULES OF JUDICIAL PROCEDURE

SECTION 1. There is hereby established a Commission to be known as the Commission on International Rules of Judicial Procedure, hereinafter referred to as the "Commission".

#### PURPOSE OF THE COMMISSION

SEC. 2. The Commission shall investigate and study existing practices of judicial assistance and cooperation between the United States and foreign countries with a view to achieving improvements. To the end that procedures necessary or incidental to the conduct and settlement of litigation in State and Federal courts and quasi-judicial agencies which involve the performance of acts in foreign territory, such as the service of judicial documents, the obtaining of evidence, and the proof of foreign law, may be more readily ascertainable, efficient, economical, and expeditious, and that the procedures of our State and Federal tribunals for the rendering of assistance to foreign courts and quasi-judicial agencies be similarly improved, the Commission shall—

(a) draft for the assistance of the Secretary of State international agreements to be negotiated by him;

(b) draft and recommend to the President any necessary legislation;

(c) recommend to the President such other action as may appear advisable to improve and codify international practice in civil, criminal, and administrative proceedings; and

(d) perform such other related duties as the President may assign.

#### MEMBERSHIP OF THE COMMISSION

SEC. 3. (a) The Commission shall consist of nine members. The President shall appoint five members, three of whom shall be public members and two of whom shall be officials of State government whose positions give them knowledge of judicial and quasi-judicial procedures in the States. The Secretary of State shall appoint two representatives of the Department of State and the Attorney General shall appoint two representatives of the Department of Justice. The Commission shall elect a chairman from among its members.

(b) Vacancies in membership of the Commission shall be filled in the same manner as in the case of original designation.

(c) Seven members shall constitute a quorum.

(d) Members of the Commission who are appointed by the Secretary of State and the Attorney General shall serve without compensation in addition to that received for their services in the Government.

(e) The public members of the Commission shall each receive \$50 per diem when engaged in the actual performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other expenses incurred by them in the performance of such duties.

(f) Service of an individual as a member of the Commission or employment of an individual by the Commission shall not be considered to be service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes (5 U. S. C. 99).

62 Stat. 697,  
698, 703, 793.

#### THE DIRECTOR AND STAFF

SEC. 4. (a) The Director of the Commission shall be appointed by the Commission without regard to the civil-service and classification laws, and his compensation shall be fixed by the Commission without regard to the Classification Act of 1949, as amended.

63 Stat. 954.  
5 USC 1071 note.

(b) The Director shall serve as the Commission's reporter, and, subject to the direction of the Commission, shall supervise the activities of persons employed under the Commission, the preparation of reports, and shall perform other duties assigned him within the scope of the functions of the Commission.

(c) Within the limit of funds appropriated for such purpose, individuals may be employed by the Commission for service with the Commission staff without regard to the civil-service and classification laws, and services may be procured as authorized by section 15 of the Act of August 2, 1946, as amended (5 U. S. C. 55a), but at rates for individuals not in excess of \$50 per diem.

60 Stat. 810.

#### ESTABLISHMENT OF THE ADVISORY COMMITTEE

SEC. 5. (a) There is hereby established a committee of fifteen members to be known as the Advisory Committee on International Rules of Judicial Procedure (hereinafter referred to as the "Advisory Committee"), to advise and consult with the Commission. The Advisory Committee shall be appointed by the Commission from among lawyers, judges of Federal and State courts, and other persons competent to provide advice for the Commission.

(b) Members of the Advisory Committee shall not be deemed to be officers or employees of the United States by virtue of such service and shall receive no compensation. Members of the Advisory Committee who are not otherwise officers or employees of the United States shall be entitled to travel and subsistence expenses as authorized by section 5 of the Administrative Expenses Act of 1946, as amended (5 U. S. C. 73b-2), for persons serving without compensation, in accordance with the provisions of the Travel Expense Act of 1949, as amended (5 U. S. C. 835-842).

60 Stat. 808.

63 Stat. 166.

#### GOVERNMENT AGENCY COOPERATION

SEC. 6. The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency, and instrumentality is author-

ized to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission, upon request made by the Chairman or other member designated to act as Chairman.

#### ADMINISTRATION

SEC. 7. (a) For administrative purposes only, the Commission and the Advisory Committee shall be attached to the Department of Justice.

(b) The Commission shall render to the President annual reports for transmission to the Congress. Reports to Congress.

The Commission shall submit its final report and the Commission and the Advisory Committee shall terminate and wind up their affairs prior to December 31, 1959.

#### AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts, not to exceed a total of \$75,000, as may be necessary to carry out the provisions of this Act.

Approved September 2, 1958.

Public Law 85-907

#### AN ACT

For the relief of certain employees of the Department of the Navy.

September 2, 1958  
[H. R. 12212]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any employee of the Department of the Navy who, as a result of administrative error, received any overpayment of per diem while assigned to duty at the Golcuk Navy Yard, İsmet, Turkey, during the period beginning November 23, 1955, and ending April 30, 1957, both dates inclusive, is relieved of liability to pay to the United States the amount of such overpayment. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amounts for which liability is relieved by this section.

Naval employees.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each employee of the Department of the Navy referred to in the first section of this Act the amount certified to the Secretary of the Treasury by the Secretary of the Navy as the total of the amounts withheld from such employee by the United States on account of the overpayments referred to in the first section of this Act, plus the amounts paid to the United States by such employee on account of such overpayments: *Provided*, That no part of the amount appropriated in this Act for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved September 2, 1958.